Political territoriality in the European Union : the changing boundaries of security and healthcare

Vollaard, J.P.

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Chapter 6
Territoriality and the geography of threats

Security (…) is being decoupled from a statist territoriality.
Anthony McGrew[1]

6.1 Introduction

The political struggle for security has been deemed essential by quite a number of historical sociologists, political geographers, and realists to the formation, nature and survival of territorial states in Europe.[2] The centralised and successful hold of the means of violence within a fixed territory, recognised both by external and internal political actors, has usually been understood as the core component of the state. State territoriality in Europe emerged in an era of land and sea warfare, when transport and communication were relatively limited in terms of speed and mobility. Since the 19th century modernisation of technology and infrastructure has changed warfare, and brought about a dramatic increase in the speed, size, flexibility, mobility, and scale of transport and communication. Given these changes, the question can be raised whether territorial control has also consequently become of less value for organising security which is defined here as the freedom from threat. And does the opening of borders within the European Union reflect the diminishing relevance of territoriality as security strategy in Europe?

Liberal theorists of world politics have argued that the intensification of world-wide, cross-border interconnectedness between societies and governments would lead to more peaceful relations. It was thought that the spread of liberal democracy and free enterprise would be the most effective security measure in the world. The end of the Cold War

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[1] McGrew, A. (2007), 'Organized Violence in the Making (and Remaking) of Globalization', in D. Held & A. McGrew (eds.), *Globalization Theory: Approaches and Controversies.* Cambridge: Polity Press. p. 25.
[2] See *e.g.,* Tilly, C. (1990), *Coercion, Capital and European States: AD 990-1990.* Cambridge (Ma): Blackwell; Waltz, K.N. (1979), *Theory of International Politics.* Readings (MA): Addison-Wesley.

appeared to be a golden opportunity for the global spread of liberal peace. Many former communist countries that have converted to the principles of free enterprise and democracy do nowadays participate peacefully in the Western camp of the North-Atlantic Treaty Organisation (NATO) and the European Union (EU). In addition, the reduction in military aid by both the East and West substantially lowered the intensity of conflicts in the Third World, where most Cold War conflicts were actually fought.[3] A United Nations that was no longer hampered by the Cold War deadlock was better able to facilitate interventions in humanitarian disasters and conflicts. This was for the benefit of human security which is the protection of individuals from violence and other "threats to human dignity."[4]

Considering the number of military conflicts and war casualties, large parts of the world have become safer since the late 1990s.[5] Despite the ongoing technological revolution in military affairs, however, interventions did not become quick and surgical operations. Implanting the values of democracy and free enterprise in people's hearts and minds required long-term engagement, leading to a combination of developmental and security policies reminiscent of imperial warfare by European colonial powers: small-scale military operations to fight guerrillas and civilian efforts to maintain public order to allow for social-economic reconstruction. Samuel Huntington expressed his doubts about the peaceful consequences of such interventions in his well-known book *Clash of Civilisations*, in which he argues that interference of different civilisations would incite conflict. According to him, interventions (as well as migration) would be a receipt for war, instead of peace.[6]

Others have also expressed their concerns that Third World conflicts would infect the wealthy North, including Europe.[7] Failing states in Asia and Africa would not been able to contain violence and crime within their borders. Migration networks and information and

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[3] Human Security Centre (2005), *Human Security Report 2005: War and Peace in the 21st Century.* New York/ Oxford: Oxford University Press.
[4] Idem, p. viii.
[5] Idem.
[6] Huntington, S.P. (1996), *The Clash of Civilizations and the Remaking of World Order.* New York: Simon & Schuster.
[7] Creveld, M. van (1990), *The Transformation of War.* New York: Free Press; Cooper, R. (7 April 2002), 'The New Liberal Imperialism', in *The Guardian.*

communication technology offer support channels for global crime and terrorism. Weapons of mass destruction have become increasingly affordable and available for small groups, and no longer only for major powers. In addition to those concerns, a more comprehensive understanding of security emerged after the Cold War, including threats to the environment, national culture, or welfare state.[8] The intensification of world-wide interconnectedness was therefore not just about peaceful cultural and financial exchanges across state borders, but also about threats. The 9/11 attacks in the USA highlighted this "dark side" of globalisation: "…in key respects 9/11 signally illustrated how orthodox assumptions about organized violence and territorial defence have become increasingly problematic."[9]

Security analysts have prescribed early, multi-dimensional interventions abroad to counter on time emerging threats to the West.[10] They point out that between 1648 and 1989 military defence of territorial state borders would have dominated the security agenda. Nowadays European security policies have been increasingly marked by worldwide terrorism, criminality, pollution, migration, and contagious diseases. This interpretation raises several questions, however. Does advancing technology of transport and communication necessarily lead to a growing irrelevance of state borders? Is political territoriality no longer used as security strategy because of growing cross-border interconnectedness in the world and Europe in particular? Will the logic of territoriality no longer subsequently leave its mark on the organisation of security in Europe? And did territoriality and its logic play such a prominent role between 1648 and 1989 as has been suggested?

This chapter defends two claims regarding the geography of threats and the territorial organisation of security. First, it does not fully follow the functionalist argument, stating that the organisation of security will automatically adopt the most efficient scale of operation, determined by advancing technology of transport and communication. Avoiding this

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[8] Buzan, B., Wæver, O. & Wilde, J. de (1998), *Security: A New Framework for Analysis.* London: Lynne Rienner Publishers.

[9] McGrew, A. (2007), 'Organized Violence in the Making (and Remaking) of Globalization', in D. Held & A. McGrew (eds.), *Globalization Theory: Approaches and Controversies.* Cambridge: Polity Press. p. 24.

[10] See, *e.g.,* Cooper, R. (2004), *The Breaking of Nations: Order and Chaos in the Twenty-First Century.* London: Atlantic Books.

mono-causal, one-dimensional approach to the relation between geography and security organisation, it shows how territorial organisation of security also impacts on the geography of threats. In addition, the exit and entry of security actors such as local lords and regional authorities does not only depend on technology, but also on the institutional strength of external consolidation and loyalties. Furthermore, the chapter argues against the rigid historical classification based on the presumed dominance of Westphalian territoriality between 1648 and 1989. Instead, it will show the variation in territoriality before 1648 as well as between 1648 and 1989.

Section 6.2 offers a reflection on the Westphalian bias in studies of security, presenting the analytical instruments developed in previous chapters as a way out of this territorial trap. Section 6.3 illustrates the historical variation of territoriality in security polities, policies, and politics using Rokkan's ideas concerning exit, voice and loyalty and their systemic counterparts of boundary-making, voice structuring and system-building. The focus is on the French areas, expanding on the exposure of its improbable integration in Chapter 4, as well as the Netherlands and its predecessors. At the crossroads of (former) great powers, and as an important nodal point in European and global trade infrastructure, the organisation of security in the Netherlands has been closely interlinked with its neighbours. The Dutch case will therefore provide an interesting insight in the issue of geography of threats and the territorial organisation of security. Section 6.4 shows the emergence of security provisions at the European level in addition to global, regional, national, and local security systems (in and around the Netherlands) until the 1980s. Often presented as the most advanced post-modern security organisation, the European case would serve as fruitful example to see whether and how geography of threats and changing political territoriality are interlinked. This section also serves as the historical background for Chapter 7, focusing on security and territoriality in a borderless and enlarging Europe since the 1980s.

6.2 Avoiding the territorial trap in security studies

The impact of geography on politics and security has long been the subject of study. Well-known examples in the past were Herodotus and

Montesquieu.[11] Geographic factors such as the climate, the availability of arable land, mountain ridges, rivers, seas, and raw materials have been analysed for their influence on conflicts. In those studies, geography has served as an explanation for the causes and particular control of threats. Modifying the geographic range of action, technological evolutions in weaponry regularly give rise to claims of new threats and the possibility of providing security. For example, air warfare, nuclear warfare, and space espionage have been used as reasons to declare territorial states indefensible after the Second World War, because they make state borders irrelevant.[12] Notwithstanding the increasing technological opportunities to cross state borders, the number of states has steeply increased since the introduction of air warfare, nuclear warfare, and space espionage.[13] Apparently, changing technology and geography of threats do not automatically determine the political organisation of security.

European history also illustrates this. Although war played a significant role in the (re)formation of polities in European history, military security needs did not determine fully their geographical size or (territorial) constitution. First, warfare is not necessarily effective or efficient if organised "territorially-centrally", as the operations of guerrilla groups and warrior bands show.[14] In addition, the survival of a political system is not only about security, but also about its external and internal acceptance. For example, the normative order within the Holy Roman Empire and the Christian society of European nations did result in political entities being internally and externally indefensible considering the range and power of contemporary weaponry. Next to the material world of nature and technology, social reality is also significant for organising security. Claims that globalisation would render borders irrelevant, should therefore at least be approached with care. The question is therefore not just how geography impacts on organising security, but also how the territorial organisation of security impacts on threats.

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[11] See Criekemans, D. (2007), *Geopolitiek: "Geografisch Geweten" van de Buitenlandse Politiek?* Antwerpen: Garant.

[12] Herz, J. (1957), 'Rise and Demise of the Territorial State', in *World Politics*. Vol. 9, no. 4, pp. 473-493.

[13] *Cf.* Herz, J. (1968), 'The Territorial State Revisited: Reflections on the Future of the Nation-State', in *Polity*. Vol. 1, no. 1, pp. 11-34.

[14] Mann, M. (1986), 'The Autonomous Power of the State: Its Origins, Mechanisms and Results', in J.A. Hall (ed.), *States in History*. Oxford: Basil Blackwell. pp. 109-136.

In recent years, war studies have increasingly paid attention to territorial factors, such as size, shape, and proximity of state territories.[15] It appears that the probability of (military) escalation, a larger number of casualties, and the likelihood of the conflict being repeated is greater in territorial than in non-territorial conflicts.[16] Territorial conflicts are also less likely to be resolved peacefully. That is not just because of the geographical concentration of natural resources, such as diamonds, water, and oil, or the ability to communicate effectively who should share the burden of collective defence. In particular the perceived indivisibility of a territory complicates compromises, indicating the fixating power of geographical visualisations of polities. Recent research on territorial conflicts and globalisation indicate that territoriality is an effective means of communication also among migrants in the Diaspora.[17] A loss in a territorial conflict is fairly easily visible, which make states reluctant to compromise with irredentist movements or neighbours because their reputation would be quickly tarnished.[18] Studies of territorial conflicts thus show why and how territory is used a as strategy for control; particularly for its effectiveness and efficiency of communication. It also shows that an aspect of the logic of territoriality, geographical fixity, hampers the solution of conflicts. The focus of these studies is however mainly on state territories, state borders, and military conflicts. Yet the topic of territoriality is a much more varied phenomenon than just these, as will be shown below.

By exclusively focusing on military security, neo-realist as well as traditional security studies in International Relations have also taken state sovereignty and state territoriality for granted. In these studies, the Peace Treaties of Westphalia (1648) has often been presented as the starting

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[15] See Starr, H. (2005), 'Territory, Proximity and Spatiality: The Geography of International Conflict', in *International Studies Review.* Vol. 7, no. 3, pp. 387-406; Kahler, M. & Walter, B. (eds.) (2006), *Territoriality and Conflict in an Era of Globalization.* Cambridge: Cambridge University Press.

[16] Hensel, P.R. (2000), 'Territory: Theory and Evidence on Geography and Conflict', in J.A. Vasquez (eds.), *What do we know about War?* Boulder (CO): Rowman and Littlefield. pp. 57-84.

[17] Lyons, T. (2006), 'Diasporas and Homeland Conflicts', in M. Kahler & B.F. Walters (eds.), *Territoriality and Conflict in an Era of Globalization.* Cambridge: Cambridge University Press. pp. 111-132.

[18] Walter, B.F. (2003), 'Explaining the Intractability of Territorial Conflict', in *International Studies Review.* Vol. 5, no. 4, pp. 137-153.

point of an era in which the survival of a political system requires the military defence of territorial sovereignty. However, territory has always been used throughout history as a strategy for security, and not only in a Westphalian mould. For example, Hadrian's Wall was used to ward off attacks by Pictish tribes on the Roman Empire. The political boundaries did not coincide with the security boundaries in the Roman Empire, since the former was largely founded on person-based citizenship. Hadrian's Wall was also more or less part of a security buffer zone, instead of being a strictly demarcated border as the usual Westphalian understanding of state borders has it. In addition, palisades of villages, the walls of mediaeval cities and fortresses, as well as the safe havens of churches show a variety of security territorialities. Moreover, the supreme and universal authority of pope and emperor in Mediaeval Europe indicates that sovereignty is not necessarily based on territory.

