

# Between Police and Military

## The New Security Agenda and the Rise of Gendarmeries

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### ABSTRACT

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The differentiation between internal and external security, and between police and military, has been a core principle of the modern nation-state. A distinctive feature of the security landscape of the post-Cold War era, however, is that the dividing line between internal and external security has become increasingly blurred — a consequence of, inter alia, the emergence of a growing number of transnational risks and challenges. This article sheds light on a thus far somewhat neglected aspect of this convergence between the realms of internal and external security, or crime and war: the growing significance of intermediary, i.e. gendarmerie-type, or paramilitary, security forces. The main argument advanced in the following is that the post-Cold War period has witnessed not only the emergence of challenges which defy the distinction between internal and external security, but also the ascendance of agencies which are located between internal and external security forces. This development is exemplified by a discussion of two major areas of the contemporary security agenda, that of border control, where gendarmeries are being mobilized to counter various transnational challenges to security, and that of peace support operations, where they are playing an increasingly important role in post-war reconstruction efforts.

*Keywords:* border control; gendarmeries; internal and external security; paramilitary forces; peace-keeping; transnational threats

Traditionally, security thinking and analysis have been dominated by two broad categories: challenges to a state's internal security and threats to its external security. While internal security has been understood in terms of criminal or otherwise disturbing activities within the boundaries of the state, threats to external security have been considered to arise first and foremost from aggressive behaviour of other states. Although the distinction has, of course, never been entirely clear-cut, the Cold War can be described as a period during which the separation between the internal and external security fields was relatively unambiguous. Security thinking at the external level was dominated by concerns with (mainly military) threats



coming from other states, whereas crime was seen as a largely domestic issue. The distinction has also been reflected in academic discourse in the separation between security (or strategic) studies on the one hand, and criminology (or justice studies) on the other: the principal focus of the former has been on questions related to external, inter-state conflict, while the latter has dealt mainly with crime and crime-control at the local or national level.

A distinctive feature of the security landscape of the post-Cold War era, by contrast, is that this once clear dividing line between the realms of internal and external security has become increasingly blurred — a consequence, for instance, of the surge of various transnational challenges to security, such as transnational organized crime, drug trafficking or international terrorism. For security institutions, i.e. police and military forces, this has implied that their roles have increasingly converged, with military forces becoming more involved in domestic security and police forces playing a stronger role at the external level (Den Boer, 1997; Bigo, 2000). This article sheds light on a thus far somewhat neglected aspect of this convergence between internal and external security agendas: the growing importance of ‘intermediary’, i.e. gendarmerie-type, or paramilitary, security forces. The main argument advanced in the following is that the post-Cold War period has witnessed not only the emergence of challenges which defy the distinction between internal and external security, but also the ascendance of agencies which are located between internal and external security forces.

The article is divided into three main parts. In the first part I discuss some examples of gendarmerie or paramilitary forces in the European context. I show that in a number of respects, such as formal affiliation, internal structure and armoury, such agencies occupy an intermediary position between internal and external security forces. In the second and third parts I show that gendarmerie-type agencies have come to play an increasingly prominent role in two of the main areas of the post-Cold War security agenda: that of border security, where they are being mobilized to counter various transnational challenges, ranging from drug trafficking to international terrorism, and that of peace support operations, where gendarmerie forces are viewed as increasingly important instruments in addressing the internal security or public order tasks arising in post-war reconstruction efforts. In both of these domains, it is due to their intermediary status, i.e. the fact that they combine the characteristics of police and military forces, that paramilitary forces have come to be seen as particularly appropriate institutions in dealing with the emerging risks and challenges.

### **Gendarmeries Between Internal and External Security Forces**

One of the core principles of the nation-state, and the institutional reflection of the aforementioned distinction between internal and external security, is the separation between police and military. With the emergence of the modern nation-state, the armed forces have gradually been removed from

the state's domestic sphere, and have come to focus mainly on external threats, whereas police forces have become concerned with monitoring the domestic population (Giddens, 1987; Dandeker, 1990). However, while this institutional differentiation can be found in all Western democratic states, it is often overlooked that many countries keep forces in being which, at least in certain respects, are located between police and military forces. These are usually referred to as paramilitary or gendarmerie forces.<sup>1</sup> Although there is no generally accepted definition of the term 'paramilitary', nor such a thing as a standard gendarmerie-type force, the term is usually applied to police forces which have certain military characteristics and some degree of military capability even though strictly speaking they are not part of the armed forces (Andrade, 1985: xi).

Gendarmes were first developed in France during the time of the revolution, and in the nineteenth century they were introduced in a number of other European countries as well. They were basically military personnel, but their principal task was to maintain law and order in the interior, chiefly in rural areas and along major thoroughfares. In the emerging nation-states, gendarmeries were essentially instruments of the central powers in extending and consolidating their rule over the national territory, in particular the often 'unruly' countryside. As such, they also served to deal with particularly severe forms of internal strife and turmoil, which in many European countries accompanied the nation-building process (Bayley, 1985: 41; Emsley, 1993). Gendarmerie forces, however, have also regularly been deployed in external inter-state conflicts. The French Gendarmerie, for instance, actively participated in all of France's major wars, both as military police and as a combat force. While gendarmerie-type forces can be found in all parts of the world, among Western industrialized countries, they are a typical feature of continental European states, and at least formally did not develop in Anglo-Saxon or Scandinavian countries (Bayley, 1985: 46; Mawby, 1999; Waddington, 1999).<sup>2</sup>

Over time, all of these forces, or their descendants, have undergone a process of 'demilitarization' in that their military characteristics have been attenuated and their links to the armed forces severed. Nevertheless, in most cases their military origins are still visible. Even though there are, of course, considerable differences between the gendarmeries of individual European countries, nowadays most of them display roughly the following features: they have a double affiliation, with the Ministry of Defence and the Ministry of the Interior, they are organized along military lines (and are thus more centralized and hierarchical than 'ordinary', i.e. civilian-style, police forces), and they are equipped with heavier equipment and stronger suppression capabilities than is common for police forces, such as armoured cars, small airplanes, helicopters and light infantry weapons. Moreover, in addition to their law-enforcement duties, some paramilitary forces also have a (residual) military defence function which they would assume in the event of war. In the following, I briefly discuss the gendarmeries of some continental European states.

