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The French Gendarmerie: crossing sociological and historical perspectives

Renée Zauberman

Emsley (C.), *Gendarmes and the state in nineteenth-century Europe*, Oxford University Press, 1999, 288 pp., ISBN 0-19-820798-0.

The present comments on Clive Emsley's book are the reflections of a sociologist on the work of a historian concerning their common topic, the Gendarmerie, and more precisely the French Gendarmerie.

There is an epistemological problem in this crossing of two perspectives each of which entertains a different relationship with time: should we state straightforwardly that, because a social object has borne the same name from the French Revolution until today, it has not changed? We have sufficiently taunted those histories of the police starting with the eternal phrase «*from time immemorial, men living in society have endowed themselves with a police*», to try our best and not lapse into the same failing.

But precisely, the very definite temporal frame of Clive Emsley's book keeps us from «*the Gendarmerie, eight centuries of History*» style. Starting on page 3 of Chapter One with the rationalisation of the Gendarmerie by Le Blanc, means delineating a Gendarmerie endowed, from the beginning of the 18th century, with extraordinary institutional continuity: recruiting, administration, territorial implantation, legal texts, ideologies...

Based on this continuity, we shall admit, at least provisionally, that we share a common object, seized, on the one hand, by the historian across two centuries of archives running from the 1720 reform to World War One, and captured, on the other hand, by the small number of sociologists interested in the contemporary Gendarmerie.

Three series of comments bearing on various aspects of the construction of a nation-state called *France* can be put forward: i) the relationships of the Gendarmerie as representative of the central State to local communities; ii) the integration of «peripheral» national groups into the French nation-state; iii) Gendarmerie and vagrants.

One contention central to Clive Emsley's work is that the Gendarmerie has been one of the State tools instrumental in turning peasants into Frenchmen (or into Italians elsewhere). This process of settling the State – Emsley even says of the *Rechtsstaat* –, by means of the brigade, into the village, amidst communities that had quietly built up on their own, was completed long ago. For the sociologist, a contemporary form of the question the historian has put to his archives remains: how is the brigade, a product of the central State power, integrated in the local community?

Some preliminaries should be examined before addressing this issue: the local communities in which the brigades were settled at the end of the 20th century have little in common with those of the two centuries studied by Clive Emsley. On the eve of World War One, the Gendarmerie is settled in rural areas, where, despite the drift away from the land, more than half of the population still lives in communities of less than 2 000 inhabitants, often of ancient establishment and social structure. Today, close to 60% of the Gendarmerie Départementale's forces serve in suburban zones, that is in former rural areas to which cities have progressively expanded. Sketching these changes, Clive Emsley describes a stranger, the gendarme, progressively taking over new spaces with their populations; nowadays, the newly urbanised areas are bringing in more mobile populations – possibly aliens – who confront gendarmes who have themselves become a living tradition in rural communities. In these hybrid zones, populations of generally recent establishment do not form rural communities comparable to those in which the gendarmes' occupational culture was born and has developed. Still, as recently suburban as they are, these populations have, at the same time, long been «policed»: police institutions are an inescapable part of their social landscape, so that resorting to them has become a social convention. It is therefore in a framework very different from the one delineated by Clive Emsley that the sociologist approaches the issue of the integration of the brigade in the local community.

It should be emphasised that the norm conflicts separating the Gendarmerie institution and local communities were harsher and the stakes by far more vital than those generally observed today. Enforcing conscription, arresting hidden deserters and refractory conscripts who could rely on the complicity of the peasant communities, which preferred keeping their male youth for work in the fields or for seasonal migrations to the town rather than giving them to the Republic's or the Emperor's armies; defending the Forest code and private property against the old rights of communal use that enabled the poor to survive; even enforcing road protection regulations against the drivers' of overweight carts or peasants who aggravated the ruts in the highways with their ploughs and oxen; none of these were likely to gain the gendarmes favour with the villagers, no more than would their interfering to control violence – charivaris, internal community rivalries or conflicts between villages, especially brawls between youth – and trying to label it «disorder» or even «crime», in accordance with state law.