These examples are drawn from the European past before the Peace Treaties of Westphalia. Nevertheless, Westphalia did not automatically mean an equation of territoriality, sovereignty, and military security. As has been previously argued, the treaties aimed at the restoration of the political order within the Holy Roman Empire and the European society of Christian nations.[19] The treaties did not contain any reference to sovereignty. The conceptual merging of sovereignty and the principle of territoriality has rather been a theoretical construct of nineteenth century German state theorists that has been imposed on history afterwards.[20]

The historical presentation of the period between 1648 and 1989 as dominated by state territoriality obscures the many ways in which territory was used to organise security in this particular period. The fictive fixity of Europe composed of individual territorial states has also resulted in a territorial trap in security studies, taking territorial sovereignty, the separation of domestic and foreign realms of politics, and the distinction of societies according to state borders for granted.[21] Particularly neo-realist and traditional security studies predominantly focus on military conflicts between states, as if military conflicts are something exclusively foreign. Security is not just a matter of territorial war, but, to follow the

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[19] Osiander, A. (2001), 'Sovereignty, International Relations, and the Westphalian Myth', in *International Organization*. Vol. 55, pp. 251-287.
[20] Idem.
[21] Agnew, J. (1998), *Geopolitics: Revisioning World Politics*. London: Routledge. p. 49.

Copenhagen School in International Relations, security is what people make of it. For example, as migration is increasingly considered a threat, police forces have been tightening up control at borders, such as between Mexico and the United States. In addition, the war on drugs, and later against terrorism has involved military forces at home, at borders, and abroad since the 1970s.[22]

Due to their focus on military conflict among territorial states, police and crime studies have been largely neglected by International Relations experts as being insignificant for international politics.[23] This negligence has certain costs, not only because the changing understanding and organisation of security will only be partly analysed, but also because the history of policing offers usually more in-depth, fine-grained insights in states' (re)formation than military history does.[24] The maintenance of public and social order often better reflects the distribution of power within states or other political entities, rather than their defence by military means to extinguish inimical forces. For their part, police and crime studies have often focused on domestic or local phenomena, neglecting the significance of (military) security issues on a larger scale.[25] In the last three decades, organised crime and European integration have gradually increased attention on security issues at a larger scale.[26] However, geographical studies of crime remain predominantly focused on

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[22] Andreas, P. (2003), 'Redrawing the Line: Borders and Security in the Twenty-first Century', in *International Security*. Vol. 28, no. 2, p. 78-111.

[23] Idem, p. 80; Bigo, D. (2000), 'When two become one: Internal and External Securitisations in Europe' in M. Kelstrup & M.C. Williams (eds.), *International Relations Theory and the Politics of European Integration: Power, Security and Community*. London: Routledge. p. 174; Andreas, P. & Nadelmann, E. (2006), *Policing the Globe: Criminalization and Crime Control in International Relations*. Oxford: Oxford University Press. p. viii.

[24] Bayley, D. (1975), 'The Police and Political Development in Europe', in C. Tilly (ed.), *The Formation of National States in Western Europe*. Princeton (NJ): Princeton University Press. pp. 328-379; Fijnaut, C. (1979), *Opdat de Macht een Toevlucht zij? Een Historische Studie van het Politieapparaat als een Politieke Instelling*. Antwerpen: Kluwer/ Arnhem: Gouda Quint.

[25] Andreas, P. (2003), supra note 23; Andreas, P. & Nadelmann, E. (2006), supra note 23, p. 6.

[26] See Felsen, D. & Kalaitzidis, A. (2005), 'A Historical Overview of Transnational Crime', in Ph. Reichel (ed.), *Handbook of Transnational Crime & Justice*. Thousand Oaks: Sage. pp. 3-19; Occhipinti, J. (2003), *The Politics of EU Police Cooperation: Towards a European FBI?* Colorado: Lynne Rienner.

urban crime and policing.[27] That may be justified because most petty criminal offences take place close to the criminal's living place, but organised crime is often embedded in transnational contacts and networks.[28] The territorial trap in security studies should be avoided to explore and explain the organisation of security transcending state borders. The state should not be assumed to be the one and only security organisation. And the concepts of state sovereignty, territoriality, and military security should be disentangled to analyse changing political territoriality in the field of security.

One might expect that theories and approaches focusing on transnational phenomenon, such as those of interdependence or globalisation, would have a more refined understanding of security and political territoriality. Unfortunately, they have not given much attention to violence, sticking to the liberal belief that intensifying interconnectedness across the world would foster peace.[29] Liberal theories on globalisation hold, for instance, that an open world-wide market would make territorial conquest too expensive and ineffective to obtain economic resources, because mobile factors of capital and labour would flow away, while a stable investing climate disappears.[30] Regarding the violent nature of territorial conflicts, liberals might be right that states and their borders tend to aggravate rather than limit insecurity. State organisations have been fairly effective in killing their subjects, and territorial conflicts tend to more easily escalate into violence. States with open economies are less inclined towards territorial conflicts, particularly with each other. However, economically developed states are more likely to pursue war, particularly on non-territorial issues against lesser developed states.[31] The negligence of security issues in liberal theories on interdependence and globalisation is therefore premature, not the least

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[27] See D.J. Evans, N.R. Fyfe & D.T. Herbert (eds.) (1992/ 2005), *Crime, Policing and Place: Essays in Environmental Criminology*. London/ New York: Routledge.
[28] *Cf.* Bruinsma, G.J.N. (2000), *Geografische Mobiliteit en Misdaad* (Inaugurele Rede). Leiden: Universiteit Leiden.
[29] McGrew, A. (2007), *supra* note 9, pp. 15; 36.
[30] *Cf.* Angell, N. (1938), *The Great Illusion: Now*. Harmondsworth: Penguin; Rosecrance, R. (1999), *The Rise of the Virtual State: Wealth and Power in the Coming Century*. New York: Basic Books; Cooper, R. (2004), *supra* note 10, p. 33.
[31] Gartzke, E. (2006), 'Globalization, Economic Development, and Territorial Conflict', in Kahler, M. & Walter, B. (eds.), *Territoriality and Conflict in an Era of Globalization*. Cambridge: Cambridge University Press. pp. 156-186.

because of the violent origins of interdependence and globalisation itself (think in this respect of colonialism and the Cold War).[32] Increasing global interconnectedness does not say anything about the form and content of the connectedness, whether it is of a violent nature, or whether it is institutionalised in state territories or not. Globalisation does not automatically lead to a peaceful world in which the human security of cosmopolitan citizens in transnational networks would replace the security of states as the prominent issue on the world agenda.

Whereas realists stick to an image of a world of territorial states, and liberals are inclined towards the image of a peaceful world of individuals, others have avoided these fairly simple pictures of security and territoriality. Huntington pointed out the power of culture, although he nevertheless assumed nation-states would remain the "principal actors".[33] The Copenhagen School in International Relations has broadened the understanding of threats, albeit of states and state societies.[34] The growing attention to a changing security agenda after the Cold War has challenged the presumed distinction between public and private, civil and military, war and peace, police and military, civilian and police, domestic and foreign, in other words disentangling the conceptual equation of sovereignty, territoriality and military security. The French professor of International Relations Didier Bigo has expressed his doubts about the prospects of territorial security systems. The present emphasis on the security of individuals has involved other strategies, such as networks among multiple security authorities, as well as private security companies and insurance agencies.[35] Depicting a similarly messy but grimmer picture of the world, Robert Kaplan sees the emergence of islands of civility within a cartographic chaos of violence and crime, stretching from the Third World towards the north of the world, reminiscent of medieval times.[36] According to Kaplan, present-day world

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[32] McGrew, A. (2007), *supra* note 9, p. 32.
[33] Huntington, S.P. (1996), *supra* note 6, p. 21.
[34] Buzan, B. et al. (1998), *supra* note 8.
[35] Bigo, D. (2000), 'When two become one: Internal and External Securitisations in Europe' in M. Kelstrup & M.C. Williams (eds.), *International Relations Theory and the Politics of European Integration: Power, Security and Community.* London: Routledge. p. 180.
[36] Kaplan, R. (2000), *The Coming Anarchy: Shattering the Dreams of the Post Cold War.* New York: Random House.

maps of states form a "conceptual barrier that prevents us from comprehending the political crack-up just beginning to occur worldwide." [37]

A refined understanding of changing political territoriality in the field of security is required to establish empirically whether Europe and the world is still carved up into territorial states, is heading towards borderless peace, or towards more medieval-like complexity of civilised islands. The empirical exploration in this and the following chapter is guided by two analytical insights. First, the mechanisms of exit, voice, and loyalty (and their systemic counterparts of boundary-building, political structuring and system-building) mark every security system, before or after Westphalia. Moreover, if territory is used for providing security, the logic of territoriality marks the security system. And the more territory has been institutionalised, the more the logic of territoriality leaves its mark on a security system, regardless of whether it comes before or after Westphalia.

With the help of these two analytical insights, it is possible to map the various trajectories of security systems in Europe, while avoiding the territorial trap which holds that every system since 1648 is functionally the same and assumes that the logic of territoriality has worked everywhere to the same extent and at the same time. In addition, the interplay of exit, voice, and loyalty (and their systemic counterparts) offer a more comprehensive understanding of changing territoriality in the organisation of security, in contrast to mono-causal explanations based on the changing geography of threats alone. Thus, variation in the level of dissatisfaction about insecurity, as well as the means available to solve this dissatisfaction, variation in the (geographical) exit options available and opportunities to maintain boundaries, variation in the opportunities to organise voice, and variation in the material and immaterial resources to sustain loyalty has put every security system in European history on a different path of evolution. Temporal and spatial variation to the extent in which territoriality is used as security strategy of control thus depends on the mechanisms of exit, voice, and loyalty.

Exit, voice and loyalty take place in any system (in the making). A system consists of members, who consume values and express their

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[37] Idem, p. 38.

loyalty or voice dissatisfaction, and of authorities, who allocate values and to whom loyalty or dissatisfaction is directed. A security system is thus any combination of members and authorities involved in the allocation of security. This may be a legitimate state, but also a mafia organisation, the municipal police, or NATO. The type of members, in other words, the consumers of security differ among systems. In NATO, governments of the Member States are the main consumers, while a mafia organisation averts (threat of) force towards members such as shop owners. Membership may also change over time within a certain system. Whereas local governments have been the dominant security consumers in national security systems over the last two centuries, in the last two decades individual citizens have increasingly emerged as consumers of security within national security systems. By defining security systems in this way, the territorial state is not taken for granted in advance as the one and only security organisation.

6.3 Political territoriality and organising security in history

6.3.1 Territorialisation of security

European rulers have often used buffer zones to secure their entities rather than strict territorial control. A buffer zone confronts enemies with friction costs before they can strike at the core of the attacked polity, providing the latter time to mobilise its means of violence to counter the attack. Because the speed and mobility of transportation of armies did not change significantly between the Roman Empire and Napoleonic Europe, buffer zones have long been the security instrument for continental polities in particular. Maritime polities such as the Dutch Provinces, Venice, Sweden, and the English Kingdom tended to organised their security based on water; both against external invasions as well as internal resistance. Waterways were the most efficient infrastructure for the development of trade and industry, for obtaining financial and personal resources to wage war, and the provision of protection. Land infrastructure required much more investment to construct and maintain. Therefore, "[u]ntil the eighteenth century, the greatest powers were maritime states, and naval warfare remained crucial to international positions. (…) only in our time have such essentially landbound states as

Russia and China achieved preponderant positions in the world's system of states."[38]

The challenge for land-bound powers existed in organising an efficient security infrastructure. They were confronted with the costs of large-scale security operations over land, while subjects in border areas could use geographical exits relatively easily. The defence of land-bound security systems was often based on the personal linkages between central rulers and regional magnates and their armies. The areas today collectively called France exemplify how a security infrastructure gradually changed from a person-based security system into a territory-based one led from single geographical centre in Paris. King Philip the Fair (1285-1314) was the first one who levied taxes and drafted armoured men for the defence of the *realm* of the French kingdom, albeit only in case of emergency. Whereas battles between cavalry and infantry forces dominated most wars such as during the Hundred Years War, the growing effectiveness and efficiency of artillery gradually changed the nature of warfare. This military evolution required stronger and more sophisticated fortifications. Sieges instead of battles gradually started to dominate warfare. Moreover, the increasing indefensibility of castles and city walls, as well as costs of the required fortifications made lords and cities look for (financial) support at a higher level.

The French royal security infrastructure was largely of a personal nature. The buffer zones of the French kingdom consisted of local fiefs, cities, provinces, and regional lords. Under the rule of Cardinal Richelieu (1585-1642) and King Louis XIV (1643-1715) attempts were made to close territorially the gates of the kingdom to prevent 'foreigners' from making alliances with 'internal' lords to invade and raid these areas. For example, Richelieu issued the doctrine of the royal monopoly of force, while his idea of a standing army would be a way to keep the lords in control.[39] Reflecting the shift from battle to siege warfare, the French marshal Sébastien Le Prestre, Seigneur de Vauban (1633-1707) planned and constructed a linear defence line of fortresses along the royal borders,

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[38] Tilly, C. (1985), 'War Making and State Making as Organized Crime', in P.B. Evans, D. Rueschmeyer & T. Skocpol (eds.), *Bringing the State back in.* Cambridge: Cambridge University Press. p. 178.
[39] Idem, p. 174.

while demolishing fortresses of magnates, cities and fiefs within.[40] He thus used territory as an effective and efficient means to visualise and to communicate the range of Paris' influence and power. Vauban also advanced the idea of efficient planning of security within the areas dependent on Paris. First, he aimed at professionalizing the armed forces. That proved to be difficult since these forces were led and owned by regional magnates. After offering these magnates a say in royal security politics, these forces were gradually fused into a Paris-led system of defence.

