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Police Reforms in France: 40 Years of Searching for a Model

Abstract

Police reforms have been a major issue for the past 40 years. Initiatives in order to reform the very centralised French system, in which the police and the gendarmerie have always prioritised state security, have not been successful. In spite of attempts to implement community policing in the 1990s and, to a lesser extent, under the presidency of François Hollande, French police still have a predominantly aggressive style of policing, which relies mostly on arrests and stops and searches. Another problem is the lack of evaluation of safety policies, with institutions which professional culture is reluctant towards academic research and external insight. President Macron announced reforms aiming at addressing those issues, but it is too early at this point to say if they have reached their objective.

Keywords: Police, France, community policing, statistics, evaluation, stop and search, terrorism, policing style

Intro

Reforming the policing system and methods has been an important issue in France for the past 40 years. Excessive centralisation, focus on organised crime and terrorism as opposed to daily crime, aggressive policing strategies and lack of partnerships with the community remain the main reasons for criticism. Before elaborating on the various attempts (and mostly failures) to improve French policing in the past decades and the most recent developments, it is important to first take a quick look at how the security system is organised in the Hexagon.

A centralised system under criticism since the 1970s

Public safety and national security revolve around two national law-enforcement agencies: the *Police nationale* (PN) and the *Gendarmerie Nationale* (GN). The PN is in charge of urban areas and employs approximately 149 000 sworn and civilian personnel, while the GN covers rural areas and employs around 100 000 individuals (Gissler, Schneider, Ruat, Reberry 2017, p. 7). Both are under the hierarchal authority of the Minister of Interior¹, in what can be qualified as a centralised system. Most of the public safety issues and police-community conflicts taking place in urban areas², especially in what the public authorities and media call the *banlieues sensibles* (“sensitive suburbs”), the debates and reforms analysed in this paper concern largely the PN, more so than the GN. On top of those two national agencies, there are 3 900 municipal police forces in the country, with a jurisdiction for minor crime and some traffic violations and very limited investigative powers. There is a total of 21 000 municipal police officers.

Historically, the French security system has largely been a tool for the government to control its population and prevent any sort of political turmoil. For instance, the creation of the *Préfecture de Police* (the Paris Police Directorate, under the direct control of the national executive) by Napoleon in 1800 was a direct result of that concern for the protection of the State (Berlière, Lévy 2011, p. 53).

¹ The *Gendarmerie* used to be under the authority of the Minister of Defence until 2009. *Gendarmes* remain military personnel nevertheless and may be deployed in external operations under the command of the Ministry of Defence.

² Over 70 % of recorded crime is recorded in areas policed by the PN, while the population split between PN and GN sectors is 50/50.

The post-WW2 context in France (Cold War, colonial conflicts in Indochina and Algeria, rise of violent political groups in France and abroad) was a strong drive for a reinforcement of that tendency, which largely neglected the concerns of regular citizens. A first turning point, at the least in the public debate, occurred in 1977, with a report headed by then Minister of Justice Alain Peyrefitte, which underlined the persistence of fear of crime in France and the state of neglect of patrol units of the PN. Beat patrol, neighbourhood police stations and community-oriented training of officers were the remedies promoted by the report.

The early 1980s increased both fear of crime and expectations regarding police-community relations: in summer 1981, a *banlieue* in the vicinity of Lyon, Vénissieux, went through a wave of riots in a context of tensions between a predominantly white police force and sons of Algerian immigrants. Another report was published in 1982 by a group of French mayors, which confirmed the conclusions of the Peyrefitte report and advocated for local security partnerships between the State, municipalities and local stakeholders (Commission des maires sur la sécurité 1982). It is worth underlining that at the time, there was a relative political consensus around those issues: the 1982 commission was headed by Gilbert Bonnemaison, a prominent Socialist Party figure, while Alain Peyrefitte was part of a center-right government. This led to the creation of Communal Councils for Crime Prevention in 1983 and foot-patrol experiments in various parts of the country (Roché 2005, pp. 200-203; Zagrodzki 2009, p. 190), but not to a coherent nationwide police doctrine yet.

The emergence of the “police de proximité”

The unexpected victory of the Socialist Party at the 1997 parliamentary elections and the appointment of Lionel Jospin as Prime Minister made “police de proximité” (the French term for neighbourhood policing) a priority, as the newly appointed government had to prove they can make a difference in the field of public safety, where expectations of the public opinion were high.

After an experimental phase in five pilot sites, the program was progressively extended nationwide between 1999 and 2001. It is important to point out that the reform concerned only the PN and not the GN. The general philosophy of the reform was creating a service-oriented policing strategy, focused on daily crime and disturbances.

Each police district had to be reorganised, in order to open neighbourhood police stations and create beat-patrol units in charge of solving problems and creating bonds with the community, alongside more traditional car patrol units (Zagrodzki 2017, pp. 57-58), which used to be the dominant model so far.