Today, fieldwork shows a Gendarmerie truly integrated in the community, although with a degree of variation. The Gendarmerie is in constant relation with other local authorities, with whom it establishes multiple partnerships in the «co-production» of safety: with municipal police, descendants of those famous *gardes-champêtres*, with the mayor and his or her administration, a rich source of information on the citizenry, with the schools, the firemen... In this respect, it is interesting to note that the old rivalry between powers of central and local origin that Emsley describes is not extinct: especially in small communities, the municipality's ties with its constituency remain strong, and the Gendarmerie, in the midst of conflicts, is still posing as the defender of the general and impartial interest of the Law, independent of local interests. This claim regularly surfaces, for instance, when the creation or arming of a municipal police force is debated: contemporary arguments echo the traditional disdain of the Gendarmerie for the *garde-champêtre*, ill-recruited, untrained and incurably submitted to his mayor's voice.

Furthermore, as military as gendarmes remain, with their uniforms and the barracks that contribute to distinguish them from the population among which they live, they do share with it a variety of features. First of all – and from the historian's standpoint, this is by no means obvious – they generally speak the same language. No more than their fellow citizens are they of rural descent (five times less rural origins among recruits in 1990 than in 1960); they are increasingly middle-class, with more than 40% of trainees' fathers being employees. Their wives work in town, their children go to the neighbourhood school; like the rest of the local people, they participate in local associations – notably sports associations. They might even happen to live outside the barracks which have become too cramped for swelling brigades, in regular apartments or houses. So that the contacts they have with the population go far beyond those merely entailed in their regular policing activities like patrolling or recording complaints. It is true that, while the gendarmes are generally well known to the population, the depth and extent of the relationships they establish within it are a function of its size: in small cities, they retain the ability to build a network integrating the public and private spheres of their lives; it is well known that, in isolated rural areas, the social and economic survival of the village can depend on the mere presence of a brigade: small shops, school... The bigger the city, the more functional the links gendarmes establish with outstanding actors of local life: notables, businessmen...

As for the integration of gendarmes in local life, a specific problem arises in the suburbs of large urban areas like Paris, Bordeaux, Lyons, Marseilles... Appointment to the big brigades settled there is seldom requested because of the heavy work-load they entail. So that young gendarmes just out of training school get appointed to areas where their long-term life plans do not necessarily lie; integration in the community could be of less priority than returning to their home region as often as leaves allow, which was also the dream of the 19th-century gendarme, but a dream that could only come true once in a lifetime. The repeated migrations of car-owning gendarmes, entitled to long week-ends and yearly vacation leaves, were of course unthinkable in an age when the gendarme's time was almost entirely dedicated to serving the State and when it took several days to cross a small quarter of the country. Moreover, the hardships of a young gendarme's life in the big suburban brigades prompt them to apply as soon as possible for an appointment under more clement skies, which never comes before several years, at a moment when their local social competence precisely is at its height.

The best way to show the integration of a brigade in a community is to underline the system of giving and returning gifts in which it participates, without which it still could operate, but much less comfortably.

As a basic input into this system, the Gendarmerie provides what we could call the thoughtful operation of the basic principle of police work: selection of policeable matters: a few words exchanged at the side of the road with the motorist not wearing a safety-belt; respecting the social position of a businessman who, although involved in an illegal-work case, will not be placed in custody, and over all, rapidly and easily observable, «clemencies», a system of unofficial dismissal, without any legal grounds of traffic tickets by the gendarme who wrote them. Thus, the gendarme grants a clemency because of an involvement, along with the offender, in a series of exchanges of some kind: in criminal-investigation work, valuable information may be obtained in exchange for a few «forgotten» tickets. At a more mundane level, other favours which facilitate the functioning of the brigade may be

obtained: a local firm with which it is on sufficiently good terms may give the unit its out-dated but still usable computers; another may rent cars at cheap rates, give free access to a photocopier; a citizen may lend an apartment to serve as a base for undercover surveillance; a garage may rapidly fix a patrol-car; a friend lend software, etc. As a rule, the *gendarme's* impression of benefiting, along with the brigade as a whole, from this system of exchanges is enough to make clemency self-evident. This on-going chain of exchanges, this endless reckoning of debits and credits constitutes the very fabric of social life.