The model for most of today's paramilitary forces is the *French Gendarmerie* (Gendarmerie nationale), which was created in the late eighteenth

century. The French Gendarmerie has always had a dual dependency on the Ministry of Defence and the Ministry of the Interior. While operational direction nowadays lies with the Ministry of the Interior, the Gendarmerie remains formally part of the French armed forces, and its officers have the official status of soldiers. Within the French police system, the Gendarmerie is basically responsible for maintaining law and order in rural areas, whereas the country's other national-level police force, the National Police (Police nationale), is concerned with policing the cities. In line with its semi-military status, the French Gendarmerie is not only structured along military lines, it also has extensive military-style weaponry, in addition to police gear, such as heavy machine guns, armoured combat vehicles, helicopters and light tanks (Haenel and Lizurey, 1999). Similarly, the Gendarmerie also has a subsidiary military defence role, although this nowadays represents only a small part of its operational activity. In the event of war, the Gendarmerie would act as military police as well as perform several more directly combat-related tasks, such as protecting certain sensitive sites and gathering intelligence (Dieu, 2001).

An example of a gendarmerie-type force which remains even more militarized than the French Gendarmerie is the *Italian Carabinieri*. Similarly to the French Gendarmerie, the Carabinieri are an integral part of the Italian armed forces — they constitute its fourth branch, after the army, the navy and the air force — and they have been involved in all of the country's military conflicts. The influence of the military remains considerably stronger than in the case of the French Gendarmerie, however, as the Carabinieri are still today under the control of the Ministry of Defence in most respects (although they also report to the Ministry of the Interior). The commander of the Carabinieri is a three-star general, and all personnel are recruited from the regular army. Nowadays, the principal duties of the Carabinieri include combating organized crime, and riot control. In addition, they also have an important military function, both as a military police and as a combat force. Consequently, the Carabinieri are equipped with a broad range of military-style armoury, such as airplanes, armoured vehicles, helicopters, patrol boats, as well as light-infantry weapons (Collin, 1985; Pallida, 1992: 248–51).

Italy also has another police force with military status at the national level, the so-called *Guardia di Finanza*. In principle, the Guardia di Finanza, as its name suggests, is a fiscal or customs police, which traditionally has been concerned mainly with preventing different types of cross-border economic crime, such as contraband and tax evasion. It too, however, is a semi-military institution. Comparable to the Carabinieri, the Guardia di Finanza is organized along military lines, has a dual affiliation (with the Ministry of Defence and the Ministry of Finance), and combines its law enforcement duties with military defence tasks (Commando Generale della Guardia di Finanza, 1985). The Guardia di Finanza's traditionally large and well-equipped naval component, for instance, which also comprises actual warships, was deeply implicated in the naval battles in the Mediterranean during the Second World War (Matera and Serra, 1990).

A further gendarmerie-type force which was modelled on, and bears

many similarities with, the French Gendarmerie is the *Spanish Guardia Civil*. Similar to the French Gendarmerie, the Guardia Civil played a crucial role in the Spanish nation-building process in the nineteenth century and the consolidation of the central power over the more peripheral areas of the national territory. During the Franco era, its image suffered considerably, however, as the Guardia Civil was commonly seen as the primary instrument of the regime's effort to crush dissent and opposition. Nowadays, combating terrorism and separatist movements such as ETA are among the Guardia Civil's main fields of activity. Also the Guardia Civil has always had a double dependency — on the Ministry of the Interior and the Ministry of Defence. Even though the Guardia Civil is formally not part of the Spanish armed forces, and it is nowadays headed by a civilian director-general, it nevertheless has retained the official status of an 'armed institution of military nature' (*instituto armado de naturaleza militar*). Moreover, the influence of the military remains strong, as it is responsible for recruitment, careers and disciplinary questions. As other gendarmerie-type forces, the Guardia Civil has a military structure and is equipped with a considerable amount of military-style armoury, such as light-infantry weapons. Moreover, also the Guardia Civil has a subsidiary military defence role. In the event of war, it would automatically come under the control of the Ministry of Defence and would assume a number of combat-related tasks (Macdonald, 1985; Cosidó, 2000).

An example of a gendarmerie-type force which since its inception has lost many of its military characteristics is the *Austrian Federal Gendarmerie* (Bundesgendarmerie). When it was created in the early nineteenth century, the Austrian Gendarmerie, as well, was modelled largely on the French Gendarmerie. Just as the latter, it originally had a dual dependency on the Ministry of Defence and the Ministry of the Interior, and it was formally part of the armed forces (of the Austro-Hungarian empire). In contrast to its French, Italian and Spanish counterparts, however, the Austrian Gendarmerie has, since the late nineteenth century, been brought under the exclusive control of the Ministry of the Interior. Unlike the former, it no longer maintains any formal ties to the military — although, after the Second World War, part of the Federal Gendarmerie served as a basis for the creation of the Austrian armed forces. In terms of internal structure and armoury, by contrast, its military origins are still visible, to a certain extent. Comparable to other gendarmerie-type forces, the Austrian Gendarmerie remains organized largely along military lines, and it is also equipped with some military-type armoury (light infantry weapons) (Bundesministerium für Inneres, 1989).

