

THE POLICE FORCE AND TERRITORIAL CONTROL: PERMANENCY IN DISCONTINUITY

... those proclamations, repeated in ever stronger term by each successive government, only serve to provide a pompous demonstration of the impotence of their authors. ... Their impunity was threatened and insulted, but not destroyed, by the proclamations. With every additional threat and insult, they might naturally be expected to employ fresh efforts and new inventions to keep that impunity in being. And this did in fact happen. With the appearance of each proclamation designed to repress men of violence, those concerned searched among their practical resources for the most suitable fresh methods of continuing to do what the edicts prohibited. What the proclamations could do was to put stumbling-blocks in the way of simple folk, who had no special power of their own nor protection from others, and harass them at every step they took. For the proclamations were framed with the object of keeping everybody under control, in order to prevent or punish every sort of crime; and so they subjected every action of the private citizen to the arbitrary will of all kinds of officials.
(A. Manzoni, *The Betrothed*, chapter one)

In recent years, longitudinal studies into the police force and territorial control have focused principally on practical and cultural aspects, as well as on the routine workings of the force. This line of inquiry, of necessity, acts as a stimulant for basic research projects. It also shows the limitations of an approach that is confined to a purely prescriptive level while simultaneously foreshadowing large-scale interpretive models.

The police force, if we may call it so also in reference to the *ancien régime*, is an agency, or institution, which by its very nature, exists and operates within a space that connects state power with society.

The vast range of its tasks consistently revolves around certain constants: the police must be vigilant in upholding the standards and agendas generated from above, and in defending the social order from unlawful behaviour.

In order to achieve this, they must maintain a strong societal presence. In some areas their *modus operandi* implies an adherence to textbook directives, while in other areas the priority of achieving an objective may necessitate their resorting to tactical measures that will result promptly and effectively in the desired outcome.

Consequently, in researching the police force at the operational level, and in relation to recruitment, composition and practical expertise, reference must necessarily be made to an area in which prescription and *modus operandi* are significantly mixed, and where practices, expertise and

officers at the grassroots level are sometimes in marked contrast with the prescriptions of would-be political and administrative principles.

From this perspective, the practical aspects of territorial governance and control become a powerful instrument for analysing the multifaceted nature of a citizenry consisting of legal entities, and its relationship with the arms of government and its political involvement, while avoiding the search for a contrived interpretive uniformity.

In the case of the *ancien régime*, these conditions can be intuitively grasped. However, from the era of Napoleon onward, with particular reference to the Liberal State, the powers of constitutionalism and legal positivism have obscured the above scenario. This has been based on compromise, especially when the underlying "corporative" aspect of society dons the mantle of a formally new lexicon, and the technical aspects allegedly become the apolitical face of power. Formal lip-service to some defined categories thus becomes the main instrument through which old customs are brought back into the comforting fold of the Constitutional State: we need only to think of the legitimation of what should be illegitimate, as in the authorization of undercover investigations.

Careful consideration reveals that this double dimension of the police force can be recognized from the 19th century onwards, similar to the way in which we can identify attempts to redefine the forms of territorial control in *anciens régimes*, including even the Middle Ages.

The conference is designed to examine, over an extended period of time, specific cases that highlight the interplay of permanencies and adjustments underpinning the discontinuity caused by changes in the philosophy and structures of government.

Solely to quote some examples, we may refer to the inevitable conflicts and legacies brought about by the creation of a new police force and the innumerable problems associated with it. These include, among others, issues of recruitment and financial obligations that often result in compromises with an historical background the authorities would have preferred to leave behind.

Alternatively, in a practical context, we would need to assess the often-ambiguous "soft" protocols concerning regulations for the employment of military units with policing tasks. These often become an instrument used by civilian authorities to circumvent legal obstacles and a trigger for more or less hidden conflicts with the military. It is an ambiguity, depending on context, that can form the basis for an ongoing search for legitimation of the "corporative"-dimension of civilian and military

authorities in government. However countless other stimuli for reflexion can be found, in various chronological phases.

The conference, one of a 20-year-old series of CEPOC meetings (www.cepoc.it), will be held at the charming Palazzo Feltrinelli in Gargnano del Garda on 19 and 20 October 2018. Participants are invited to arrive on the evening of Thursday, 18 October and remain for lunch on Saturday 20 October. Those travelling to Milan by public transport, or flying into the nearby airports (Linate, Malpensa or Orio al Serio), will, wherever possible, be met and transported to the conference venue by car. Meals and accommodation will be provided by the organizing committee. Travel costs will be met only in certain specific cases.

Day One (Friday 19th) will be entirely devoted to individual contributions. Saturday morning will be devoted to a free-ranging discussion involving all participants. You will be able to participate both as speaker and discussant, or alternatively as discussant only. Attendance will be either by invitation or through a call for papers. Proposals for papers should bear a title and be accompanied by an abstract (send to livio.antonielli@unimi.it or to giacomo.demarchi@unimi.it, by no later than 31 July 2018).

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