There is an abundant literature in France about the implementation of “police de proximité” (Roché 2005, Zagrodzki 2009) and the numerous obstacles it had to face: organisational resistance from police officers who saw it as a “soft” approach to crime, financial and human resources necessary to create extra patrol units and police stations, lack of time due to political constraints... On top of this, bad crime statistics in 2000 and 2001 and a series of highly publicised violent events (e.g. two police officers killed in October 2001 during an operation against a burglar) gave Jospin’s government a poor image in the field of crime fighting (Monjardet 2002) a few months away from the 2002 presidential election which campaign was largely concentrated on security, in an international context still heavily influenced by the 9/11 attacks. The defeat of Lionel Jospin and election of a conservative majority led to the end of the “police de proximité” era and the beginning of a more aggressive approach to policing.

Nicolas Sarkozy and “culture du résultat”

The newly reelected President Jacques Chirac appointed Nicolas Sarkozy Minister of Interior, with a clear mandate to reduce crime and change the policing approach. On 25 June 2002, a few weeks after his appointment, he announced his new strategy in front of 2000 police commissioners, which he called the “culture du résultat” (which can be translated as “goal-oriented policing”). The emphasis on statistics such as arrests and detection rates was clear, as well as the more aggressive policing style that the new Minister of Interior promoted. On 24 October 2002, neighbourhood policing was officially put to an end through an internal note sent by Nicolas Sarkozy to all police district commanders, encouraging them to prioritize arrests, street-crime units and investigative capacities.

The most symbolic illustration of that shift took place in February 2003, when Sarkozy was visiting the central station of Toulouse in South-Western France, whose chief, Jean-Pierre Havrin, was notoriously in favour of neighbourhood policing. The Minister of Interior declared then in front of the media and in presence of Havrin as well as

several police officers, that “the job of the police is not to play rugby with the kids, but to investigate, to intervene and to arrest”.

The aforementioned approach was in place for a decade, as Nicolas Sarkozy would serve later as President (2007-2012). Once again, the outcomes of that policy are fairly well documented: the statistical pressure on street-level officers and the financial incentives put in place to reach the objectives set by the hierarchy led to numerous manipulations of numbers, “easy” arrests such as marijuana consumers or illegal immigrants and excessive use of aggressive policing methods which heavily deteriorated police-community relations (Matelly, Mouhanna 2007; Douillet, de Maillard, Oberwittler, Zagrodzki 2016), similar to what was observed in other countries that used extensively performance indicators to assess polices forces (Eterno, Silverman 2012).

What happened since 2012?

Terrorism and its effects on French policing

The election of Socialist François Hollande as President in 2012 generated hope among promoters of neighbourhood policing. Hollande, as candidate, had promised to restore the philosophy of “*police de proximité*” through a less ambitious program called “*Zones de Sécurité Prioritaires*” (ZSP, Prioritized Security Zones): instead of being enforced throughout the country, which was made difficult anyway by the budgetary situation of the French state, it concerned 80 neighbourhoods or areas, which received additional resources and reinforced coordination between national law-enforcement agencies (the reform concerned both PN and GN, even though the vast majority of prioritized zones were in PN jurisdiction) and local stakeholders. The few evaluations conducted in ZSPs led to contrasted conclusions. In Marseille for instance, the policy had no lasting impact on drug trafficking, which was the main target for this area, but improved quality of life through a better cooperation between the State and the local level (Mucchielli, Allaria, Raquet, Weiss 2015).

Nevertheless, those efforts were hindered to a large extent by the terrorist attacks that took place in 2015, which led the government to neglect ZSPs and to reallocate resources to intelligence and anti-terrorist units. Also, the tragic November 13th attacks showed that street patrol units had to be prepared, trained and equipped with automatic rifles to respond to mass shootings. All of this put the efforts to reform policing in

a more problem-oriented direction to a halt and the enforcement of the state of emergency, which gives extended powers to the police, for two years gave the impression to the more liberal side of French society that François Hollande had betrayed his promises (Zagrodzki 2017, p. 119).

What's with the French police today?

President Emmanuel Macron was elected in May 2017, on a platform that included a shift towards a more service-oriented police strategy. On February 8th 2018, his Minister of Interior, Gérard Collomb gave a conference presenting that approach called “Police de Sécurité du Quotidien” (Daily Safety Policing). While it is too early to talk about the effects of that change, as its implementation has just started, it can be said that two objectives are pursued. The first one is creating a balanced approach between a tough-on-crime philosophy, as the project aims at making the criminal justice system efficient, especially when it comes to punishing minor crime, and service-oriented police force, with neighbourhood patrols and increased cooperation with the public in a series of targeted areas. The second one is better equipping a police force that has complained recently about their work conditions. About 200 million € per year will be dedicated to the renewal of police stations and 15 000 new cars will be acquired, among other things like extra recruitments of police and gendarmerie officers³.