The same can be said of the *German Federal Border Police* (Bundesgrenzschutz, BGS), an institution of much more recent origin than the agencies discussed thus far. The Federal Border Police was created in the early 1950s as a paramilitary police force whose main task was to secure the 'inner-German' demarcation line against 'communist-inspired' incursions from East into West Germany. It used to have a highly centralized military-style organization, as well as a broad array of military equipment, such as small tanks, grenade launchers and heavy machine guns

(Grieves, 1972). Formally, the Federal Border Police has always been considered a police and not a military force, and it has been under exclusive supervision of the Ministry of the Interior. Nevertheless, in the mid-1960s its officers were accorded the official status of combatants — mainly in order to provide them with formal prisoner-of-war status in the event they would be drawn into a military conflict between NATO and eastern bloc forces. Moreover, similarly to the Austrian Gendarmerie, the Federal Border Police was used as a reservoir for the creation of the West German armed forces in the mid-1960s. In the meantime, however, the Federal Border Police has been brought closer to a civilian-style police force — mainly as a consequence of the fact that, from the 1970s onward, its quasi-military defence function has become largely obsolete, and it has increasingly been used in the interior as an anti-riot police. In the course of a series of reforms launched in the 1970s and 1980s, the Border Police has been given a more decentralized, police-type structure and its military weaponry has been replaced with police-style equipment such as batons, water cannons and teargas (Winter, 1994).

Security agencies which occupy an intermediary position between internal and external security forces, and may thus be described as 'paramilitary', can also be found in the maritime context, namely so-called *coastguard* forces. In most Western countries (and arguably also elsewhere), the coastguard shares the features of an internal and an external security force. Typically, the coastguard has a dual affiliation with the Ministry of Defence and the Ministry of the Interior (or the Ministry of Transport), and it is responsible for both internal and external security tasks. In peacetime, coastguards perform a variety of policing functions, such as the prevention of contraband and other illicit activities at sea. In the event of war, however, the coastguard usually also forms part of the country's military defence forces, and would be deployed alongside the military marine.<sup>3</sup>

It is difficult to make generalizations about the typical tasks of such gendarmerie-type or paramilitary forces, which may include practically any area of internal security or policing. In countries with a dual police system at the national level, such as France, Spain and Austria, the gendarmerie is usually responsible for maintaining law and order in rural areas, whereas the other — often a civilian-style — police force operates in the cities. Moreover, it can be argued that the duties of gendarmeries tend to include those types of threats or situations which are characterized by a higher degree of hostility or 'instability' than 'ordinary' policing usually involves. Dealing with serious internal disturbances, riot control or combating terrorism, for instance, are typical functions of paramilitary forces. In a sense, this too can be seen as a reflection of their intermediary status, in that such challenges are often considered to call for a more muscled and robust response than ordinary (i.e. civilian-style) police forces are able to provide, but for which the use of the regular armed forces is usually not considered appropriate either (which is not to say that the latter might not occasionally be deployed for such purposes).

Analysts typically view the persistence of gendarmerie or paramilitary forces as somewhat of an anachronism or anomaly (Bayley, 1985: 46; Bigo,

2000). Representing a continuation of military or quasi-military presence in domestic security, their existence is of course at odds with one of the basic principles — and indeed achievements — of the modern nation-state, at least in its liberal-democratic form: the separation between police and military. As militarized police forces, they are also often associated with authoritarian or repressive tendencies, and are seen as an at least potential threat to civil liberties. In the following, however, it is argued that despite, or actually because of, their anomalous status, such intermediary forces have gained tremendously in importance over recent years. Precisely because they combine the characteristics of police and military forces, they have come to play an increasingly salient role in two of the main areas of the post-Cold War security agenda: in the field of border control, where they are being mobilized to counter various transnational challenges to security, and that of peace support operations, where they are seen as an increasingly important strategic asset in post-war reconstruction efforts. These developments are discussed in the remainder of this article.

### **Gendarmeries in Border Control**

Much has been written about the 'redefinition of security' in the post-Cold War era, about the 'broadening' and 'deepening' of the concept, and it is not my intention to review this debate here. It suffices to note that among security analysts there now seems to be relatively broad agreement that the main security risks facing the countries of the Euro-Atlantic area since the end of bipolarity, apart from threats posed by so-called rogue states (armed with weapons of mass destruction), are no longer state-based and military but rather non-state and transnational, consisting in various illicit or uncontrolled cross-border phenomena at the sub-state level. At the top of the 'new security agenda' one typically finds issues such as drug trafficking, trafficking in hazardous substances, irregular immigration, human smuggling as well as other forms of transnational organized crime — all phenomena which are seen as having gained in salience and momentum due to deepening interdependence and rapid advances in communication and transportation technologies (Waever et al., 1993; Matthew and Shambaugh, 1998; Politi, 1998; Mandel, 1999; Zangl and Zürn, 1999; Bigo, 2000).

In terms of policy responses, one main implication of this transnationalization of security concerns, both in Europe and the US, has been that the issue of 'border control' or 'border security' has emerged as an increasingly salient topic in political discourse — a trend which has received an additional boost with the terrorist attacks on the World Trade Centre on 11 September 2001 (Dunn, 1996; Andreas and Snyder, 2000; Anderson and Bort, 2001). Controlling state borders more effectively, in other words, has come to be seen as an essential strategy in preventing these unwanted cross-border phenomena. In the European Union, this growing preoccupation with border control has been further reinforced by the implementation of the so-called Schengen accord of 1985, which now comprises all EU

countries except the UK and Ireland. The core element of this arrangement is the lifting of border controls between the participating states, which however is 'compensated' by enhanced controls at the external frontiers of the Schengen area (Anderson et al., 1996). As a consequence, particularly those countries with long and 'problematic' external frontiers — principally Germany, Austria, Italy and Spain — have been facing additional pressure from other member countries to control their borders effectively.

These heightened concerns with transnational challenges and border security, in turn, have led to an enhanced role of gendarmerie-type or paramilitary forces. A general trend among EU countries, as well as in the US, since the beginning of the 1990s, has been that paramilitary forces have been increasingly mobilized in the area of border enforcement, whereby many of these agencies have witnessed a rather dramatic expansion. (A related development has been the increasing involvement of military forces in controlling state borders).<sup>4</sup> In fact, since the early 1990s, gendarmerie forces concerned with border control seem to have been the fastest growing security forces in the Euro-Atlantic area, with a clear shift in priorities and funding from external to internal, and in particular gendarmerie-type security forces. Thus, while the end of the Cold War has prompted a considerable contraction of military budgets — between 1989 and 2000 average defence spending in NATO countries dropped from 4.5% to 2.5% of GDP — spending on law-enforcement has increased, in some countries dramatically. And within law-enforcement, gendarmerie forces responsible for border security have witnessed by far the highest growth rates. The following sections illustrate these trends, taking the examples of those countries of the Schengen area which are nowadays considered to have particularly 'sensitive' external borders, namely Germany, Austria, Italy and Spain. The last section highlights similar developments in the US, where in particular along the border with Mexico, the US Border Patrol has expanded tremendously over the 1990s.

