



HAL
open science

About the Proper Use of Policing "Models". What Sociology and History have to say on Jean-Paul Brodeur's "The Policing Web"

René Lévy

► **To cite this version:**

René Lévy. About the Proper Use of Policing "Models". What Sociology and History have to say on Jean-Paul Brodeur's "The Policing Web". Penal Field, 2012, IX, <http://champpenal.revues.org/8276>. hal-00744381

HAL Id: hal-00744381

<https://hal.science/hal-00744381>

Submitted on 23 Oct 2012

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

Champ pénal/Penal field

Nouvelle revue internationale de criminologie

Vol. IX | 2012 :

Varia

Actes de colloque/Conference Proceedings – L'œuvre singulière d'un penseur cosmopolite : Hommages à Jean-Paul Brodeur

About the proper use of policing “models”

What sociology and history have to say on Jean-Paul Brodeur's *The policing web*

RENÉ LÉVY

Résumés

À la lumière de son dernier ouvrage, *The Policing Web*, cet article examine la manière dont Jean-Paul Brodeur utilise l'histoire pour conceptualiser l'opposition entre « haute » et « basse police » sur laquelle il a fondé sa réflexion théorique depuis le milieu des années 1980. En comparant la typologie des institutions policières élaborée par Jean-Paul Brodeur à celle de l'historien Clive Emsley, l'auteur oppose deux manières de faire l'histoire : soit comme l'étude d'une émergence, prenant en compte la complexité des phénomènes dans leur déploiement temporel à la faveur d'une nouvelle question ; soit comme quête d'une origine à partir d'un aboutissement - la situation actuelle - afin d'éclairer cette dernière. Dans un cas, l'accent est mis sur la relecture du passé à la lumière de préoccupations présentes ; dans l'autre, le passé est mis au service de la réévaluation du présent.

In the context of Jean-Paul Brodeur's last book, *The policing web*, this article examines how he uses history to conceptualize the distinction between “high” and “low” policing, which fuelled his theoretical thinking since the mid-1980's. By comparing the typology of police institutions designed by JPB to the one proposed by the historian Clive Emsley, the author opposes two ways of 'doing' history: either we look at how a phenomenon emerges, considering the complexity of situations as they unfold over time, in connection with a new question, or we go in search of an origin for an outcome – the present situation – so as to shed light on the latter. In one instance emphasis is placed on rereading the past in the light of present concerns; in the other, the past is used to reevaluate the present.

Entrées d'index

Index de mots-clés : histoire, Jean-Paul Brodeur, France, haute et basse police, Royaume-Uni

Index by keyword : history, Jean-Paul Brodeur, France, high and low policing, United Kingdom

Notes de la rédaction

Translation by Helen Arnold

Texte intégral

- 1 I am both honored and terribly sad to take part in this homage to our prematurely deceased friend and distinguished colleague Jean-Pierre Brodeur.
- 2 Our friendship with Jean-Paul – and I use the plural to include my wife, Renée Zauberman – dates back to our student days at the University of Montreal’s School of Criminology, between 1976 and 1978. In those days criminology was developing dynamically in Canada and in Quebec, where the School of Criminology was still a relatively new institution, and they were times of tremendous intellectual effervescence, challenging traditional criminology. That is why I would like to pay homage as well to the memory of Marie-Andrée Bertrand, who also left us recently. She taught a course called “Innovative Services”, giving us, her students, an opportunity to explore the outskirts of the criminal justice system. Thanks to her course Renée Zauberman and I conducted a micro-field study in a (micro) alternative school, and that made a deep impression on us.
- 3 But above all, it is Jean-Paul Brodeur who has brought us together today. Jean-Paul and I met often over the past thirty years, in conferences in Montreal or elsewhere, or during his frequent visits to Paris, and we were constantly debating, especially about policing, our shared research theme. I was always intensely interested in reading his writings, which were particularly clear and lucid, dissecting their subject and going straight to the point. Jean-Paul was particularly good at finding the word that hits home: “high” and “low” policing, “resistance to being known”, “grey check”, are all expressions that have lastingly marked research on the police. And his thinking about undercover policing and organizational deviance naturally fed into my own work.
- 4 For the French public, he played a major role as a “*passeur*”, someone who bridges gaps, conveying people and ideas from shore to shore, as well as a ruthless critic of North-American conceptions of policing, mostly through his papers in the *Cahiers de la sécurité intérieure* and the anthology of major texts on the sociology of the police, edited in collaboration with Dominique Monjardet, another prematurely departed colleague and friend¹. But there was also his regular attendance at the *Institut des Hautes Études de la Sécurité Intérieure (IHESI)* for several years, which gave him intimate knowledge about both sides of the Atlantic.
- 5 Jean-Paul is gone, alas, but it is up to us to keep his conceptions alive. Now it is because ideas are never as lively as when they are debated, or even challenged, that I would like to discuss one aspect of his thinking, which to me is the best way to pay him homage.
- 6 The question I would like to broach here, briefly, is the place of history in his thinking, and more specifically in his last book, *The policing web*, since it is there, necessarily, that his views turn out to be final. There are two reasons behind my choice of this theme. First, I suspect we disagreed about how to approach the historical dimension: years ago, during a conference in the early 1990s at which I delivered a paper on the origins of a law on pretrial detention, Jean-Paul reproached me for being more historical than sociological. Now, I have in fact since developed other studies of a historical nature, without ever departing from sociology. But more specifically, and this is the second reason, I have just completed a history of police forces in France from the *Ancien régime* to the present, with Jean-Marc Berlière, on which I would have been curious to have our friend’s opinion, and which has led me to view his theses in a new light.²