The challenges faced by the current government regarding policing are serious. The abovementioned measures are meant to improve morale in a force that suffers from exhaustion (a total of over 20 million overtime hours have been accumulated over the past years, mostly as a results of the terrorist alert the country has been going through) and increased suicide rates (51 in 2017, as opposed to 39 in 2016), as underlined in a recent senatorial report (Sénat 2018). But besides the necessary improvement of working conditions of security forces, a deeper effort has to be achieved as for the training, the management and the operational methods used on the field.

³ The full content of the reform is available at the following address: <https://www.interieur.gouv.fr/Actualites/L-actu-du-Ministere/Lancement-de-la-Police-de-Securite-du-Quotidien>.

Present and future challenges

Although police ratings have remained significantly high in the general public since the terrorist attacks, which shed light on the courage and dedication of police officers, their legitimacy remains more contrasted in some areas and among some groups, such as ethnic and religious minorities. The issue of racial profiling has been a sensitive topic in France for more than 30 years and a steady focus for academics. In 2009, a study conducted in two Parisian metro stations showed that Blacks were up to eleven times more likely to have their identity verified⁴ by the police than Whites and Arabs more than seven times more likely (Jobard, Lévy 2009).

More generally, the massive use of identity checks by French police, predominantly on ethnic minorities, is a result of a dominant policing style and culture that emphasize on street arrests and territory control, with a more adversarial rather than consensual mindset and a multiplicity of specialized anticrime patrol units with a proactive and aggressive mandate (de Maillard, Zagrodzki 2017), as opposed to Germany for instance, where neighbourhood and problem-solving policing are central in public safety strategies (de Maillard, Hunold, Roché, Oberwittler, Zagrodzki 2016). President Macron announced during his campaign that he wanted a shift away from this aggressive policing only philosophy, but as mentioned above, it is too early to say whether this will result into a massive transformation of French policing or not.

Moreover, the monitoring of change itself will be a challenge in a country where accountability and external assessment by academics of public policies are not part of the police (and more broadly administrative) culture. A few examples can be listed here. Public satisfaction and problem-solving indicators remain to be created and traditional statistics (arrests, clearances...) remain the pillar of performance measuring. The “Police de Sécurité du Quotidien” reform encourages area commanders to take innovative initiatives in that field, but the outcomes of these remain to be seen. The efficacy of identity checks is virtually unknown: there is no record of the latter and there are no statistics showing what proportion of identity checks actually lead to an arrest or a useful piece of intelligence. Body-cameras have been experimented since 2014 in several

⁴ In France, the police have the right to ask for an individual’s identity documents if they suspect them of being involved in a criminal activity.

districts in order to reduce tensions during interactions between the police and the public, with no evaluation protocol whatsoever in place to assess the reduction or lack thereof of incidents during identity checks or arrests.

It is worth mentioning that there are over 15 000 cases of insults towards the police (“outrages”) or resisting arrest (“rebellion”), which both are criminal offenses, reported to the criminal justice system every year⁵. It took a high-profile incident in Aulnay-sous-Bois, a sensitive suburb north of Paris, in February 2017, when a young black male resisted an arrest he considered unfair and was very severely injured by a baton hit, to initiate an official decision to put in place a systematic evaluation of body-cameras. The results should be presented to the Minister of Interior before the end of 2018.

Conclusion: the need for external and scientific assessment

In order to achieve success in improving police-community relations, reducing crime and fear of crime, increasing public satisfaction and using efficiently police resources, all of which are objectives stated by Emmanuel Macron⁶, there is a crucial need for relevant performance indicators and external oversight. The distortions and manipulations observed during the Sarkozy era revealed how counterproductive it can be to base performance management on statistics produced by the police themselves. A coordinated effort between the government, the police and the academic community is therefore necessary to build these assessment procedures and ensure a proper implementation of police reforms, which failed to a large extent because of a lack of external input and solid policy evaluation.

To conclude, let’s underline the four benefits that could come out of such an effort. First of all, effectiveness: assessing a policy properly is a mean to ensure it works and to find out what can be done to improve it or that it is simply useless. Efficiency is the second one. France, as most of EU countries have gone through a major economic and budgetary crisis, which made the reduction of public expenses a central issue. Policy evaluation is a tool that allows a better use of public resources, as the latter is monitored through relevant indicators. Thirdly, accountability is certainly an essential objective in

⁵ Source: French Ministry of Justice.

⁶ See for instance his 18 October 2017 speech in front of police and gendarmerie officials.

modern democracies, where public authorities have to be held accountable for what they do, especially when it comes for an institution with such powers as the police.

Finally, transparency is a safe channel to improve the legitimacy of the police, by showing that the organisation has nothing to hide and is willing to be submitted to external oversight and to disseminate the results of such oversight. There is a long way to go in all those fields in France. The last developments and announcements made by the current government created hope among large chunks of the academic community. We will see in the near future if those hopes will turn out to be deceiving once again.

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