### *The German Federal Border Police*

In Germany, one manifestation of the growing concern with cross-border challenges such as human smuggling, irregular migration, drug trafficking and other forms of transnational crime from outside the EU has been the enormous expansion of the aforementioned German Federal Border Police — nowadays no longer considered an anti-communist but rather an anti-trafficking and anti-immigration agency (Diederichs, 1993; Pau and Schubert, 1999). As can be seen from Table 1, over the 1990s, the Federal Border Police almost doubled in size, with an almost seven-fold increase in Border Police agents at the country's eastern borders. Similarly, in budgetary terms, the Federal Border Police expanded by almost 200% over this period. What makes this development all the more noteworthy is that it occurred at a time of generally reduced public spending and government downsizing, at least at the federal level. It seems safe to assume that, since the early 1990s, the Border Police has been among the fastest expanding federal-level agencies in the country, and it has clearly been the fastest

TABLE 1  
 German Federal Border Police:  
 Evolution of Size and Budget, 1989–2000

	Personnel	Personnel stationed at eastern border	Budget (in billion euros)
1989	24,900	n.a.	0.61
1990	25,187	n.a.	0.66
1991	31,360	1000	0.81
1992	34,733	1600	0.97
1993	35,392	3300	1.07
1994	38,928	4800	1.22
1995	40,100	5300	1.38
1996	41,018	5800	1.48
1997	40,346	6200	1.43
1998	39,631	6200	1.48
1999	38,829	6800	1.53
2000	39,240	6800	1.63

*Source:* Annual reports of Federal Border Police.  
 n.a.: not applicable.

growing security force in Germany: while the overall size of Germany's other police forces (at the state level) remained largely constant over the 1990s, the Border Police, as mentioned above, saw its personnel grow by almost 100%.<sup>5</sup>

In addition to this expansion in terms of human and financial resources, the Federal Border Police has also been granted much wider powers over the 1990s. From the mid-1990s onward, in an effort to step up the fight against cross-border crime and irregular migration, a series of laws were passed which considerably expanded the Border Police's jurisdiction and scope of operation. In 1994 for instance, the Border Police's intensive search jurisdiction, which comprises the right to conduct random identity checks and searches, was extended from 2 to 30 km inward from the border-line. In 1998, another law was passed, again in order to more effectively curb illegal immigration and organized crime, giving the Border Police the right to operate not only along the border as such, but also in trains, train stations and airports throughout the country (Maurer, 1998). In Germany, many commentators have seen the continuous expansion of the Federal Border Police's sphere of operation as a serious undermining of the country's federal system, under which the power to maintain police forces (apart from policing the border) is vested in the *Länder* and not the federal state (Pau and Schubert, 1999).

#### *The Austrian Federal Gendarmerie*

A similar development has taken place in neighbouring Austria, where since the beginning of the 1990s the above-mentioned Federal Gen-

darmerie has become increasingly involved in securing the country's eastern frontiers, and has grown considerably from the early 1990s onward. While the Austrian Gendarmerie has traditionally not been present at the country's borders, from the beginning of the 1990s, a special border guard unit, the so-called Border Gendarmerie (Grenzgendarmerie), was built up within the Federal Gendarmerie, with the main task of preventing irregular migration, human smuggling and other forms of cross-border criminality (Bundesministerium für Inneres, 1999).<sup>6</sup> By the end of the decade, as is shown by Table 2, this unit already comprised 3000 officers, so that nowadays one-fifth of the Austrian Gendarmerie's personnel are exclusively concerned with controlling the country's borders. Similarly to Germany, the increasing importance of the Federal Gendarmerie within the country's security system is evidenced by the fact that, since the early 1990s, it has enjoyed considerably higher growth rates than Austria's other national-level police force, the Federal Police (Bundespolizei). Thus, between 1990 and 2000, the staff of the Federal Gendarmerie, as shown below, increased by about one-third, and its budget by 64% — whereas the Federal Police remained constant in terms of manpower, and witnessed a mere 12% budgetary increase.<sup>7</sup>

TABLE 2  
Austrian Federal Gendarmerie and Border Gendarmerie:  
Evolution of Size and Budget, 1992–2000

	Federal Gendarmerie (personnel)	Border Gendarmerie (personnel)	Total budget (in million euros)
1990	11,794	n.a.	–
1991	12,046	n.a.	–
1992	12,484	280	442
1993	12,681	–	528
1994	12,802	419	565
1995	12,697	1300	593
1996	13,135	1900	632
1997	13,780	2000	663
1998	15,678	2750	700
1999	15,825	3000	732
2000	15,751	3000	727

*Source:* Data provided by Ministry of the Interior, Vienna.

n.a.: not applicable.

### *The Italian Guardia di Finanza*

The growing implication and expansion of gendarmerie-type or paramilitary forces in border enforcement can also be observed in Italy, which due to its long and fragmented coastline, and the strong 'migratory pressure' from neighbouring Albania, is nowadays often referred to as the 'soft underbelly'

TABLE 3  
Italian Guardia di Finanza:  
Evolution of Size and Budget, 1989–2000

	Personnel	Budget (in billion euros)
1989	52,280	1.11
1990	n.a.	1.21
1991	n.a.	1.72
1992	n.a.	1.72
1993	60,100	1.78
1994	n.a.	1.91
1995	64,129	1.97
1996	59,874	2.54
1997	59,657	2.58
1998	65,995	2.70
1999	61,028	2.77
2000	66,983	3.21

*Source:* Annual reports of Guardia di Finanza.  
n.a.: not available.