Vauban's defence policy territorialized France. It created a territorial, impersonal distinction between areas considered inside or outside of the French areas, instead of the more unpredictable, personal bonds between Parisian kings and regional magnates and their forces. In addition, the line of defence geographically fixed the French security system, setting further tendencies of containment in motion. For example, Vauban considered the Paris-controlled territory and its residents as a valuable resource. He proposed a system of taxation based on land property and trade to fund the security efforts. That would require a permanent bureaucracy to register and map people and properties in the French territory. Although Vauban's idea was not immediately accepted by his contemporaries, later administrators adopted and implemented it.

French kings yet sought territorial aggrandizement out of dynastic grandeur or imperialism, because the collection of rights and titles is most easily recognizable through the acquisition of territory in the cartographic era. Next to the invention of land maps, the idea of natural frontiers emerged in the 16th century. The frontiers of Gaul in Caesar's time, the Pyrenees, Alps, Rhine and seas, should justify the internal control of the French king, as well as the expansion of the French king's realm of influence to the Rhine. His administrative staff also suggested the Rhine as a natural frontier to stop ambitious kings from trying to acquire more territory and overstretch the military capacity of the French army,[41]

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[40] Gottmann, J. (1944), 'Vauban and Modern Geography', in *The Geographical Review.* Vol. XXXIV, no. 1, pp. 120-128; Hebbert, F.J. & Rothrock, G.A. (1990), *Soldier of France: Sébastien Le Prestre de Vauban 1633-1707.* New York: Peter Lang.

[41] Finer, S. (1974), 'State-building, State Boundaries and Border Control: An Essay on Certain Aspects of the First Phase of State-Building in Western Europe considered in the Light of the Rokkan-Hirschman Model', in *Social Science Information.* Vol. 13, no. 4/5, p. 96.

illustrating the potential conflict of outward-looking imperial inclination of French dynasties and the inward-looking geographical fixity of Vauban's security system.

Meanwhile, encroachment of (tax) privileges and religious policies of the Habsburg Empire fostered opposition and outright resistance among regional lords, cities, and provinces north of the French kingdom in the late 16th century. After a period of intermittent struggles lasting several decades between Habsburg forces and a variety of regional forces, the independent Republic of the Seven United Provinces emerged when the regional rulers no longer accepted the overlordship of the Habsburg Philip II in 1581. Whereas rivers and inundation tactics provided often an effective hurdle to large-scale military operations in the northern part of the Low Countries by Habsburg forces, the flat lands below the big rivers (roughly covering present-day eastern and southern parts of the Netherlands and the north-western half of Belgium) facilitated these. Soon after the authorities of the Dutch Provinces made peace with their Habsburg opponents in 1648, French imperialism appeared as the new threat from the south. Whereas the geographical conditions offered a temporary line of defence, the Dutch Provinces were geographically too small for effectively defending themselves against French imperialism. In addition, an advanced system of food storehouses enabled French forces to start operations before the usual war season opened.

The security authorities of the Dutch Provinces created a line of defensive city bulwarks after extensive discussions whether this defence line (called the *frontieren van den staat*) should be located exactly at the borders or more strategically located within the area of the Dutch Provinces to defend the economic heartland, Holland, more effectively. The Dutch security authorities also pursued a policy of forward defence. They managed to gain approval from the Habsburg rulers to construct a defensive buffer in the Spanish Netherlands, south of Dutch Provinces, against French imperial ambitions (the so-called *Barrière*).[42] The Frisian military engineer Menno van Coehoorn was one of the most well-known constructors of both the city bulwarks and the defensive buffer. In

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[42] Nimwegen, O. van (2006), 'The Quest for Security: The Case of the Dutch Republic', in M.D. Burgess & H. Vollaard (eds.), *European Integration and State Territoriality*. Routledge: London. pp. 17-36.

military operations, he was also confronted with his French counterpart Vauban.[43]

Apart from a few princes of Orange-Nassau acting in their function as *stadhouder* (stadtholder; literally, substitute of a sovereign) and captain-general of the various provinces, the political authorities of the Dutch provinces did not seek territorial aggrandizement on the European continent. Instead, they tried to abstain from French power politics, increasingly forced to pursue a "policy of non-involvement" among their larger neighbours.[44] The marine forces of the Dutch Provinces defended their coasts, and kept particularly the Canal, Mediterranean and Baltic seas open for trade. In the early 18th century, the marine forces weakened gradually and eventually had to acknowledge the supremacy of British maritime forces at sea. [45] Only by silent alignment with its British neighbour, the Dutch Provinces kept (access to) trade partners and the Dutch colonies in Asia and America safe. This alignment also served as a counter-weight to the continental powers of France and, in the 19th century, a uniting Germany. The territorial lines of defence and geographical conditions may have helped to delay attacks on the Dutch Provinces, but the relationship among the kings and princes of the larger powers in Europe helped to secure Dutch Provinces from permanent domination by the French or any other power.

Whether effective or not, the territorial strategy had its implications for the organisation of security in the Dutch Provinces. The territorial strategy entailed a certain measure of geographical fixity, impersonalisation, inclusion and exclusivity, as well as centralisation, despite the confederated nature of the Republic. The territorial line of defence and cartographic images of the Republic as a gated garden enhanced its geographical fixity. The geographical size, composition, structure, and existence of the Republic depended less and less on personal bonds among nobility or clergy, indicating the increasing impersonal nature of security organisation. Although army companies

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[43] Hoof, J. van (2004), *Menno van Coehoorn 1641-1704, Vestingbouwer, Belegeraar, Infanterist*. Den Haag: Instituut voor Militaire Geschiedenis.
[44] Voorhoeve, J.J.C (1979), *Peace, Profits and Principles: A Study of Dutch Foreign Policy*. The Hague: Martinus Nijhoff. p. 25.
[45] Prud'homme van Reine, R. (2003), 'De Republiek als Grote en Kleine Mogendheid ter Zee', in J.R. Bruijn & C.B. Wels (eds.), *Met Man en Macht: De Militaire Geschiedenis van Nederland 1550-2000*. Amsterdam: Balans. pp. 105-142.

remained under the control of noblemen or other distinguished persons (and named after them), one standing army (*Staatse leger*) operated collectively for the defence of the Republic and was deployed across its territory according to its defence needs.[46] The official universal obligation for military service was never activated, and, as everywhere else in Europe, many foreigners served on a short or long term basis in the Dutch army. Several foreigners with a permanent appointment became Dutch citizens. In 1829, the last (Swiss) foreigners left the Dutch army in Europe (foreigners could serve in the colonial army until the First World War), indicating a tendency toward the geographical inclusion and exclusion of military personnel.

Provincial nobility and city oligarchs controlled the human and financial security resources within the Republic. The provincial authorities also bore responsibilities for the troops residing in their area. Cities did have armed guards of independent burghers (*schutterijen*) for defence purposes. In addition, the control of naval forces was divided among five *admiraliteiten* (Admiralty Boards), located in five maritime cities. Notwithstanding the logic of territoriality in the organisation of security at the city and provincial level, centralisation of security organisation took place within the relatively fixed territory of the Dutch Republic. The deployment of troops in the Republic did not depend on the provinces financial contribution for the Republic's security, but on the defence needs of the Republic as a whole.[47] Instead of seven provincial authorities deciding separately on the deployment of seven independent provincial armies, the central organs of the Council of State and particularly the Estates-General, where the representatives of the Dutch Provinces met, decided on the movements and financing of the standing army. Provincial authorities could appoint a *stadhouder* who could also be asked to serve as Admiral or Captain-General responsible for the provincial security. In addition, the central Estates-General could appoint the *stadhouder* as captain-general of the *Staatse leger*. Particularly in times of emergency, the *stadhouder*, always a prince of Orange-Nassau, obtained considerable influence in security affairs. Conflicts of power regularly

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[46] See Zwitzer, H.L. (1991), *'De Militie van den Staat': Het Leger van de Republiek der Verenigde Nederlanden.* Amsterdam: Van Soeren.
[47] Idem.

emerged over whether the provinces were collectively in charge or the prince of Orange. This even resulted in 1650 in a failed military attempt by the prince of Orange to impose his will on the city of Amsterdam, a predominant player in the dominant province of Holland. When civil war almost broke out in 1787 between orangists and republican patriots, again, the organisation of military security remained an issue at a central level rather than the provincial or local level. The intervention by 26,000 Prussian troops restored the position of the prince of Orange. Soon after the threat of a French revolutionary army forced security authorities in the Republic to make decision-making more efficient and centralised. After the French army invaded and occupied the Dutch Republic in 1795, leading to its annexation by the French empire in 1810, a further centralisation of the security organisation took place. The French not only brought about increased national centralisation by abolishing the confederate structures of the Republic, but also a first step towards the further centralisation of police forces within the territory of the so-called Batavian Republic.

In mediaeval times, person-based mechanisms (such as slavery, feud settlements, kinship, feudal privileges, the Christian faith, and rules of honour) have been used predominantly to control people and phenomena for security reasons. Urban guards, the nobility, and church police (*e.g.*, the Inquisition) took responsibility for security in cities, the countryside, and the Christian civilisation. Averting threat of criminality or other threats was of a mostly private, voluntary, fragmented, immobile, and passive nature, despite the official responsibility of kings for justice, law and order in their realm. Victims were often allowed to detect and prosecute felonies themselves. In contrast to the nobility and clergy, the movement of ordinary people was increasingly territorially circumscribed since the late Middle Ages; only by permission of the local authorities could someone leave the area (for example, by a declaration of good behaviour).[48] That reflected the moral and economic concerns among ruling classes to regulate the vagrant poor, particularly after demobilisation.[49]

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[48] Torpey, J.C. (2000), *The Invention of the Passport: Surveillance, Citizenship and the State*. Cambridge: Cambridge University Press.
[49] See Rawlings, Ph. (2002), *Policing: A Short History*. Cullompton: Willan Publishing.

Often considered as a threat locally, central rulers used armed forces ad hoc in cities and the countryside to collect taxes or suppress revolts. In the 17th and 18th century, first steps towards penetration and centralisation of policing occurred in the French areas to ensure tax collection, the observance of royal justice, and the residents' loyalties towards the centre.[50] In 1621, the much hated intendants obtained a policing function supporting their tasks of taxation and administering royal justice, which met fierce resistance, such as in the Fronde. The centre started to penetrate yet further into French society by appointing chief constables in cities, and by collecting information on political and criminal suspects, particularly in Paris. It also enhanced its grip on the countryside by appointing rural policemen and by strengthening the central command over the local and regional constabulary forces (*gendarmerie*) in 1720. These military police forces were made more mobile and started active and regular patrols to restore public disorder more effectively. Later on, the central government also employed the gendarmerie in cities. Territorial patterns in patrolling aimed at the effective surveillance of the French areas. Nevertheless, the *gendarmerie* remained locally and regionally fragmented and oriented due the sale of positions to local and regional persons of noble or other distinguished origin.

Concerns about political loyalty rose considerably during the turbulent years of the French Revolution and its aftermath. Measures taken to ensure the political loyalty of security forces and the residents of the French areas led to the increased centralisation, unification, extension, militarisation, and professionalization of police forces, as well as the further penetration of those forces into the French areas and into people's lives including their opinions. Initially, local guards consisting of citizens looked for a prominent role in the security organisation to replace the much hated police forces of the *ancien régime.* However, revolutionary rulers soon preferred professional, militarised, and centralised police forces being a more disciplined and reliable instrument of political control, culminating into the establishment of a separate ministry of police in 1796 led by Joseph Fouché. A separate police apparatus not only controlled political opponents more effectively by employing violence and collecting intelligence more systematically, it also helped to enforce

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[50] Based on Fijnaut, C. (1979), *supra* note 24, Ch. 3 and 4.

mobilisation of conscripts throughout all French areas for wars abroad. However, penetration into the countryside remained fragmentary, and particularly after the closing of the ministry of police in 1815, tensions remained between the municipal police and the central security organisations. Nevertheless, centralisation of security organisation did occur within the relatively fixed territory of France throughout the 17th and 18th centuries. Moreover, the French occupying power entailed centralisation of security organisation within annexed or conquered areas throughout Europe, such as in the Batavian Republic.

6.3.2 Controlling "masterless men"
Napoleon Bonaparte's imperialism brought French occupation to the Dutch Provinces. For his imperial conquest of Europe, Napoleon enjoyed the benefits from the previous territorialisation of security in the French areas. These areas not only provided the necessary financial resources for his army, but the general mobilisation of 1793 also showed that the residents living in these areas could be used as cannon fodder. The accompanying territory-wide bureaucracy and infrastructure to mobilise and support conscripts enhanced Paris' central control of the French territory. French troops served in the *levée en masse* across the entire European continent. Making ordinary people relevant for security operations at such a scale also required a convincing narrative why they should fight and die for the defence of a French territory. The rulers of France argued that they and the ordinary people belonged to one indivisible nation circumscribed by territorial boundaries. Thus, the territorial strategy for organising security resulted into the ideal of a geographically exclusive and fixed nation. The conscription of lower classes and the development of national loyalty in France and elsewhere also served as a means to prevent military professionals from disloyalty towards the central rulers and the nation. The establishment of police forces to control the military, the tight hierarchy within the military, the containment of armed people within barracks, and the prohibition of the private ownership of weapons also aimed at preventing violence from being turned against the central rulers.