In the end, despite the difference in the seriousness of the stakes in these norm conflicts, the structural position of the *gendarme* on the local scene is not fundamentally modified: the concentration, in his hands, of policing activities of various kinds places him in a contradictory situation that is hard to resolve: he must apply the criminal highway code – or the Forest Code – a general, impersonal norm, to a specific group of people with whom he must entertain good relations if he wants co-operation from them. Nor has the interpretation of the Gendarmerie's activity by the offender undergone a dramatic change: a parallel can be made between the attitude of the poacher caught in the act by the *pandore* and shouting in his face that he would do better to be chasing thieves, and the attitude of the driver stopped for speeding, arguing exactly along the same lines. Typically, both are instances of conflict between State norms to be enforced by the *gendarme* and behaviour norms of the population.

I started this reflection about the local integration of the *gendarmes* by contending that contemporary French urban societies are deeply «policed», in comparison to the rural communities described by Clive Emsley. This very general remark needs some qualification: let us look back at those regional, cultural and linguistic particularisms which have given the central governments such a hard time: *gendarmes* imported from the other end of France, indeed even of the Empire, were confronted with another type of social organisation, other mores, all this eventually concentrating in the difference of spoken languages; after all, French became the vernacular language of the majority only after World War One.

The central State – the absolute monarchy, followed by the Revolutionary and Napoleonic State – could do no better than acknowledging the multi-ethnicity of those populations living within the territories over which it claimed authority and legitimacy. It knew it was in the process of building a nation around itself – an uncertain process, as other European examples have demonstrated – and to this end, it combined a certain degree of regionalist pragmatism with a strong state ideology. Clive Emsley shows how the most commonly adopted solution for establishing the minimum essential communication between state agents and local communities was to appoint variable proportions of *gendarmes* originating from the region and speaking its language, German on the eastern frontier, Basque in the Béarn, etc.

This pragmatism should give food for thought about the situation in contemporary France, which is confronted with comparable, if not similar, problems with its immigrant populations.

What kind of parallels can be drawn between the two situations? In many suburban areas, we can hear an echo of those conflicts that raged between *gendarmes* and peasants in remote regions. Indeed, in the last twenty years, clashes between the police and groups of young people have become increasingly frequent in a number of underprivileged neighbourhoods. It is true that, thus far, the Gendarmerie has been relatively less involved in those conflicts than the Police Nationale; neverthe-

less, its growing settlement in suburban areas moves one to rely on the police's experience to reflect more widely on the problems raised by the relationship between police forces and some population groups in those neighbourhoods... Urban policies have encouraged spatial and social segregation by concentrating populations with low income and low social status, much of which comprise immigrant families, in neighbourhoods on the outskirts of cities. As many as several dozen different nationalities live side by side there, although the majority of the population is usually composed of white French nationals born in metropolitan France. In those neighbourhoods, as in those in other countries, rioting is usually triggered by the intervention of the police, sometimes simply on routine duty. In a context of extreme deterioration of relations between some youth groups and the police, all the latter need do is appear on the scene for this to be interpreted as a provocation, sparking off a spiral of confrontations. The process of reciprocal harassment is facilitated by the lack of integration of the police in these neighbourhoods: officers are very young, too culturally different from the residents, and have limited skills for dealing with them. The situation has reached the point where, beyond everyday friction arising from checks based on skin colour, recent explosions were touched off by homicides committed by officers or by the fact that very light sentences were given for such acts.

In other countries, attempts to improve the poor relations between the police and minorities have frequently involved recruiting people from those groups so as to reduce the social distance between the police and the population.