of the EU. Here, it is in particular the aforementioned Guardia di Finanza which has been increasingly mobilized in the fight against irregular migration, human smuggling and various other forms of trafficking across the country's maritime borders. As noted above, the Guardia di Finanza, as a customs police, has traditionally been concerned mainly with preventing different forms of economic crime such as contraband and tax evasion. Nowadays, however, its remit is much broader — at least *de facto* — as it is also engaged in combating numerous other cross-border challenges, ranging from undocumented migration to trafficking in drugs and arms. Indeed, despite its lack of formal powers in at least some of these areas, the Guardia di Finanza has been able to profile itself as the predominant agency in countering these challenges, mainly thanks to its large fleet, which at the beginning of the 1990s already comprised more than 300 boats (Lutterbeck, 2001). Moreover, and similarly to the intermediary forces of Germany and Austria, since the early 1990s, the Guardia di Finanza has also been the fastest expanding security force of the country, at least in budgetary terms. As can be seen from Table 3, from 1989 to 2000 the Guardia di Finanza's budget almost tripled, whereas Italy's other national-level police forces witnessed considerably smaller increases — the budget of the so-called State Police (Polizia di Stato), for example, increased by 110% and that of the Carabinieri by 60% over this period.<sup>8</sup> In particular the Guardia di Finanza's naval and air components, the most important sections in the fight against trafficking via sea, have grown impressively over the 1990s. Between 1989 and 1999, as indicated in Table 4, both its naval and its air service nearly doubled in size.

TABLE 4  
Italian Guardia di Finanza:  
Evolution of Naval and Air Service, 1989–1999

	Boats	Personnel (naval service)	Helicopters	Airplanes
1989	330	4800	68	0
1992	457	4900	83	3
1995	540	6000	96	13
1999	582	7000	96	14

Source: Annual reports of Guardia di Finanza.

### *The Spanish Guardia Civil*

In Spain, too, there has been increasing concern about irregular migration and narcotics smuggling from the south, and considerable efforts have hence been made from the early 1990s onward to impermeabilize the country's southern (Mediterranean) border.<sup>9</sup> Mirroring developments in the other EU countries discussed above, it is in particular the paramilitary Guardia Civil which has emerged as the leading agency in this regard, even though, traditionally, the Guardia Civil's duties have included neither immigration nor drug control.<sup>10</sup> In 1999 alone, 200 million Euros were allocated to the Guardia Civil for the construction of what is claimed to be the technologically most sophisticated coast control system to date, composed of radars, infra-red sensors as well as boats, helicopters and airplanes which are being deployed along the country's Mediterranean coast (*El País*, 15.2.2000). As can be seen from Table 5, also the Guardia Civil has expanded steadily over the 1990s, although its overall growth rates have

TABLE 5  
Spanish Guardia Civil:  
Evolution of Size and Budget, 1990–2000

	Personnel	Budget (in billion euros)
1990	61,192	1.26
1991	62,192	1.38
1992	63,608	1.49
1993	64,691	1.52
1994	67,885	1.53
1995	71,245	1.64
1996	72,199	1.80
1997	71,905	1.71
1998	70,778	1.81
1999	71,001	1.82
2000	70,143	1.83

Source: Data provided by Guardia Civil.

TABLE 6  
 Spanish Guardia Civil:  
 Evolution of Naval and Air Service, 1985–2000

	Boats	Personnel (naval service)	Helicopters	Airplanes
1985	0	0	16	0
1995	19	125	20	0
2000	50	728	36	1

Sources: <http://www.guardiacivil.org>

been less dramatic than those of the other gendarmerie forces discussed above. As in the case of the Italian Guardia di Finanza, however, it is in particular the Guardia Civil's naval and air components which have witnessed tremendous upgrading in response to the heightened concerns with human smuggling and drug trafficking from the south: from 1995 to 2000, the manpower of the Guardia Civil's naval service increased almost six-fold, its fleet more than doubled in size and its air component also witnessed considerable increases over this period (see Table 6).

#### *The US Border Patrol*

The expansion of gendarmerie-type forces in the area of border control has not been limited to the Schengen area, but can also be observed along the frontiers of the US, both along the border with Mexico and, increasingly, the US–Canadian border. In the US, the growing concern with narcotics smuggling and undocumented migration from Mexico, and the depiction of these issues as 'national security threats', has resulted in a dramatic increase in the US Border Patrol along the country's southern border. As indicated in Table 7, between 1990 and 2001 the Border Patrol more than doubled in size, with most new agents deployed along the south-western border. Over this period, the budget of the Border Patrol's mother organization, the INS (Immigration and Naturalization Service), grew by more than 200%. In the US as well, these developments have taken place despite general trends of government downsizing at federal level. Thus, while in the 1990s most federal agencies were facing severe budget cuts, the US Border Patrol, in the words of one commentator, 'has been struggling to manage its fast-paced expansion' (Andreas, 2000: 90). In the late 1990s, the position as 'Border Control Agent' was in fact listed as one of the top 10 areas of job growth in the federal government (*ibid.*). Increases in staff and funding for the US Border Patrol have further accelerated with the terrorist attacks on 11 September 2001, with additional spending serving mainly to upgrade the country's northern frontier with Canada. The US Patriot Act, for instance, provides for a tripling of the number of Border Patrol agents along the US–Canada border.

TABLE 7  
 US Border Patrol:  
 Evolution of Size and Budget, 1990–2001

	Personnel (total)	Personnel (south-west border)	Budget (INS) (in billion dollars)
1990	3733	3160	1.14
1991	3651	3072	1.26
1992	4076	3503	1.44
1993	3965	3389	1.50
1994	4226	3670	1.59
1995	4881	4337	2.00
1996	5878	5281	2.58
1997	6828	6213	3.19
1998	7982	7357	3.68
1999	8351	8264	3.82
2000	9212	8669	4.25
2001	9433	9065	4.88

Source: <http://www.immigration.gov>

To some extent, the US Border Patrol too can be described as a paramilitary force, even though, as pointed out above, such agencies are a typical feature of continental European police systems, and at least formally did not develop in the Anglo-Saxon context. While the Border Patrol, unlike the gendarmerie forces of many European countries, is under the exclusive control of the Department of Justice and traditionally has not maintained any formal ties with the US military, in terms of internal structure and armory it nevertheless displays certain military characteristics, and these have tended to be reinforced over recent decades. In particular with the escalation of the so-called war on drugs from the mid-1980s onward, the US Border Patrol has been increasingly 'militarized' (Dunn, 1996). This has involved, for instance, the creation of military-style units within the Border Patrol, the so-called Border Patrol Tactical Teams (BORTAC), which are modelled largely on, and trained by, special forces units of the US armed forces, and the equipment of the Border Patrol with an increasing amount of military-type armory, such as radars, military-style helicopters and assault rifles to meet the supposed dangers posed by its drug interdiction operations (Dunn, 1996: 52–3).