After Napoleon's attempts to rule Europe, the European dynasties and their governments and diplomats sought means to limit imperial and

nationalistic enterprises within Europe. They aimed at preventing intervention in their territories by a system of counter-balancing alliances, initially established to block French imperial initiatives. A Kingdom of the Netherlands (covering today's Benelux area) was therefore established. Due to the poor reputation of the Dutch land forces, Prussian troops garrisoned a Luxembourg fortress to provide a credible balance against French initiatives.[51] Furthermore, European governments tried to strengthen their exclusive hold on the means of violence within their territories. The Austrian Chancellor Clemens von Metternich and other continental European rulers sought in the 19th century ways to exchange information regularly on potential opponents of the political and social-economic establishment, such as political exiles and refugees abroad, in particular socialists and anarchists.[52] In addition, efforts were made to conclude extradition treaties in the late 19th century and early 20th century for political opponents as well as criminals. The European governments also agreed to prohibit hiring mercenaries as well as privateering at sea to enhance their monopoly on violence.[53] Although the various dynasties in Europe maintained inter-personal relationships, territory became the prime indicator of the scope of authority regarding security. Instead of a bundle of rights, authority was redefined as the complete and exclusive control within a territory. Interterritoriality (territory-based mutual exclusivity) consequently marked the mutual relationships of security systems in 19th century Europe, entailing concepts like territorial integrity, non-intervention and territorial sovereignty. This territorialisation of security system has been the source of inspiration for the 19th century concept of *Territorialstaat,* on which several sociological theories, as well as (neo-) realist theories in International Relations have been premised. Perhaps this is why most theories in International Relations have missed what happened *within* the territories with regard to security when

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[51] Idem, p. 29.
[52] Andreas, P. & Nadelmann, E. (2006), supra note 23, pp. 80-87.
[53] Thomson, J.E. (1996), *Mercenaries, Pirates and Sovereigns: State-building and Extraterritorial Violence in Early Modern Europe.* Princeton (NJ): Princeton University Press.

different security threats became an increasing concern for political authorities in 19th century Europe.[54]

The French invention of the large-scale use of ordinary people in an army posed rulers with new security problems. It was not that they bore weapons, because conscripts were disarmed as soon as possible after a war. What rulers particularly feared was the potential political assertiveness of the lower classes, since the revolutionary years had broken the feudal system and serfdom as control mechanisms of the "masterless men."[55] In addition, the French Revolution had spread the idea of freedom and rights for every single individual throughout Europe. The potential receptiveness to revolutionary ideologies of the growing labour class concentrated in urban areas posed a further threat to the political and social-economic establishment. The decriminalisation of movement within French territories throughout the 19th century put security issues even more in the political spotlight. For a long time, traders (whether foreign or not) could travel more easily than the lower classes. Free movement for all persons within French territories was considered beneficial for economic growth. The declining social fixity and the increasing geographic mobility of the lower classes created a problem for rulers of how to protect the cities' and wealthiest' properties from roaming beggars, bandits, and thieves. Border control of the collective French territories would be needed to keep vagabonds and bandits out, but also to prevent the loss of labour, brains, or potential cannon fodder. Central rulers thus became involved with border control and policing at a much larger scale and intensity than before.

In the past, central rulers in Paris and elsewhere in Western Europe did not care much about theft and violence, which was considered to be a fact of life particularly in the countryside. City governments and regional lords occasionally employed local, fragmented, and often ad hoc policing to prevent beggars from overburdening the local charity or in order to suppress farmers' riots. Throughout Western Europe police forces remained for the most part relatively fragmented and locally oriented, despite the introduction of certain centralising elements from the French

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[54] Bayley, D. (1975), supra note 24; Fijnaut, C. (1979), supra note 24; Sheptycki, J.W.E. (2002), *In Search of Transnational Policing: towards a Sociology of Global Policing*. Aldershot: Ashgate. p. 98.
[55] Torpey, J.C. (2000), supra note 48.

period, such as a mounted police force for the countryside. Central rulers started to extend, centralise, professionalise, and militarise police forces when they were faced with growing political opposition beginning in 1830.[56] A continued series of political revolutions, assassinations, and coups d'états, the rise of socialist and communist labour movements, and armed fascist and communist groups led to an increasing penetration of security forces throughout Western Europe lasting until the Second World War. For example, confronted with an ineffective response to labour unrest, British authorities established the metropolitan police force a well-organised police corps in London in 1829, which was soon afterwards adopted in Paris and Berlin.

There was a turning point particularly in 1848 when central rulers became less inclined to use the armed forces internally, instead choosing to increasingly use militarised police forces as a more refined, mobile, and quick reaction to political opposition. Militarised police forces could also be useful in military operations in times of war. Militarisation of weaponry, organisation, stationing, discipline, and operation not only aimed at facilitating the suppression of threats at home and abroad, but also at ensuring the loyalty of police forces. By relegating citizens' guards to a reserve position, central rulers further sought to put aside the less reliable parts of their security organisation. Attempts to subordinate municipal police in cities to central command, and the establishment of intelligence services enhanced the centralisation of security organisations and ensuing penetration of societies in Western Europe. In the countryside, the newly established ministry of the interior or the ministry of war took over the responsibility of policing with semi-militaristic gendarmerie. The gendarmerie did not just secure tax payments, public order, and the properties of the wealthiest, but also provided the back-up force for what might be called the "colonization" or "domestication" of the peasantry.[57] Conscription served as a way for peasants to develop a sense of loyalty towards their rulers and nation.[58]

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[56] Based on Fijnaut, C. (1979), supra note 24, Ch. 2
[57] Emsley, C. (1993), 'Peasants, Gendarmes and State Formation', in M. Fulbrook (ed.), *National Histories and European History*. London: UCL Press. p. 84.
[58] Weber, E. (1976), *Peasants into Frenchmen: The Modernization of Rural France, 1870-1914*. Stanford (CA): Stanford University Press.

In contrast to the daily experience of policemen and common explanations in police history, the rate of crime was not a significant reason for the establishment, extension, and evolution of police forces. Instead, it has been rather an issue of defending the existing political order in society and within the police forces.[59] First steps towards the "nationalisation" of police forces were made during the French period (1795-1815), but is was only after a second phase of nationalisation between 1830 and the Second World War that successful hold of the monopoly on the means of violence in Western Europe was established, *i.e.*, several centuries after the Treaties of Westphalia.[60] A fluid distinction remained between police and military forces, both regarding their organisation and employment abroad and at home.[61] The history of policing in the Netherlands demonstrates in more detail the centralisation of security since the 19th century.

Until the French occupation, the Dutch Provinces did not have a centrally led, uniform police force patrolling permanently and systematically. Instead, the judicial and investigative apparatus in the Republic was territorially fragmented and spread over various independent levels (central, provincial, regional, local) of various geographical sizes. Local bailiffs were primarily responsible for public safety, occasionally assisted by local militia or citizen guards. Armed forces intervened periodically when public order had to be restored. Not just geographical location, but also social status determined someone's treatment by law enforcement agencies. Considered a threat to the existing socio-legal order, the number of suspects without fixed domiciles or of a socially marginal position, that were arrested, tried and punished, was relatively high until the 18th century. The extent of violence exercised by criminals (sometimes former members of the military) varied between city and countryside. Residents of Brabant faced usually more violent, armed robbery than those in urban Holland. Several criminal gangs operated in border regions, being aware of the advantage of escaping to another jurisdictional territory. Only in the late 18th century, some Provinces established extradition treaties. Despite territorial

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[59] Fijnaut (1979), supra note 24, pp. 1134; 410ff.
[60] Idem, pp. 871-872.
[61] Idem, pp. 428-429.

fragmentation, the common threat of gypsy gangs could be countered effectively by a collective "organized persecution" of various provinces and local administrations between 1695 and 1730.[62] Towards the end of the end of the 18th century, however, demographic growth and increasing poverty in a period of political friction within the Dutch Republic and during the transition period until the occupation by the French allowed the emergence of partly Jewish gangs of robbers.[63]

The French occupying powers fused the Dutch police authorities and forces into a permanent, uniform, centrally led police apparatus, creating an effective counterforce to those gangs. Instead of a centrally led and uniform police force, the poorly equipped municipal police forces returned in the new Dutch Kingdom (1815).[64] King William I (1815-1840) adopted some centralising ideas from the French, such as a uniform penal law. Men capable of bearing arms aged between 17 and 50 became eligible for security service in times of war. Some of these men volunteered and others were chosen by the drawing of lots (with the possibility for paid replacement) for service in a national militia which operated within the professional army. However, for many their willingness to serve in the Dutch army remained somewhat problematic particularly in culturally and geographically peripheral areas.[65]

In 1814, King William I also established within the army a Dutch gendarmerie, referred to as the *Marechaussee*, which came under the responsibility of the Ministry of War (regarding the management) and the Ministry of Justice (regarding the maintenance of public order and judicial policy). The gendarmerie controlled the southern areas of the Dutch Kingdom. In 1830, a successful exit occurred in the southern border areas despite military intervention from the north. A new political system called Belgium came subsequently into existence, which had to accept the splitting of the province of Limburg into a Dutch and Belgian

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[62] Egmond, F. (1993), *Underworlds: Organized Crime in the Netherlands 1650-1800*. Cambridge: Polity Press. p. 23.

[63] Egmond, F. (1986), *Banditisme in de Franse Tijd: Profiel van de Grote Nederlandse Bende 1790-1799*. Amsterdam: De Bataafsche Leeuw.

[64] The history of police after 1800 presented here is largely based on Fijnaut, C. (1979), supra note 24; and Fijnaut, C. (2007), *De Geschiedenis van de Nederlandse Politie*. Amsterdam: Boom.

[65] Knippenberg, H. & Pater, B. de (1988), *De Eenwording van Nederland*. Nijmegen: SUN. pp. 30-32.

part when the conflict was settled in 1839. Except for the cities of Venlo and Maastricht, Dutch Limburg became a member of the German Bund until its dissolution in 1867. The gendarmerie moved out of Belgium, and remained in the Dutch provinces of North-Brabant and Limburg to maintain public order and combat local gangs of robbers.

As part of William's centralising policy, the Ministry of Justice, Public Prosecutors, national superintendents and policemen also became responsible for policing within the Netherlands, next to municipal police forces under the responsibility of local authorities. Armed forces were regularly employed to restore public order in the north of the country, while the *Marechaussee* did so in the south. The gradual intensification of border control throughout the 19th century aimed at preventing smuggling as well as keeping gypsies out. The role of the armed force to restore order gradually diminished in the late 19th century. Partly in response to concerns about the political unrest elsewhere in Europe, the Dutch government established in 1858 another national police force, *Rijksveldwachters*, which partly took over the armed forces' role to restore order in the north. When labour unrest involving socialists was unleashed in the northeast of the country, the *Marechaussee* (size in 1881: 561 men) was requested by mayors to restore order, in part because of their dissatisfaction with the unreliability of the *Rijksveldwachters*, but also because of concerns about the brutal force used by the army. Although occasionally the armed forces still assisted mayors in restoring order (in case of harbour strikes or street riots), they became less involved in restoring public order. Because of the socialists' potential threat to the established order, attempts to strengthen municipal police forces were made. As part of the process of professionalizing the police, the citizens' city guards (*schutterijen*) were abolished in the early 20th century.

Potential disruption of the political order also included steps towards intelligence organisation. *Rijksveldwachters* presumably operated also as the first national intelligence officers supporting existing local efforts by mayors.[66] Criminal investigation was developed within the local police forces in the big cities of Amsterdam and Rotterdam. The focus of investigators was also on anarchists. Police forces kept in contact with counterparts in other countries concerning the activities of anarchists. In

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[66] Fijnaut, C. (2007), supra note 64.

1914, the national government established a military intelligence service to watch developments abroad, as well as the morale within the army and naval forces. After a call for revolution by the socialist leader Pieter Jelle Troelstra in 1918, the Dutch government strengthened its information capacities by establishing a central intelligence service, albeit secretly. It soon registered 100,000 "red names", suspected of (potential) political activity undermining the political order. Dutch police officials also participated in the *Internationale Kriminalpolizeikommission* (IKPK, international criminal police commission). The IKPK had been launched in Vienna in 1923, building on the expertise of the former Habsburg police system. It fostered contacts among policemen across (new) state borders to provide information on political opponents such as communists and criminals. Following their worldwide criminalisation, slavery, drugs, prostitution, counterfeiting and pornography also received attention within IKPK circles, accompanied with attempts within the League of Nations to facilitate extradition between states.[67]

Just after the First World War, the Dutch government also founded next to the *Marechaussee* and *Rijksveldwachters*, another national police corps, the semi-militaristic *Korps Politietroepen*. The government, concerned about certain (socialist) influences in the armed forces due to obligatory military service (without a possibility of replacement), preferred to have another national corps at hand. Following growing concerns about the rise of (armed) extreme-right, fascist, and communist groups in the 1930s, the Dutch government prohibited civil servants in the Ministry of Defence and security forces from belonging to socialist or fascist groups. It also reorganised voluntary military forces to rally the more loyal parts of the population and attempted to gain more central oversight of the municipal police forces. The latter largely failed due to local resistance toward centralisation and a dispute between the Ministry of Justice and the Ministry of the Interior over who was ultimately responsibility at the central level.