The effectiveness of this approach is discussed. It is not necessarily easy to attract members of minority groups into the police force, if only because such a choice might cut the candidate off from his or her community, which assimilates it to betrayal; tests or competitive entrance examinations, considering the candidates' educational level as well as cultural biases inherent in such tests, are possible barriers; once recruited, these officers come up against the racism inherent in the police culture; last, there is the risk of achieving the reverse of the desired situation, when officers belonging to a minority group are preferentially assigned to neighbourhoods where that minority prevails, resulting in a colonial-type relationship.

In any case, the traditional French stand on the so-called «republican tradition» is of biblical simplicity: it is unthinkable. *Theoretically* no employer, public or private, should concern himself with considerations about the identity or ethnic origins of the people he recruits. The basis of the system is an abstract conception of citizenship. The peculiar features of individuals are their private business, and communities do not partake in the political pact that founds the nation. Admittedly, emphasis was all the heavier on the political rather the ethnic dimension of national identity because cultural heterogeneity was great, a fact that persisted up to World War One, and was actually reinforced by the arrival of a large immigrant population during the 19th and 20th centuries.

Resistance to taking membership in a minority group into consideration has been reinforced by the broad orientation of the police apparatus, which tends to place greater emphasis on the necessity of protecting public order than on serving citizens. Concern with the proximity between the police and the population is meaningful only within a conception in which the police is not only serving the State, but is accountable for the services it delivers to the public; and this requires the co-operation of that public. When keeping order is the main concern, such proximity is more of a handicap.

The outcome of this situation is that, in France, it is inconceivable – and in fact, impossible, for lack of data – simply to compare the percentage of visible minorities in the population and in the police, whereas such a comparison is the point of departure for any thinking on the question in other countries. But there is general agreement that, aside from West Indians, their numbers in the police forces are insignificant.

In practice however, this ignorance, this blindness are countered by public policies which, since the beginning of the 1980s, have been targeting underprivileged neighbourhoods and implementing positive discrimination measures, while not always proclaiming it explicitly.

In the field of crime prevention, where the State, local communities, public companies, citizens' groups are involved, there have been efforts to encourage the development of «mediators» from the «problem groups», that is from visible minorities. They are dubbed «facilitators», «atmosphere agents», «community development agents», «older brothers» and so on. They usually act as socio-cultural facilitators and as defusers of tensions and of feelings of insecurity (in public transportation, for instance). This kind of work often provides an opportunity for these «co-producers of security» to put to new use the skills and the network of relations acquired on the other side of the fence. In the private-security field, the strategy of recruiting workers from the visible minorities is in step with public policies in this respect.

The French situation is ambiguous, then, as the hard core of the State institution seem to resist this ground swell. Yet even there, the question of integrating people of different ethnic origins in the police forces has come to the foreground again with the multiplication, in 1998, of violent incidents in difficult neighbourhoods. This integration could take the form of positions reserved for jobless youth; it is too early, however, to evaluate the extent to which young second-generation immigrants will take advantage of this opportunity or will be allowed to do so.

Clearly, in exalting republican principles, people are overly prone to forget that the original political pact is no more than a political-philosophy fiction and that, from a historian's point of view, the French nation was not built in a day: it took an intense effort to homogenise native and immigrant populations, the very success of which effort is measured precisely by the fact that it has been forgotten. Recourse to civil servants or judges from the communities involved played a non-negligible integrative role in this field.

Finally, for the contemporary observer, a third series of reflections advanced by Clive Emsley's book bears on a target of the Gendarmerie that appears to be substantial with the nature of the institution, the migrant, the vagrant, the *sans abri*, and the Gypsy, who is a concentrate figure of all these – the term *gens du voyage*, or «travellers», bears witness to this. Common culture has so deeply integrated the «cops and robbers» pair (*le gendarme et le voleur* in French), that is the Criminal Code and the offence, that we have forgotten that the original pair was probably more the gendarme and the vagrant, that their antagonism is based on the notion of order in the public space, an order designed to allow free circulation of persons and goods.