In the US, but also in the EU, the issue of 'border security' has received additional urgency with the events of 11 September 2001. In response to the terrorist attacks, the US Border Patrol, as well as some European border control agencies, have witnessed further upgrading, not only in terms of additional funding but also through organizational reforms.<sup>11</sup> In the US, the so-called Department of Homeland Security was created in 2003, one of the principal missions being to protect the country's borders and ports against terrorists and other illicit transnational actors seeking to enter. All agencies

active at the country's frontiers — the Border Patrol, the Customs Services and the Coast Guard — as well as a number of other institutions, including the US Secret Service, have been attached to this department. The country's borders are to be made more secure through enhanced coordination and information exchange between all of these formerly separate bodies.<sup>12</sup>

In sum, there is thus a general trend across EU countries, as well as in the US, of an increasing involvement of gendarmerie-type or paramilitary forces in the area of border security, accompanied by an often massive expansion of these agencies. The main driving force behind this development has been a growing concern with various transnational challenges, ranging from irregular migration and drug trafficking to international terrorism, and the perceived need to upgrade state borders and close them to these 'undesirables'. This trend of expanding intermediary agencies in border enforcement has not been confined to the territorial borders of the Euro-Atlantic area; it can also be observed in the maritime context. Both along the Mediterranean borders of the EU and the sea borders of the US, coastguard forces — which also occupy an intermediary position between internal and external security forces — have grown dramatically over recent years. The Italian Coast Guard, for example, more than doubled in size over the 1990s — expanding from about 4000 officers and 250 vessels at the beginning of the 1990s to almost 12,000 officers and 500 vessels by the end of the decade.<sup>13</sup> Similarly, the US Coast Guard saw its budget increase by almost 100% between 1997 and 2003 (US Coast Guard, 2002).

There is, of course, nothing necessary or inevitable about this mobilization of semi-military institutions in border enforcement — a development which has been decried by many human rights or immigrant support organizations as unacceptable 'border militarization' and the construction of an exclusionary 'fortress'.<sup>14</sup> The fact that it is in particular gendarmerie-type as opposed to 'ordinary' civilian-style police forces that have come to play a predominant role in this regard, however, can also be explained in more 'functional' or operational terms: in particular the task of monitoring green (i.e. land) and blue (sea) borders can be said to require heavier equipment than civilian-style police forces usually have, such as airplanes, helicopters and high-speed patrol boats. Moreover, given the growing danger and professionalism nowadays associated with the transnational crime syndicates operating along Europe's outer rim (as well as along the US-Mexico border) military-style discipline, organization and equipment are seen, at least by these agencies themselves, as essential in providing an effective response (Hills, 2002: 12).

Noteworthy in this regard is the 'security concept' which has been adopted by these gendarmerie-type forces in view of the increasing importance of transnational challenges to security. In line with their intermediary status, agencies such as the Italian Guardia di Finanza or the Spanish Guardia Civil nowadays embrace a security concept which no longer distinguishes between the fields of internal and external security, but rather comprises both these domains or emphasizes the external dimension of 'internal' security. Given the predominance of transnational threats, they advocate a 'comprehensive' concept of security which extends from the

internal to the external realm. And, as agencies which traditionally have had a foot in both of these domains, they are considered to be particularly well-suited for addressing transnational challenges such as drug trafficking, human smuggling and international terrorism.<sup>15</sup>

### **Gendarmeries in Peace-keeping**

The ascendance of gendarmerie-type forces over recent years has not been limited to the field of border security. Interestingly, it can also be found in another major area of the post-Cold War security agenda: that of peace support operations. While there is no obvious connection between these two domains also in the field of peace-keeping, the growing significance of paramilitary forces has been a consequence of these institutions' in-between status and the fact that they combine the features of police and military forces.

Since the early 1990s, multilateral peace-keeping missions have not only multiplied in number, they have evolved considerably in nature, too. While the peace-keeping operations of the Cold War period were typically limited to the deployment of an interposition force between warring factions, the missions which have taken place from the early 1990s onward have become much more complex and intrusive, comprising not just military but also a number of civilian and humanitarian aspects.<sup>16</sup> One important difference of these so-called 'second generation' missions is that they have been concerned to a much larger extent with internal security or public order tasks in the target countries. Instead of merely monitoring a ceasefire, such missions have also focused on activities such as crowd control, combating organized crime, protecting returning refugees and the reorganization of local police forces. For military forces engaged in peace support operations this has implied their becoming much more involved in policing tasks, despite many militaries' traditional reluctance to assume a law-and-order role. Another implication, however, and partly a consequence of the military's reluctance or inability to take on such tasks, has been that police forces have been deployed regularly and in much larger numbers than previously in post-war reconstruction efforts (Hills, 1998; Oakley et al., 1998; Hansen, 2002). Thus, while in 1988 a total of only 35 police officers were involved in peace operations, by the late-1990s their numbers had multiplied several hundredfold: 1555 police officers served in Namibia, 3600 in Cambodia, 900 in Haiti, 1000 in Mozambique, 1800 in Bosnia and more than 6000 are currently active in Kosovo and East Timor. Moreover, as evidenced by the recent missions in Kosovo and East Timor, there has also been a trend towards the assumption of executive functions by international police contingents, as opposed to merely monitoring and advising local police forces, which was typical of earlier operations.