The German occupying power launched the most influential reorganisation of police forces in the Netherlands.[68] Its centralisation, militarisation, and uniformisation of Dutch police forces were partly

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[67] Andreas, P. & Nadelman, E. (2006), supra note 23, pp. 87-95.
[68] Fijnaut, C. (2007), supra note 64, p. 181.

adopted by the first post-war government in its 1945 *Politiebesluit* (Police Decision), the first national regulation on police. Already during the war, fears existed among the Dutch political establishment about criminals or communists taking advantage of the power vacuum after the liberation of the Netherlands. As a consequence, the first post-war government quickly pushed through the Police Decision without parliamentary approval. According to the Police Decision, the cities kept their municipal police forces (*Gemeentepolitie*), while for the rest of the municipalities the remaining police forces were merged into local districts of *Rijkspolitie* (national police). In 1957 the first-ever Police Act (1957) was passed making every mayor responsible for keeping public order and the Public Prosecution Office responsible for criminal investigations. The Ministry of Justice remained primarily responsible for internal justice policy, and shared with the Ministry of the Interior the budgetary oversight on city police forces. Policing became a largely civil matter; but the *Marechaussee* and also other armed forces could still be asked for assistance in case of calamities or to restore order. The *Marechaussee* remained responsible for border control, protection of the Prime Ministers' office, and the Royal Family's palaces. This partial centralisation of security within the Dutch territory could not overcome the interterritoriality between locally based police forces; exchange of information or assistance across the territorial boundaries of the different jurisdictions of police remained difficult. Thus, the organisation of security within the Dutch territory not only faced conflicting territorialities in the sense of local vs. central, but also local vs. local.

Already during the French Revolution, the new French parliament introduced measures to require their people to have documentary evidence of their identity and their right to stay to prevent deserters from exiting.[69] Later in the 19th century, ministries of the interior across Europe introduced identification documents (indicating their "nationality") and border control to assure military recruits could not desert and were forced to stay, while welcoming many (former) citizens entering to serve in the army.[70] Particularly during the First World War, central rulers initially introduced temporary measures such as passports and tight border

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[69] Torpey, J.C. (2000), supra note 48, Ch. 2.
[70] Idem, p. 113.

controls to watch aliens as potential subversives. These measures became permanent during the economic crisis of 1930s, when immigrants and aliens were considered a threat to labour and wealth within state territories. Also for reasons of the spiritual or biological purity of the nation, public health, the sustainability of welfare arrangements, or public order, the rulers' "routine suspicion" turned from the "masterless" lower classes to foreigners during the 19th century and early 20th century.[71] This increasingly territorially based pattern of inclusion and exclusion of security systems was accompanied with a separation within security forces. The police forces focused on security within the territory, while military forces concentrated on security outside the territory.

6.3.3 Territorial defence after the Second World War: an "illusion"?

The development of an extensive railway network and a telegraph infrastructure within European states throughout the late 19th century facilitated the speed and mobility of military forces of land-bound powers.[72] According to the Dutch security authorities, a line of relatively isolated fortresses would no longer be sufficiently effective to keep the Netherlands safe if an invasion would take place.[73] The Dutch government subsequently decided after long deliberations to create a more mobile and offensive army, as well as creating a defensive buffer zone within Dutch territory in an inner circle (the *Nieuwe Hollandse Waterlinie*). It hoped it would leave it enough time to find an ally when an inimical force would invade its territory.[74] The navy had to balance the use of its forces between coastal defence and the protection of colonies.[75] The Dutch policy of

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[71] Idem.

[72] Maier, C.S. (2002), 'Does Europe need a Frontier? From Territorial to Redistributive Community', in J. Zielonka (ed.), *Europe Unbound: Enlarging and Reshaping the Boundaries of the European Union.* London: Routledge. pp. 17-37.

[73] Hoffenaar, J. (2004), 'De Nederlandse Krijgsmacht in Historisch Perspectief', in E.R. Muller, D. Starink, J.M.J. Bosch & I.M. de Jong (eds.), *Krijgsmacht: Studies over de Organisatie en het Optreden.* Alphen aan den Rijn: Kluwer. p. 33.

[74] Bevaart, W. (2003), 'Vormende Jaren (1815-1870)', and Schulten, J. (2003), 'Gewapende Neutraliteit en Tweede Wereldoorlog (1870-1949)', in J.R. Bruijn & C.B. Wels (eds.), *Met Man en Macht: De Militaire Geschiedenis van Nederland 1550-2000.* Amsterdam: Balans. pp. 287-312 and pp. 313-339.

[75] Stapelkamp, H. (2003), 'Van Varen en van Vechten, soms: De Koninklijke Marine (1813-1849)', in J.R. Bruijn & C.B. Wels (eds.), *Met Man en Macht: De Militaire Geschiedenis van Nederland 1550-2000.* Amsterdam: Balans. pp. 341-379.

"non-provocative defence"[76] was adopted along with the policy to actively promote an international legal order, which would serve the protection of smaller powers, and according to the small Dutch foreign policy establishment, also world peace and mankind in general.[77] After the First World War, the Dutch state became a member of the League of Nations, albeit with exemption clauses regarding Dutch participation in countering collectively aggressive states to maintain its political neutrality.

After the static western front in the First World War, French and German security authorities still considered territorial defence to be effective for their security, and established respectively the Maginot Line and the Siegfried Line in the interbellum. The extensive use of air warfare, the increased mobility of land forces, and particularly nuclear missiles in and after the Second World War clearly underlined the relative ineffectiveness of territorial defence as a means of providing security. Defence specialist Jolyon Howorth described territorial defence in Europe after the Second World War as a "misnomer", a "logical contradiction", and an "illusion."[78] The French security authorities admitted this was the case and sought cooperation with the United Kingdom through the Treaty of Dunkirk (1947) to counter a future German attack. In Brussels in 1948, they also established with the British and the Benelux governments the Treaty on Economic, Social and Cultural Collaboration and Collective Self-defence (establishing the Western Union), which became known as the Brussels Treaty Organisation (BTO). They agreed to mutual assistance if the Germans or others would attack the European territories of the BTO Member States. The Dutch government also considered the participation of the British government in the Brussels Treaty helpful to counterbalance potential French aspirations for domination of Western Europe. The establishment of the BTO also showed the commitment of Western European governments to take on some of the responsibility for their defence that was necessary to convince the more isolationist voice in US politics that they were willing to share

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[76] Staden, A. van (1997) 'The Netherlands', in J. Howorth & A. Menon (eds.), *The European Union and National Defence Policy*. London: Routledge. p. 88.
[77] Voorhoeve, J.J.C. (1979), supra note 44.
[78] Howorth, J. (1997), 'National Defence and European Security Integration: An Illusion in a Chimera?', in J. Howorth & A. Menon (eds.), *The European Union and National Defence Policy*. London: Routledge. p. 12.

the burden of organising security. Because of an automatic assistance clause among the BTO members, however, the US government did not join the organisation to prevent irritating these isolationist voices.[79]

Particularly before 1948, the Dutch government as well as other West-European governments did not expect an imminent Soviet military invasion. Only a relatively small number of American soldiers had remain in Europe (1 1/3 divisions), while the Dutch government sent tens of thousands of soldiers to the Dutch East Indies between 1946 and 1949. Only a few thousand air-defence troops remained behind. Several factors including the failing discussions concerning Germany's future among the occupying powers, the communist resistance in Greece (1947), the electoral power of communist parties in France and Italy, the communist coup in Czechoslovakia (1948), the Berlin blockade (1948), and the Soviet development of an atomic bomb (1949) made the threat of the communists filling the power vacuum on the European continent more pre-eminent. Although the Dutch government still did not anticipate the immediate intervention of the Soviets or a communist revolt, it feared a lack of capacity to cope with (communist-supported) strikes in the trade and industrial complexes of Amsterdam and Rotterdam. In addition, former members of the resistance, and right-wing volunteers were creating armed guards to counter left-wing initiatives. The Dutch government decided to allow for volunteer reserve police forces, and establish a volunteer army force (*Nationale Reserve*) to co-opt the right-wing volunteers, and also to have an extra supply of forces to restore public order or assist civil authorities in case of calamities.[80]

Next to the police, the armed forces also took part in the fight against communism. The growing tensions between the Soviet and US bloc increasingly paralysed the United Nations (UN), the successor of the League of Nations, as a world-wide collective security organisation. During and just after the Second World War, the Dutch foreign policy elites considered the Netherlands a global player, which made them perceive the UN as an important part of their security policies. The SU-US paralysis and the rejecting stance of the UN regarding the Dutch

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[79] Eekelen, W.F. van (1998), *Debating European Security: 1948-1998*. The Hague: SDU. p. xx.
[80] Weger, M. de (2006), *De Binnenlandse Veiligheidstaken van de Nederlandse Krijgsmacht*. Assen: Van Gorcum. Ch. 4.

colonial war in the Netherlands Indies tempered this enthusiasm considerably. Although pressure to stop the colonial war also came from the US government, the Dutch security authorities nevertheless looked for US military support when confronted with the communist threat in Europe, as did other Western European security authorities. The 1949 North-Atlantic Treaty Organisation (NATO) provided the American and British guarantee to keep the Germans down, to keep the Soviets out, and later on, for the Dutch, to counterbalance potential domination of the French or Germans within West-Europe. In addition, American financial support provided the means to reinforce West-European armies.

It has been discussed extensively whether the US-led Western security system can be seen as a form of imperialism and empire.[81] The focus here is on the nature of this US-led Western security system. That system has been based on values, rather than on a certain territory; adherence to communist values was often reason for exclusion from participation in the security system. Furthermore, the Western security system was an outward-looking system, seeking opportunities to spread the values of democracy, rule of law, and free enterprise, particularly in its starting years. For example, if eastern European governments would (could) have accepted American economic, financial or military aid, they would have received it. Its nuclear preponderance gave the US government the position of an imperial core. Moreover, the US government provided via its Marshall Plan, its participation in NATO, as well as with the Bretton Woods institutions, a framework in which its values were promoted. This framework defined the space of discretion of the subordinated systems, the non-US member states of NATO. The propagated values of economic and political freedom, however, provided those systems much leeway. In fact, the imperial US-led security system was merely another layer above systems still marked by state territoriality. The latter's accessory notions of mutual exclusivity and centrality left their imprint on security institutions and behaviour, as shown by the formally intergovernmental nature of NATO.

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[81] See Lundestad, G. (1998), *"Empire" by Integration: The United States and European Integration, 1945-1997.* Oxford: Oxford University Press. pp. 2-4; Peterson, J. (2004), 'America as a European Power: The End of Empire by Integration?,' in *International Affairs.* Vol. 80, no. 4, p. 617.

Conflicts between systems marked by imperialism and by state territoriality did occur. The territorially based democratic core of the Western security system repeatedly called for bringing Americans soldiers home, and for sharing the security burden with the West-European members. These isolationist tendencies can be interpreted as a desire to centralise political life exclusively on the geographically fixed territory of the United States of America. The US government pushed for the rearmament of West-Germany, when it was confronted with calls for bringing American soldiers home, while facing war in Korea in 1950. The Dutch government favoured an Atlantic solution for the West-German rearmament.[82] To the great concern of the Dutch government, the initial line of defence of NATO was planned within Dutch territory (the Rhine-IJssel front).[83] The rearmament of West-Germany would provide the possibility of shifting this line of defence eastwards. This change in the line of defence could also count on support from the French government.

In addition, the US government pushed for a European defence initiative to share the burden of Western European security more equally. The US government had supported the establishment of the European Coal and Steel Community, in which the governments of France, West-Germany, Italy, and the Benelux countries ruled over the war-related industries of coal and steel concentrated in the West-German Ruhr basin. The French government cautiously proposed in 1950 a European Defence Community (EDC), in which the participating governments had to cede sovereignty regarding their armies. The logic of territoriality had left, however, its imprint on French security policies. The EDC did not pass the French National Assembly in 1954, for the assembly sought to protect its exclusive and central authority over French troops and the defence of French territory. The Dutch government did not really regret the failure of the EDC in France. Initially, it even resisted the EDC fearing French(-German) domination without the United Kingdom and the United States (fully) participating in the EDC.[84] However, it put its criticism aside when the US government supported the formation of the EDC. After the EDC

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[82] Harst, J. van der (1990), 'The Pleven Plan', in R.T. Griffiths (ed.), *The Netherlands and the Integration of Europe*. Amsterdam: NEHA. pp. 137-164.
[83] Meegens, C.M. (2000), 'De Amerikanisering van de Nederlandse Krijgsmacht', in *Militaire Spectator*. Vol. 169, no. 2, p. 97.
[84] Harst, J. van der (1990), supra note 82.

did not come into existence, the BTO (re-named the Western European Union, WEU) and NATO adopted West Germany as member in 1954 and 1955, respectively. The British government promised in the WEU treaty to keep troops on the European mainland, particularly in West Germany. In this way the neighbours of Germany could keep an eye on the German re-armament with the US and UK as security locks on German aggression and as prevention against Soviet political or military interference.