The ambiguities of today's management of Gypsy populations by the Gendarmerie are remarkable, especially in large urban zones. The gendarme's work consists in eliminating from the social space a certain number of behaviours, and in turning them, through a set of legal and institutional resources, into «policeable

material». It seems that to «police» the Gypsies, the resources mobilised are, for a variety of reasons, somewhat different from those used for the rest of the population and more certainly refer to maintenance of public order than to crime control, thus bringing us back to the historical functioning of the Gendarmerie. Clive Emsley shows that, until late in the 19th century, crime control was only secondary compared to the proactive policing of vagrants. Today as yesterday, among the Gendarmerie's targets, Gypsies occupy a very special place, which is defined not only by the mobilisation of particular resources against them, but also by a body of especially vivid gendarmic representations of the nature of the group and of the relationships with it.

The gendarmes impute to the Gypsies – a homogeneous ethnic group, in their opinion – big, violent, collective crime, of which they are very frightened. This fear is constantly staged, by both groups, as a drama of permanent and collective conflict, of mutual hatred. On the gendarmes' side, one of the expressions of this conflict is a blatant, very violent, verbal racism, which, compared to the racism which is common in French police culture, presents a specificity: it is an element of this long-term memory which is part of the Gendarmerie's culture and identity; even if referring to racism during the centuries over which this memory extends sounds anachronistic, this attitude towards vagrants is deeply rooted in this culture: *the gendarme was implanted in the public space to watch anything that moves, how can you imagine the Gypsy not being our enemy?* This conflict culture between gendarmes and Gypsies leads one to wonder whether, compared to conflicts with other minorities, the two parties are not more clearly engaged in a kind of ethnic conflict.

The gendarmic management of Gypsy crime, consists, against a background of control of specific identification documents, in criminal investigation which presents all the characteristics of order-maintenance operations, indeed even war operations. In order to catch in the act gangs using stolen cars to raid stores or banks in blitz attacks, the gendarmerie must draw up hunting plans which involve powerful cars transporting heavily armed gendarmes, roadblocks, helicopters equipped with night-vision devices to locate raiding cars, etc. Searching a Gypsy home in a camp is an operation carried out at another scale than at the house of any other citizen: it always requires a minimum of several dozens staff, possibly heavily equipped with arms, sometimes dogs, or even helicopter, etc. Nothing new, again, in this deployment of troops: at the beginning of the 20th century, a member of the National Assembly complained that infantry had sometimes to be requested to counter nomad razzias. However, this permanent confusion between criminal investigation and the keeping of order, where Gypsies are involved, reminds the contemporary observer that policing is traditionally the art of dealing with populations, not with individuals. For police forces, operating in a Gypsy camp means first and foremost penetrating a place that is not (no longer?) a public space; the relationship between police forces and citizens is, in this instance, inadequately managed by the rules of the Code of Criminal Proceedings governing the protection of the privacy of the home: the situation is not that of a criminal-investigation officer facing a citizen who accepts or refuses to let him search his home, nor even that of the officer who, backed by the judge's warrant, may enter this home. «Individual» criminal investigation is impossible simply because, as the house to be searched stands in the middle of the camp, the group as a whole has to be dealt with. The collective aspect of the suspect imposes itself upon the police force. Consequently, to be able to operate, criminal investigators have two solutions:

- surprise, backed by the deployment of considerable force, actually calculated to make any resistance mere suicide.
- negotiation with the clan's head... here we are back at our initial reflections about the relationships of police forces with the communities they mean to police.

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These few remarks, which I share as a student of the contemporary French Gendarmerie, with historians, are the outcome of a stimulating reading exercise: there is more in it than the researcher's elation borne of the recognition, in the past Gendarmerie, of some traits of the contemporary institution. It also supports the idea that the old distinction, according to which the historian thinks in terms of periods and the sociologist in terms of problems, is of little relevance: with the Gendarmerie, it is well and truly the same issue of the place of the State in the social relationships that both are trying to delimit.

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