Noteworthy for the argument advanced here is that, over the 1990s, paramilitary or gendarmerie-type forces have gained much in popularity in multilateral peace-keeping missions. They have come to be seen as a kind of panacea for addressing many of the internal security or public order

challenges that arise in the wake of conflicts, and they have assumed an increasingly salient role in peace support operations. The first major deployments of paramilitary forces in international peace-keeping missions took place between 1992 and 1995, when contingents of Spanish Guardia Civil and the Argentinian Gendarmeria Nacional were deployed in Haiti and El Salvador. Unlike subsequent operations, however, these forces were not deployed as separate units but were rather integrated into the international police or military force. The missions in Bosnia-Herzegovina and Kosovo, by contrast, saw the creation of so-called Multinational Specialized Units (MSU), which are composed exclusively of police forces with a military status. The first MSU in Bosnia was created mainly to take over certain public order and law-enforcement tasks from SFOR troops, such as riot and crowd control, and the protection of returnees and officials. It was composed of 350 officers of the Italian Carabinieri, as well as minor contingents from the Argentinian, Romanian and Slovenian military police. Basically, the MSU was placed under SFOR command, but it could also be deployed upon request by the UN police mission, the International Police Task Force (IPTF) (Hansen, 2002: 71–2).

Even though the MSU in Bosnia-Herzegovina seems to have intervened on only a few occasions to quell riots, its performance was considered sufficiently satisfactory to persuade decision-makers to create a MSU in Kosovo as well. In fact, the mission in Kosovo witnessed the creation not only of a MSU under KFOR command (comparable to the MSU in Bosnia), but also of a Special Police Unit (SPU), which is part of the UN police mission (UNMIK) and which has a similar remit as MSU.<sup>17</sup> Comparable to the MSU in Bosnia, the MSU and SPU in Kosovo are charged mainly with riot control, combating organized crime and protecting UN staff and returning refugees. The recent UN police mission in East Timor, as well, comprised a sizeable gendarmerie element consisting of 120 Portuguese and 120 Jordanian police with military status to deal with major security threats and large-scale emergencies (Hansen, 2002: 71).

The growing significance attributed to gendarmerie-type forces for post-conflict reconstruction efforts is also evidenced by current projects at the EU level to create a European police rapid reaction force, as part of the EU's 'non-military crises management' capability. At the Feira Summit in June 2000, EU countries agreed to set up a 5000-men-strong police rapid reaction force which could be deployed in international missions across the range of conflict prevention and crisis management operations. While the project is still at the planning stage, it seems that this force will be modelled largely on the MSUs set up in Bosnia and Kosovo, and is thus likely to be composed first and foremost of police forces with military status (Statewatch, 2000). Indeed, in view of the realization of this project, the gendarmeries of France, Italy, Spain and Portugal have already launched the joint initiative FIEP (in French: *France, Italie, Espagne, Portugal*), whose main objective is to enhance coordination and information exchange between these institutions, and which is to provide a basis for the creation of the EU police rapid reaction force (Vicaire, 2000). Similar proposals for the establishment of a multinational gendarmerie have also been advanced

within NATO. In 1997, for instance, then-Secretary-General, Javier Solana, called for the creation of an international police force modelled on the Spanish Guardia Civil and the French Gendarmerie for dealing with public order issues in peace-keeping operations (Hills, 1998).

In this context, too, commentators have sounded a note of caution about the increasing use of paramilitary or gendarmerie forces in peace support operations, arguing that this amounts to a militarization of police work and is antithetical to the principles of community policing (Hills, 2001). Indeed, one of the core problems which often needs to be addressed in post-conflict societies is the insufficient separation and blurred responsibilities of police and military forces, and it may thus seem paradoxical that militarized police forces are increasingly resorted to in this context. The developments outlined above, however, suggest that gendarmerie-type forces are set to play an increasingly significant role in post-crisis reconstruction efforts. Not unlike the ascendance of paramilitary forces in border security, their growing importance in this area can be seen as a consequence of these forces' intermediary status and of their combining of police and military skills and characteristics. Typical internal security tasks arising in peace-building missions, such as crowd control, combating organized crime or protecting returnees, of course require police skills and equipment — the ultimate objective being not to destroy but rather to 'control' or neutralize the adversary. On the other hand, given the often high level of instability in which such operations unfold (due to the absence of functioning state structures), the more robust nature of gendarmerie or paramilitary forces, and their ability to operate in hostile environments is also seen as a crucial asset. As suggested by one EU report on the aforementioned European police rapid reaction force:

Paramilitary police forces offer, above all else, the capability for the restoration of public order where the absence of any state legitimacy reigns. They have the required expertise and capability to engage in deteriorated situations as a component of armed forces. (Quoted in *Statewatch*, 2000)

Finally, the growing popularity of police forces with military status in peace-keeping missions is also related to their dual dependency and thus their interoperability. Given their double affiliation, gendarmeries may be deployed under both civilian and military command, and they are also seen as providing an ideal interface between police and military forces involved in peace support operations (Hansen, 2002: 71; Bigo, 2000: 189)

Also in this context, and not unlike the area of border control, gendarmerie forces have put forward a 'security concept' which highlights the 'intermediary' characteristics of policing in a post-war setting. Representatives of the French Gendarmerie or the Italian Carabinieri, for example, view post-conflict situations as a kind of 'grey area' between war and peace — where war has ended but peace has not yet been restored — comparable to the internal turmoil which many European states experienced during the nation-building process, and which led the rulers of these countries to set up

gendarmeries. Having their very *raison d'être* in dealing with 'intermediary' situations between war and peace, gendarmerie forces are said to be particularly suited for operating in the 'grey area' of post-crisis situations.<sup>18</sup>

### Conclusions and Prospects

The aim of this article has been to highlight the growing importance of gendarmerie or paramilitary forces — a development which testifies to the convergence of internal and external security and of police and military functions in the security landscape of the post-Cold War period. While such intermediary forces are typically viewed as an anachronism or anomaly, and — because of their ambiguous status — have generally not received much attention in the literature, they have come to play an increasingly significant role in two major areas of the contemporary security agenda: that of border control and that of peace support operations. In both these contexts, the ascendance of gendarmeries can be seen as a consequence of these forces' intermediary status, and the fact that the tasks arising in these areas are considered best addressed by agencies combining the features of police and military forces. At least from the perspective of these agencies themselves, the challenges to be tackled in both fields fall between the realms of internal and external security, or in the 'grey area' between war and peace, thus making them 'ideal' terrain for forces with an intermediary status.