The logic of state territoriality left its mark on NATO. It remained an intergovernmental organisation, in which every government could decide whether it would join a (collective) effort to counter an attack to one of the members. The members thus maintained the exclusive and central authority over the use of their forces, which had been largely recruited from national residents (*e.g.*, via national conscription). Clearly following the idea of interterritoriality, the Dutch government often insisted on the equal status of NATO members to enhance its position with regard to greater powers. Furthermore, the aim of NATO was the protection of the territories of the participating governments, indicating the geographical fixity of national security systems. NATO shifted its defence line in the 1950s from the Rijn-IJssel front within the Netherlands to the river Weser (in West Germany), and later to the river Elbe (the border between the Soviet and American security empire). Thus, the defence of the Dutch security system moved partly outside its own territory.

Initially, domestic considerations dominated the Dutch security efforts in NATO.[85] The Dutch security authorities attempted to keep a comprehensive army structure. For instance, to the irritation of the US security authorities, the Dutch navy pushed successfully for a role in the North-Atlantic, North Sea and Channel, after it largely lost its reason for existence because of the independence of Indonesia. In the 1950s, the General Staff of the land forces also aimed at developing divisions for territorial defence, next to the required divisions for NATO – again to the irritation of the US security authorities. Eventually, the

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[85] Honig, J.W. (1989), "The Dutch as Allies: Image and Reality", in *Internationale Spectator*. Vol. 43, no. 11, p. 702.

"denationalisation" [86] of the Dutch armed forces evolved, however, from the integrated military command structure of NATO, and the incorporation of Dutch forces into a NATO defence system. The Dutch security authorities initiated a reform of its army forces in 1960 to make it more combat-ready and mobile. The armed forces with these measures became less dependent on the mobilisation of conscripts. By 1961, one Dutch brigade (5,500 men) served permanently within the Northern Army Group in the Northern-German plain (if necessary extended to six brigades), while territorial troops (partly consisting of the National Reserve) should defend the Dutch territory in case of a Soviet attack.[87] Also the air force provided security in the Central-European sector within a larger NATO framework. However, the American proposal to integrate the Dutch and Belgian air forces was yet a bridge too far. Dutch naval forces, however, specialised within the larger NATO framework on submarines and mine-sweeping.[88] Also a combined British-Dutch Landing force was launched in 1973. By the 1970s, the Dutch security authorities "did not concentrate on its own territorial defence", and spent most of its military effort on working with NATO.[89] For Dutch territorial defence, the security authorities tended to rely on US nuclear protection, considering it as the most effective and cheapest solution.[90]

The Dutch intelligence services also closely cooperated with NATO partners to keep an eye on soviet infiltration and communists within and outside the Dutch territory. Until the 1960s, the *Binnenlandse Veiligheidsdienst* (BVD, the domestic intelligence service) was particularly working together with its British counterparts, and "almost slavishly followed" the CIA.[91] The BVD not only received materials from the CIA, but many of its employees were also on the CIA's pay roll until the

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[86] Staden, A. van (1991), 'Van Landsverdediging naar Mondiale Vredeshandhaving: De Toekomst van het Nederlands Veiligheidsbeleid', in *Internationale Spectator*. Vol. xlvii, no. 1, p. 18.
[87] Siccama, J.G. (1985), 'The Netherlands Depillarized: Security Policy in a New Domestic Context', in G. Flynn (ed.), *Nato's Northern Allies: National Security Policies of Belgium, Denmark, the Netherlands, and Norway*. Totowa (NJ): Rowman & Allanheld. p. 165.
[88] Hoffenaar, J. (1999), "Kans of Verplichting: Nederlands Complete Krijgsmacht in de Koude Oorlog", in G.J. Folmer et al., *50 Jaar NAVO en Nederland*. Den Haag: Atlantische Commissie/ KVBK/ SMG. p. 29.
[89] Voorhoeve, J.J.C. (1979), supra note 44, p. 149.
[90] Siccama, J.G. (1985), supra note 87, p. 125.
[91] Hoekstra, F. (2004), *In Dienst van de BVD*. Amsterdam: Boom. p. 130.

1960s.[92] US leadership and NATO were thus not only on paper but also in practice influencing the Dutch security and foreign policy.

The Iron Curtain that descended on Europe was the territorial stalemate between the boundless imperial tendencies of the Soviets and Americans. However, both their nuclear missiles made territorial defence at a national or European scale meaningless from a technological point of view.[93] The possibility of mutually assured destruction resulted in the restraint in warfare at least in Europe: "if nuclear weaponry had any political effect, it would be the freezing of existing borders."[94] Although territorial defence had become inconsequential for French and Dutch military security, the deeply institutionalised national territories did leave their mark on the organisation of security. After the Second World War the provision of security for the Dutch system was organised on three levels: the US security empire, the Dutch security system, and the municipalities. Whereas the Dutch security system and the municipalities were territorially based (featuring consequently the logic of territoriality), the US security empire was based on values. Considering the three-level organisation of security, the creation of a European security system would thus not only imply a (partial) exit from the US security empire, but also another breach into the territorially organised security systems at the national (as well as the local) level in the Netherlands, France, and elsewhere, as will be presented below.

6.4 A European security system in the making?

6.4.1 West-European exits from the US security empire?
Protective inclusion in the sphere of influence of the US security system had its price. The Dutch government had to basically give up its own imperial enterprises. Initially, US government officials threatened that they would only provide weapons to the Dutch after the colonial issues were resolved.[95] The Dutch foreign minister was subsequently reluctant to

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[92] Idem.
[93] Creveld, M. van (1991), supra note 7, p. 194; see also Herz (1957), 'Rise and Demise of the Territorial State', in *World Politics*. Vol. 9, no. 4, pp. 473-493.
[94] Idem, p. 10.
[95] Staden, A. Van (1974), *Een Trouwe Bondgenoot: Nederland en het Atlantisch Bondgenootschap 1960-1971*. Baarn: Anthos. p. 34.

sign the Treaty of Washington establishing NATO, angered by the lack of American support for their attempt to keep the Dutch colonies in South-East Asia under control. Only after it grudgingly decolonised New Guinea, the Dutch government did fully accept American domination. NATO membership brought some compensation for the loss of Dutch colonies. NATO membership was also used as justification for expenditures on the armed services, such as the navy. In addition, it served as a substitute for the global self-perception of the Dutch security authorities.[96] The French government also did not receive American support for its imperial policies regarding Indochina, Algeria, and the Suez crisis in 1956. However, NATO membership did not fully address the loss of power they felt. The French government therefore sought ways to express their dissatisfaction, by asking for more voice within the Western bloc as well as attempts for (partial) exits from the US sphere of influence to resist "subordination" or "vassalisation" both in security and economic terms.[97]

The predominance of the US in the West was partly based on its nuclear weaponry, which could only be used if the US security authorities agreed. The French security authorities sought to escape complete dependence on the policies of US security authorities with the development of their own autonomous nuclear power program by 1960 (*force de frappe*). The French government led by President De Gaulle regretted the asymmetry between the Franco-American and the Anglo-American nuclear relationship. To compensate for the close Anglo-American connections, the French government proposed in 1958 to create a Franco-Anglo-American triumvirate to lead the Western security system. The French desire for more voice in the US security empire was refused by US president Eisenhower. The French government tried subsequently to partially escape the US security empire. It proposed the creation of an autonomous European foreign policy system with the members of the European Economic Community (the governments of West-Germany, France, Italy, and the Benelux). The Dutch government

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[96] Pijpers, A.E. (1991), "Dekolonisatie, Compensatiedrang en de Normalisering van de Nederlandse Buitenlandse Politiek", in *Internationale Spectator*. Vol. 45, no. 2, pp. 62-70.
[97] Guyomarch, A., Machin, H. & Ritchie, E. (1998), *France in the European Union*. Houndmills: MacMillan. p. 106; Howorth, J. (2007), *Security and Defence Poliy in the European Union*. Houndmills: Palgrave MacMillan. p. 155.

feared the domination of the French in an intergovernmental foreign policy system, as the French proposal, known as the Fouchet plan, suggested. It therefore insisted on UK membership and the priority of NATO, as well as on supranationalism to curtail French domination.[98] After De Gaulle eventually refused to adopt, among other things, any reference to NATO, other members joined the Dutch resistance against the Fouchet plan. De Gaulle's attempt to conclude a bilateral system with West Germany in 1963 was thwarted when the West German parliament attached an Atlantic preamble, thus acknowledging the leadership role of the US. A Belgian attempt to discuss European security issues in the WEU could not count on French approval. In 1966, the French government decided to exit the military branch of NATO, and to keep (at least formally) a more autonomous security and foreign policy. The NATO headquarters in Paris and foreign troops had to leave French territory.

The desire to have an influence (voice) on American nuclear policies was not just held by French security authorities, but the security authorities of many NATO members, particularly since the US government had changed it military doctrine from massive retaliation to flexible response by 1962. Several NATO members feared that a potential conflict between the East and the West would likely be fought on the European continent. American security authorities might refrain from attacking the Soviet Union with nuclear strikes, because the Soviet Union was capable of hitting American cities with their nuclear missiles. However, their prevalence in conventional forces would result in the Soviet conquest of Western Europe. The more tempered climate between the Soviet and American empires in a period of détente even worsened NATO member's concerns, because they thought the US government might be seduced into reducing its troops in Europe, which would not only weaken its defence against the Soviets, but also the means to keep the Germans down.

The Dutch government did, however, resist the formation of an autonomous European caucus in NATO, and rejected the move to give other members a voice on the use of nuclear weapons.[99] It preferred to keep the decision firmly in the hands of the US president to maintain a

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[98] Voorhoeve, J.J.C. (1979), supra note 44, pp. 167-169.
[99] Staden, A. van (1974), supra note 95, pp. 56-59.

credible deterrence. For similar reasons, the Dutch government had previously not even asked for a formal veto on the use of Dutch missiles with US-owned nuclear warheads. The Dutch government eventually participated in discussions on a multilateral nuclear force and a nuclear planning group to sustain a credible image of a united NATO. A platform for European voice would thus serve as a means to prevent European exits. Its participation as well as faithful adherence to US dominance was also motivated by the desire to prevent the dominance of any other European members. The Dutch government therefore insisted on permanent participation in discussions on nuclear issues, which was arranged via the Nuclear Defence Affairs Committee and at lower administrative levels of the Nuclear Planning Group.[100] It also joined the preparatory Euro-dinners organised by the British since 1968 in advance of NATO meetings, insisting participants would not make binding decisions. Via the 1968 Eurogroup, European NATO members also discussed cooperation among their defence industries. The French security authorities joined this cooperation scheme in 1976, renamed the Independent European Programme Group. Moreover since 1969, the chiefs of the intelligence services from various Western European countries, including Switzerland and Sweden, start to meet annually in the Club de Berne.

Concerns about the reduction of American troops in Europe emerged again when the Vietnam War demanded huge financial and personal efforts from the US government. The Dutch government paid its tribute by fulfilling its NATO obligations as much as possible, and urging its fellow-members to do the same, hoping it would convince the US government to stay. Meanwhile, the West German government laid more emphasis on friendly relationships with Eastern governments with its policy of *Ostpolitik*. Concerns rose that the West German government might exit the Western security system. In response, a summit of the governments of the EEC Member States was convened in The Hague in 1969 to emphasize their mutual loyalty (see Chapter 4). They also decided to launch a European foreign policy system (European Political Cooperation, EPC)[101] to encapsulate West German initiatives, while the

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[100] Idem, pp. 114-115.
[101] See Nuttall, S. (1992), *European Political Cooperation.* Oxford: Clarendon.

acceptance of British EEC membership did serve as an Atlantic counterweight. The West German government was aware of the costs of exit from its Western alignments, and sought ways to multilaterise its *Ostpolitik* voice through EPC and a European security conference, the Conference on Security and Cooperation in Europe (CSCE). The resultant of the CSCE has been a 'de-imperialisation' of security in Europe, because West and East recognised in 1975 the post-War borders, limiting the outward-looking imperial tendencies of both the US and the USSR. Meanwhile, EPC members agreed upon a document in which they tried to describe the European identity at a meeting in Copenhagen in 1973. In addition, particularly the French aimed at pursuing an independent European policy towards the Middle East. Insisting on its leadership of the Western security system, the US government eventually obtained in 1974 a guarantee that it would be informed about the outcomes of EPC meetings.[102] Meanwhile, the US government kept American troops in Europe to take a potential source of dissatisfaction on US neglect of European security away.