As internal and external security agendas, or the realms of crime and war, continue to converge — not least as a consequence of the forces of 'globalization' and the proliferation of transnational risks and challenges — it can be assumed that gendarmerie or paramilitary forces will further gain in importance in years to come. It can thus be expected that currently existing gendarmeries will continue to be upgraded and receive high levels of funding, and perhaps also that countries which thus far have not had such agencies will begin to create gendarmerie-type forces. One noteworthy example in this regard is the border control services which are being set up in the former communist states of East and Central Europe. Up until the beginning of the 1990s, the border guard forces of these countries were almost purely military institutions whose main function was to protect the national territory against armed attacks by other (Western) states. Since the early 1990s, however, most countries of the region have begun to transform their (formerly military) border guards into gendarmerie-type agencies — mainly in order to combat cross-border crime and irregular migration more effectively. In many respects, these institutions resemble the gendarmeries of Western European countries. While they are nowadays almost exclusively concerned with law-enforcement tasks, and have been brought closer to police-type agencies, the border control forces of these countries continue to bear a number of military or quasi-military characteristics. Comparable to Western European gendarmeries, many of them have a dual affiliation with the Ministry of the Interior and the Ministry of Defence (or continue to be formally part of the armed forces), they are structured along military lines, they are equipped with a certain amount of military-style

armoury (such as light infantry weapons) and they continue to have a residual military defence function.<sup>19</sup> The principal reason why these agencies are being reorganized mainly on the model of a gendarmerie-type as opposed to a civilian-style police force seems to lie in the supposedly particularly dangerous nature of the transnational criminal organizations operating in the region, which is considered to call for more 'robust' institutions.<sup>20</sup>

Another example where the growing concern with transnational challenges to security, as well as the perceived need for a military-style police force for post-war reconstruction efforts, has prompted the creation of a gendarmerie, is Switzerland. Even though Switzerland has traditionally only had civilian-style police forces with regional (cantonal) jurisdiction, in early 2000 the Swiss government decided to create a gendarmerie-type force which would formally be part of the country's armed forces but would be answerable mainly to the interior ministry and local civilian authorities. This gendarmerie would be responsible for a number of policing functions, such as border control, riot control, as well as public order and law enforcement tasks in peace support operations (*Le Temps*, 5.1.2000).

Given the increasing significance of gendarmerie-type or paramilitary forces as documented in this article, there is a clear need to incorporate these thus far neglected agencies within our analyses of the practices of security in the post-Cold War world. Focusing on these intermediary agencies, however, will require us to transgress the traditional disciplinary boundaries between security (or strategic) studies on the one hand and criminology (or justice studies) on the other. Moreover, as the rise of gendarmeries points to a convergence or de-differentiation of police and military functions and thus to a reversal of one of the major achievements of the modern nation-state, this development also raises important political and ethical questions which will have to be addressed in the years to come.

### Notes

I thank the three anonymous reviewers, the journal editor and in particular Anna Khakee for their most helpful comments on earlier versions of this article.

1. In this article, the term 'paramilitary' refers only to state-controlled security forces. It is often also used to describe non-state security forces.

2. One exception to this rule is Ireland, where the Royal Irish Constabulary shares many similarities with continental European gendarmeries. Its creation can be explained by the 'troubled' history of the province (Emsley, 1993; Waddington, 1999). The main factors contributing to the development of gendarmeries are seen in the existence of severe civil strife during the nation-building process and the perceived need on the part of the national government to impose its rule over the more peripheral areas of the national territory. The absence of gendarmeries in Britain, the US or in Scandinavian states is explained by the fact that, in these countries, the government's authority in the emerging nation-state met less resistance, and that national identity was not forged by conquest on the part of one region over the other (Bayley, 1985: 46; Emsley, 1993).

3. For basic information on the US Coast Guard, see <http://www.uscg.mil>; for the Italian Coast Guard, see <http://www.guardiacostiera.it>.

4. Military participation in border control in the EU is discussed in Lutterbeck (2003). For the US, see Dunn (1996).

5. Between 1990 and 1997, the total number of police officers at the state level increased by 4%, from 270,462 to 282,387 officers (data provided by Institut für Bürgerrechte und Polizei, Berlin).

6. Until 1990, the only agency present at the country's borders was the Customs Patrol (Zollwache).

7. Data provided by the Ministry of the Interior, Vienna.

8. Data compiled from *Gazetto ufficiale* (Official Gazette).

9. For an overview, see Busch (1993) and Piper (2001).

10. Formally, both of these issues fall under the jurisdiction of Spain's other national-level police force, the National Police (Policia nacional). See Organic Law 1986/2 of 13 March 1986.

11. On additional funding and enhanced powers for the German Federal Border Police in response to the terrorist attacks, see Bundesministerium des Innern (2001).

12. For basic information on the Department of Homeland Security, see <http://www.dhs.gov/dhspublic/>.

13. Data provided by the Italian Coast Guard.

14. For the EU, see for example Leuthardt (1994, 1999); for the US, see Dunn (1996, 2001).

15. For the Guardia Civil, see Valdivielso (1999); for the Guardia di Finanza, see Caprino (1994).

16. See, for example, Mackinlay and Chopra (1992) and Berdal (1993).

17. The MSU in Kosovo is composed of 269 Italian Carabinieri, 50 officers of the French Gendarmerie and 21 officers of the Estonian military police.

18. For the French Gendarmerie, see Vicaire (2000); for the Carabinieri, see Moschini (2002) and Ufficio Piani e Polizia Militare (undated).

19. For an overview, see International Centre for Migration Policy Development (1999). See also Hills (2002).

20. Author interview with officials of Hungarian, Polish and Estonian border guards, July 2002.

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