When US-USSR relations deteriorated in the late 1970s and the Soviets installed the SS-20 missiles, the European NATO members agreed to reinforce the power of NATO to deter the USSR from attacking, as well as pursing a policy of the mutual reduction of forces to ease the tense Cold War relations in Europe. The decision to install a new generation of nuclear missiles on the European continent, however, incited political and popular protest. In the Netherlands, a large bloc of left-leaning parliamentarians and a large part of the public (35% to 40%) resisted the presence of nuclear weaponry on Dutch territory, although a majority of the public admitted the necessity of nuclear weaponry for NATO in general.[103] Thus from an analytical perspective, the electorate became an active member (albeit temporarily) of the Western security system, expressing its dissatisfaction about the way security was being provided. The Dutch protest has been interpreted as a desire to return to its pre-war

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[102] Wallace, W. (2005), 'Foreign and Security Policy', in H. Wallace, W. Wallace & M.A. Pollack (eds.), *Policy-making in the European Union* 5th edition. Oxford: Oxford University Press. pp. 429-456.

[103] Everts, Ph. (1992), *Wat denken 'de Mensen in het Land'? Ontwikkelingen in de Publieke Opinie over Problemen van Buitenlandse en Defensiepolitiek, 1983-1992.* Nijmegen: KUN Studiecentrum voor Vredesvraagstukken. Ch. 6 and 7.

neutral position. However, the elites and the electorate maintained in majority its support for NATO membership and US leadership throughout the 1960s, 1970s and 1980s.[104] The rising criticism in parliament and among the Dutch population could rather be considered an adjustment from a "super-loyal" ally to a "normal" ally.[105]

West-European governments sought a way out of the intensifying Cold War after the Soviet intervention of Afghanistan in 1979 and the American unilateral decision to proceed with the Strategic Defence Initiative (Star Wars). They appreciated the nuclear protection offered by the US government, but nevertheless wanted to keep good relations with their neighbouring Soviet empire, for security and economic reasons (*e.g.*, to construct an oil pipeline from Siberia to Western Europe). They did not want to be implicated in a devastating war that would be fought on the European continent. The EPC members mentioned for the first time in their reports in the early 1980s security as their "legitimate concern."[106] However, developing an autonomous European security policy and cooperation was hampered because of the lack of support of the Greek, Irish and Danish governments who sought to preserve their NATO preference or neutrality. The French and German security authorities therefore launched in 1982 their own defence dialogue, and established a lightly-armed French-German brigade a year later. The revival of the Western European Union in 1984, which included staunch pro-Atlantic members such as the UK and the Netherlands, provided further impetus for European security policy initiatives and was partly motivated by the desire to keep a deterring mix of conventional and nuclear forces within Western Europe after the US government met with USSR government for negotiations without prior consultation of its allies. In 1987, the WEU members explicitly referred to the developments within the European Communities at their ministerial council in The Hague, chaired by the Dutch government: "the construction of an integrated Europe will be

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[104] Idem, ch. 5.
[105] Voorhoeve, J.J.C. (1979), supra note 44, p. 130.
[106] Nuttall, S. (1992), supra note 101, p. 177.

incomplete as long as it does not include security and defence."[107] In the same year, the Spanish and Portuguese governments joined the WEU.

A locking-in effect within European political cooperation seem to occur with the emergence of a "consultation reflex" among the EPC members, as well as a geographical centralisation reflected by the "Brusselsisation" of their meetings.[108] The American security authorities expressed their concerns that the European governments would "gang up" against its leadership and weaken NATO.[109] Partly on instigation of pro-Atlantic European governments like the Dutch, the WEU members repeatedly emphasised the "indivisibility" of the Atlantic Alliance, and that the WEU sought to address the specific European concerns in the security field within the framework of the Western security system. The imperial security layer over Western Europe thus bridled the emancipation of the European security system from American tutelage. It was "inconceivable" for EPC members to deviate from NATO opinions; they could only add some "shades of opinion."[110] To some extent, the control of the European NATO members was based on the territorial locking-in effect of the Iron Curtain. The willingness of the security elites (and their populations) to promote liberal values indicates, however, the person-based rather than territory-based nature of the US-led Western security system. Nevertheless, the former territorial framework of European security system left its imprint, as the behaviour of French security authorities particularly indicated. The costs of full exit from the Western system would be too high for them, for it provided a guarantee against German or Soviet aggression. The previously fully territorially organised security systems in Western Europe also faced other new security threats, such as (cross-border) terrorism and criminality. A new European security system had to break through the logic of territoriality that prevailed amongst local and national security systems, as the following subsection shows.

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[107] See Bloed, A. & Wessels, R.A. (1994), *The Changing Functions of the Western European Union: Introduction and Basic Documents.* Dordrecht: Martinus Nijhoff. p. 75.

[108] Allen, D. (1998), '"Who speaks for Europe?" The Search for an Effective and Coherent External Policy', in J. Peterson & H. Sjursen (eds.), *A Common Foreign Policy for Europe?* London: Routledge. p. 50.

[109] Lundestad, G. (1998), supra note 81, p. 111.

[110] Nuttall, S. (1992), supra note 101, p. 192.

6.4.2 Breaking through the logic of territoriality of local and national security systems?

Until the 1950s, Western Europe experienced a low level of crime. In the Netherlands, organised crime concentrated in the big cities in Holland (among others, prostitution) and Brabant (smuggling), of which the latter turned occasionally violent. In Western Europe, throughout the 1960s and 1970s a steep increase in crime occurred.[111] In the Netherlands, the level of registered crime was in 1985 six fold higher than in 1970.[112] In addition, criminal enterprise became professionalized, and turned, following previous American developments, more violent. Partly because of public interventions by the police chiefs of Rotterdam and Amsterdam organised crime has been making the headlines since the early 1980s. Most crime was nevertheless committed within a short distance of the criminal's home until the 1980s.[113] For most police officers in Western Europe including the Netherlands, international crime was considered a marginal problem until the 1980s; only drug trafficking occasionally confronted them with the international criminal dimension.[114] And that confrontation occurred more in the Netherlands, since it is a significant transport hub in Western Europe, which made it an important transit country for drug trafficking. In addition, the presence of foreigners and immigrants from China, Turkey, Morocco, Surinam, and the Netherlands Antilles provided also more intensive international contacts for criminal enterprises. Criminals from Brabant and Holland and several camps of so-called trailer camp residents (*woonwagenbewoners* or *kampers*) became involved in the trade of hashish (from Pakistan, Lebanon, and Morocco), heroin (from the Soviet Union and Afghanistan) and cocaine (from South-America).[115] Initially, the city of Amsterdam functioned as a refuge for international gangsters, also because of its relaxed atmosphere

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[111] Levi, M. & Maguire, M. (1992), 'Crime and Cross-border Policing in Europe', in J. Bailey (ed.), *Social Europe*. London: Longman. p. 168.

[112] Maas-De Waal, C. (2004), 'Veiligheid, Politie en Justitie', in Sociaal en Cultureel Planbureau, *In het Zicht van de Toekomst: Sociaal en Cultureel Rapport 2004*. Den Haag: SCP. p. 493.

[113] Levi, M. & Maguire, M. (1992), supra note 111, p. 167.

[114] Anderson, M. (1989), *Policing the World*. Oxford: Clarendon. p. 189.

[115] Fijnaut, C.J., Bovenkerk, F., Bruinsma, G. & Bunt, H. van de (1998), *Organized Crime in the Netherlands*. The Hague: Kluwer Law International. pp. 74-87.

regarding drug use. Since the 1970s, the number of murders in the criminal sphere also increased due to a wider availability of firearms.

The post-War police reorganisation in the Netherlands resulted in territorially organised police forces in the cities and in the local districts of the National Police. The ensuing tendency to exclusivity was clearly indicated by refusals to share information, to cooperate, and to establish cross-local investigative teams. The relatively small size of police corps also struggled to keep up with the professionalization and supra-local scale of serious crime. In addition, they could not control larger-scale rioting, such as happened in Amsterdam in the 1960s. Professionalization and specialisation of police took place at the local level, although the partial reorganisation of police forces in Amsterdam and other larger cities according to neighbourhood territories hampered the combat of serious (inter)national (drugs) crime. Meanwhile, the Dutch government acknowledged in the 1970s and early 1980s that strengthening criminal investigation at supra-local scale would be necessary. It also developed plans to make the *Rijkspolitie* (National Police) and the 148 *Gemeentepolitie* forces (municipal police) cooperate at a regional basis.[116] Resistance from mayors fearing a loss of authority over local police forces blocked the implementation of those plans. Cross-local cooperation among police forces was often hampered by inward-looking tendencies, particularly regarding the sharing of information. Attempts by the national government to break directly into the territory-based police forces were neither very successful. The newly established *Centrale Recherche Informatiedienst* (Central Investigation Information Service) in the Ministry of Justice did not function very effectively, because local police forces were not really willing to submit crime information. A few years after its establishment in 1974, the national investigation assistance team (*Landelijke Recherchebijstandsteam*) was abolished, since local police forces preferred to do it themselves. Although local police forces in The Hague and Amsterdam often needed the assistance of the *Marechaussee* and occasionally the armed forces (to deal with squatter riots), the local security authorities (mayors) insisted on their local prerogatives. However, the combat of the relatively new threat of violent political activism and terrorism in the 1970s came under central control.

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[116] Fijnaut, C. (2007), supra note 64, pp. 153-156.

Second-generation Southern Moluccan immigrants violently protested to draw attention to their fate by taking hostages on several occasions in the 1970s. In addition, violent incidents took place with members of the Northern-Irish Irish Republican Army and the German *Rote Armee Fraktion*. In another incident organized by the Palestine *El Fatah* Commando, two Algerians attempted to commit bomb attacks on Dutch gas plants in 1972. Two years later, the Japanese Red Army took several hostages at the French embassy. Next to these and other instances of terrorism on Dutch territory, the bomb attacks at the Olympic Games in München in 1972 and the hijacking of planes by Palestinian terrorists put the issue of terrorism on the Dutch political agenda. Mayors and other police authorities did not consider it their task to combat terrorism. They considered it too risky for their policemen, who were not trained to deal with high-intensity violence. Ordinary police forces were also too involved with too many other things (such as street protests) to spend effort combating terrorism. The military police force (*Marechaussee*) started in the early 1970s to assist the *Rijkspolitie* at Schiphol airport to protect the airport from bomb attacks and aeroplanes against hijacking. The government thought the *Marechaussee* was the most appropriate force, because it was a centrally directed armed force, and used to policing. However, the leadership of the *Marechaussee* refused to form special anti-terrorism units, because its forces were already overburdened with assisting police forces in Amsterdam and The Hague. In 1975 the *Marechaussee* did nevertheless set up a unit for special security operations, but the government already formed an anti-terrorism unit consisting of marines trained in close-combat, and two units consisting of sharpshooters from the armed forces led by the *Marechaussee*, and the police forces respectively. The government wanted to have those units permanently and quickly available without preceding consultation with mayors. The Navy reluctantly provided its marines, because it did not consider domestic security as its priority.[117] Except for this instance of anti-terrorism policy, the territorial fragmentation of security organisation within the Dutch territory prevented more centralisation until the 1980s.

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[117] Weger, M. de (2006), supra note 80, Ch. 6.

Attempts at creating a European security system faced similar problems, particularly because the territorial borders of Western European security states were more institutionally entrenched than those of regional and local police forces. Whereas all Dutch local security authorities were covered by a single, common penal system and a formally sovereign national political system, the European Communities faced a multiplicity of legal norms and traditions, (sovereign) political systems, and police and judicial organisations. Yet some organisations dealing with international crime already existed before the establishment of the European Communities, such as the IKPK. After a national-socialist spell in its leadership, the IKPK had been re-launched after the Second World War, re-named in 1956 as Interpol, the International Criminal Police Organisation. The Lyons-based organisation offers data bases on and analyses of international crime, and assists international investigations and police operations through a network of liaison bureaus in its member states. Interpol has been foremost informal networks of police officers, focusing on practical policing.[118] Protracted legal haggling on formal territory-based rights and obligations of police officers and criminals could thus be avoided as much as possible.

It has been the Council of Europe that has prepared the legal ground for police and judicial cooperation across Europe. The Council of Europe played a "leading role" in "enhanced co-operation in criminal matters" until the early 1990s.[119] Conventions on extradition (1957), on mutual legal assistance in criminal matters (1959), on the international validity of criminal judgements (1970), on the transfer of proceedings in criminal matters (1972), on the transfer of sentenced persons (1983) and several additional protocols crafted a basic framework. The lengthy negotiations, lasting non-ratification, and many unilateral exceptions hampered the effective implementation of the conventions for long. Despite this, the "inward-looking" ministries of justice and ministries of interior learned about crime and crime control in other member states of the Council of Europe.[120] Moreover, it also offered a platform for working

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[118] Anderson, M., Boer, M. den, Cullen, P., Gilmore, W., Raab, C. & Walker, N. (1995), *Policing the European Union.* Oxford: Oxford University Press. p. 53.
[119] Idem, pp. 220-238.
[120] Mitsilegas, V., Monar, J. & Rees, W. (2003), *The European Union and Internal Security: Guardian of the People?* Basingstoke: Palgrave MacMillan. p. 21.

groups on security issues. In addition, the conventions of the Council of Europe, the rulings of the European Court of Human Rights (linked to the Council of Europe), and the conventions of the United Nations on the use of drugs and narcotics, also had a harmonising effect on the penal and political systems within Western Europe. Actual cooperation among police forces remained very limited, however, with Benelux as an exceptional and small instance of cross-border policing.[121]

Since 1910 an agreement had existed between Belgian and Dutch police forces concerning the exchange of information and mutual police assistance across the national borders, expanding on previously informal practices.[122] When the Benelux customs union was established in 1948, a year later the *Police Border Agreement* formalized police cooperation regarding information and assistance in border regions among the Dutch national police and constabulary on the one hand and the Belgian constabulary and judicial police on the other hand. The 1958 *Benelux Economic Union Treaty* aimed at the free movement of capital, goods, and persons within Luxembourg, Belgium, and the Netherlands. According to the three governments involved, the increase of free movement within the Benelux area should be "counterbalanced" with cooperation on criminal matters.[123] The 1960 *Convention on the Transfer of Control of Persons to the External Frontiers* removed permanent controls by the *Marechaussee* and Customs at the 'internal' Dutch-Belgian border. Instead, the *Marechaussee* exercised random checks in the southern border areas, to compensate for the loss of territorial control.[124] It also continued to assist local police forces in the border regions to combat cross-border criminality, and started to help them with the supervision of aliens. Furthermore, the 1962 *Benelux Treaty on Extradition and Mutual Assistance* (that came into force in 1967) arranged cross-border surveillance and, under certain restrictions, the hot pursuit of suspects within a 10 kilometre border zone.

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[121] Fijnaut, C. (2004), 'Police Cooperation and the Area of Freedom, Security and Justice' in N. Walker (ed.), *Europe's Area of Freedom, Security and Justice.* Oxford: Oxford University Press. p. 248.

[122] Fijnaut, C.J. (1993), 'Police Cooperation along the Belgian-Dutch Border', in C.J. Fijnaut (ed.), *The Internationalization of Police Cooperation in Western Europe.* Arnhem: Gouda Quint/ Deventer: Kluwer. pp. 113-134.

[123] Idem.

[124] Weger, M. de (2006), supra note 80, p. 74.

[125] Actual cross-border cooperation remained limited mainly to the exchange of information, depending on ad hoc, personal initiatives and informal networks of police officers, whereas judicial cooperation across borders remained fairly non-existent.[126] A forum for chiefs of police (*NeBeDeagPol; Nederlands-Belgisch-Deutsche-Arbeits-Gemeinschaft der Polizei im Rhein-Maas Gebiet*) in the German-Dutch-Belgian border region Meuse-Rhine gave informal cross-border connections a more solid foundation since 1969, focusing among other things on the exchange of information, language courses, improvement of cross-border communication, and knowledge on the police organisations involved.[127] Next to the Benelux initiatives, Belgian, French, and British police and investigation officers around the Channel met in the annual Cross Channel Intelligence Conference and its working groups since 1968. The Rotterdam city police have participated in the conference since 1970. In their response to the latter initiative, national security authorities as well as Interpol showed they were not used to local cross-border contacts for practical policing.[128]

A decisive turn towards security cooperation among national security authorities from EC Member States happened soon after: "The 1970s is the watershed for [the] process of Europeanisation of crime and police issues."[129] The borders of EC Member States hampered the control of terrorism of both domestic and foreign origin. Lines of supply and hiding places were not concentrated within their individual territories. The security organisations already established could not assist cross-border cooperation to fight terrorist crimes. Interpol was not allowed to deal with politically related affairs, while political violence was exempted

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[125] Friedrichs, J. (2006), 'When Push comes to Shove: The Territorial Monopoly of Force and the Travails of Neomedieval Europe', in M.D. Burgess & H. Vollaard (eds.), *State Territoriality and European Integration*. Routledge: London. pp. 228-251.

[126] Twuyver, M. van & Soeters, J.M.L.M. (1999), 'Internationalisering bij de Politie: Politiesamenwerking binnen de Euregio Maas-Rijn', in C.G. Spoormans, E.A. Reichenbach & A.F.A. Korsten (eds.), *Grenzen over: Aspecten van Grensoverschrijdende Samenwerking*. Bussum: Coutinho. pp. 145-155.

[127] Fijnaut, C. (1993), supra note 122.

[128] Johnson, E. (2002), 'Case Report "Operation Mallard" from the Cross Channel Euroregion', in Boer, M.G.W. den & Spapens, A.C. (2002), *Investigating Organised Crime in European Border Regions*. Tilburg: IVA. p. 36.

[129] Bigo, D. (2000), 'Liaison Officers in Europe: New Officers in the European Security Field', in J.W.E. Sheptycki (ed.), *Issues in Transnational Policing*. London: Routledge. p. 69.

from the Convention on Extradition of the Council of Europe. The Council of Europe started to draft a convention on the suppression of terrorism (finished in 1977 after long discussions on the definition of terrorism). Considering the global scale of terrorism, the UN seems to be the most appropriate organisation to coordinate (legal) efforts in combating terrorism. Yet the diversity of its membership and the consequent diversity in definitions of terrorism complicated matters. Commonality of interests and values would be more easily found among the EC members, particularly because they just issued in the 1960s common rules on free movement and residence within the EC area. In 1975 and 1976, the European Council officially called for European Political Cooperation (EPC) to facilitate the prosecution and extradition of terrorists among its members. An ad hoc group of legal experts from foreign ministries discussed a faster ratification and special application of the conventions of the Council of Europe within the EC area, particularly the measure on suppressing terrorism. The call for the creation of a Common European Legal Space both for civil and criminal law by the French president Valéry Giscard d'Estaing in 1979 put the negotiations temporarily on hold.[130] Although the number of EC member states ratifying the convention gradually increased over the years, the various exemption clauses attached prevented the development of a full-fledged European scheme for the extradition of people committing politically motivated violence.

Meanwhile, at the instigation of the British and German governments, the ministries of justice or home affairs of the EC member states started regular meetings at various political and administrative levels to combat terrorism by 1975, known under the name of TREVI (which became an acronym for *Terrorisme, Radicalisme, Extremisme et Violence Internationale*). After the assassination of the British ambassador to the Netherlands in 1979, a Police Working Group on Terrorism (PWGOT) was created within TREVI in which also non-EC members (such as Swiss and American security officials) participated.[131] Its legal basis was weak, but the network of liaison officers under the PWGOT

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[130] Anderson, M. et al. (1995), supra note 118, pp. 241ff.
[131] Jachtenfuchs, M., Friedrichs, J., Herschinger, E. & Kasack, C. (2005), *Policing among Nations: Embedding the Monopoly of Force.* Paper presented at the DVPW, Mannheim, 6-7 October 2005. p. 15.

facilitated the exchange of information on cross-border terrorism.[132]
Reports to EPC and TREVI indicated that terrorism did not neatly fit in
the territorial divisions of the security forces that were preoccupied with
security *within* their own EC member states. Within the so-called Kilowatt
Group and Megawatt Group, intelligence services from EC member states
have exchanged intelligence on Arabic and non-Arabic terrorism with
fellow services in Norway, Sweden, Switzerland, the USA, and Israel since
the late 1970s.[133] After a change in its statutes in 1984, Interpol could also
begin to address terrorism and developed an anti-terrorism manual and
sent warnings on possible terrorist attacks via its information channels. In
addition, it intensified its assistance for anti-crime efforts in Europe. Until
the early 1990s about 80% of the information requests via Interpol came
from Europe. However, security authorities of EC member states
considered some of the Interpol members less trustworthy to share
politically sensitive information on terrorism, and focused more on their
networks of intelligence services and TREVI.

The security authorities in the EC area faced in the 1960s and 1970s
a steep increase in criminality. As legal trade expanded, so did illegal
trade. Particularly the trade in drugs drew attention to the cross-border
dimension of crime, also because American soldiers garrisoned in the
Netherlands and Germany used it. After the American president Richard
Nixon declared a war against drugs, American security authorities pushed
for combating drug crime through the UN, Interpol, and security
authorities in the EC areas (*e.g.*, via fighting money laundering).
American pressure but also concerns about public health and the
involvement of criminal gangs motivated most security authorities in the
EC area to also work toward combating the drug trade. The American
security authorities brought various forms of covert policing to Europe,
and started to exchange liaison officers with counterparts in the EC area
on a much larger scale.[134] The French president George Pompidou invited
in 1971 also the governments of the EC member states and the United

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[132] Anderson, M. et al. (1995), supra note 118, p. 70.
[133] Wiebes, C. (2004), 'De Problemen rond de Internationale Intelligence Liaison', in
Justitiële Verkenningen. Vol. 30, no. 3, p. 76.
[134] Levi, M. & Maguire, M. (1992), supra note 111, p. 181; Nadelmann, E. (1993), 'U.S.
Police Activities in Europe', in C.J. Fijnaut (ed.), *The Internationalization of Police
Cooperation in Western Europe.* Arnhem: Gouda Quint / Deventer: Kluwer. pp. 135-
154.

Kingdom to work on drugs control. This group became part of the Council of Europe in 1980, known as the Pompidou Group.[135] After some discussions on Valéry Giscard d'Estaing's proposal on a European Legal Space, the mandate of TREVI was extended in 1985 to deal with issues of drug trafficking, bank robbery, and arms trafficking. Joint investigation teams also started to fight cross-border drug trade within the EC area.[136] Next to drugs and terrorism, football hooliganism raised further (political) attention to the international dimension of crime. Policing remained, however, a local rather than national, let alone European, responsibility until the 1980s.[137] Territorial exclusivity at the local level hampered central coordination of crime investigation in the Netherlands, while territorial exclusivity at the local and the national level hampered centralisation at the European level. European cooperation for the most part consisted of networks among liaison officers, representatives to TREVI and other meeting points of security officials. The formation of the European security system was thus not only bridled by US imperialism, but also by the logic of territoriality at the local and the national level. Even though security was not an exclusive issue for states, the logic of territoriality (particularly exclusivity and centrality) had left its mark most emphatically at the national level.

6.5 Security before 1989: multi-layered, territorial and non-territorial strategies

Although centralisation and locking-in effects also originated from non-territorial strategies such as person-based royal, imperial and national loyalties, the historical evidence presented does not contradict the expected implications of using territory, *i.e.*, geographical fixity, impersonality, inclusion/ exclusivity, and centrality. The territorialisation of the French security system eventually enhanced inclusive tendencies in cross-regional voice structures and loyalty bonds towards the political centre in Paris. The more territoriality has been used as a security *strategy* at the national level, the more territory became institutionalised, the more the logic of territoriality left its imprint on the national organisation of

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[135] Jachtenfuchs, M. et al. (2005), supra note 131, pp. 27-28.
[136] Anderson, M. (1989), supra note 114, pp. 159-160.
[137] Levi, M. & Maguire, M. (1992), supra note 111, p. 185.

security, leading eventually to the legal *principle* of territoriality for national states in the 19th century. However, the ensuing anarchy in international politics (at least from a legal perspective) does not provide the full picture of the organisation of security. The evidence presented also shows that dynastic, imperial and local territorialities left a significant mark on the organisation of security in addition to state territoriality. A successful, public monopoly of violence within states, in other words the centralising implication of territoriality, has become a reality in Western Europe only in the late 19th century, even though police organisation remained fragmented over various levels. Moreover, non-territorial class distinctions remained significant security boundaries until routine suspicion became focused on territorial outsiders in the early twentieth century. The organisation of security in the post-WWII period reflected a combination of state, imperial and local territorialities. In other words, security organisation between 1648 and 1989 was not just a matter of state territoriality. Security has been a much more variegated phenomenon than the image of a Westphalian Europe neatly carved up in territorial states suggests.

Territory is also not the exclusive feature of the so-called Westphalian era. The chapter showed examples of security actors using territory as a security measure both before and after 1648, because of its effectiveness and efficiency for visualizing and communicating the scope of security organisations. Although borders at whatever level or scale may bundle security measures, they may also have a symbolic rather than an effective goal. The historical evidence on the organisation of security presented in this chapter also indicates that changes in the geography of threats and in security measures do not necessarily follow from changes in transport and communication technologies. Particularly the history of policing has shown that the definition of threats and security requirements is a decision made by the incumbent establishment. Despite an ineffective scale of security provision, the Dutch Provinces did not join larger security entities, while Dutch municipal police forces have resisted a merger into a national police force. In addition, the imprint of the logic of territoriality on decision-making by establishments in Western Europe has increasingly framed the security threats in territorial terms in the 19th century and early 20th century. The arrival of new imperialist

establishments after the Second World War contributed partly to changing this definition to be used less in terms of territories and to be understood more in terms of the clash of ideologies.

In sum, the social and institutional circumstances in which threats are defined play a significant role in the perceived geography of threats. This is not to deny the effects of changing technologies on the geography of threats and on the organisation of security in the long run. This chapter's introduction referred to some security analysts who claim that since the end of the Cold War territory and borders are no longer relevant for security. Because territory has always been used in history as security measure, some scepticism is justified in this respect. The following chapter explores how the relationship between territoriality and security has evolved since the 1980s in security organisations in Europe, and particularly in the Netherlands.

Chapter 6