1. Jean-Paul Brodeur and History

7 Jean-Paul Brodeur was very wary of philosophy, in which he was trained originally, and which deeply marked his entire life,³ as well as of history. He had expressed this twofold distrust – in highly philosophical terms, actually – during a conference attended by historians and sociologists.

8 Professing his debt to the teachings of Horkheimer and the Frankfurt School, according to which “theory cannot be unaware of the social interests it serves, any more than it can be separated from a project for the emancipation of humankind”, he transposed that saying to history, writing that “we demand that historical research be something other than the establishment of an accurate chronological account of events with no weight on practice”.⁴ A viewpoint he repeated further down, in reference to Nietzsche, talking about how history attracted criminal justice specialists in those days: “That search for inspiration in history was fruitful at first, but it could become a weakness if taken too far, if it was practiced exclusively and cut itself off from practice”. And he concluded that contribution with a definitive phrase, uniting history and philosophy in the same opprobrium: “As we know, academic philosophy died when it was reduced to being a mere history of philosophy”.⁵

9 That certainly doesn’t mean that Jean-Paul Brodeur denied the validity of using history to shed light on the present, since the title of the second chapter of his last book, *The policing web* (2010), is “History”. But his 1990 text shows us the perspective in which he does so: as “effective history, or genealogy”, in Foucault’s sense, as history that “questions the past from within a perspective bred by a problem one wishes to solve”.⁶

2. High and low policing

10 The idea that there are several broad policing models is often expressed in professional sociological and historical writings on the police.⁷ The idea is a very old one, but it took a new turn when Jean-Paul Brodeur popularized the opposition between high and low policing in his 1983 paper in *Social Problems*, entitled “High policing and low policing: Remarks about the policing of political activities”. He returned to the question on several occasions, and especially in one article, “High and low policing in post 9/11 times” and in his book, *The policing web* (Oxford, Oxford U. P., 2010), published shortly after his death, in which this distinction is turned into an explanatory key, the paradigm for contemporary policing practices and the mainstay of his own theory on policing.⁸ This distinction has had tremendous repercussions, not only among sociologists of the police, and not only in English-speaking countries.⁹

11 According to Jean-Paul Brodeur, “As a public institution, the police were born in France in 1667” (*The policing web*, p. 44). This is because he views the “French model” as residing in the *Lieutenant-générale de police*, a function established by the monarchy in that year to rationalize policing institutions in the capital and place them under the king’s authority (France was then an absolute monarchy) by entrusting them to an officer answerable exclusively to the sovereign. The *lieutenant-général* is the ancestor of the present-day *Préfet de police de Paris*, and the two, although separated by ten-odd different political regimes, still have much in common.

12 To Brodeur’s thinking, the *lieutenant-générale* – in spite of its many other missions – focused on controlling public opinion (and religious dissidence in particular) and the “evil poor”, which is to say the able-bodied, shiftless poor who allegedly spawned most delinquents, and worse yet, rioters. It relied mainly on spying, surveillance, censorship, and arbitrary detention, all justified by the *raison*

d'état. This is what he designates as “high policing”.

13 The “British model” emerges much later, since what Jean-Paul Brodeur designates by it is London’s New Police, set up by Peel in 1829, which may be viewed as the prototype of modern public-security uniformed police forces. In deliberate opposition to the “French model”, embodied at the time more by Fouché, Napoleon’s Minister of Police than by its royal ancestor, the British police was to focus on law enforcement and crime prevention, or what Brodeur calls “low policing”.¹⁰

14 For contemporary police forces, the opposition between high and low policing does not refer so much to the opposition between political and public security polices as to two contrasting ways of operating, as shown in fig. 7.2 (*The policing web*, p. 252). Now, what Brodeur wants to highlight, I think, is not only that *high policing* has been enormously developed in the political police and national security register in recent years, but above all that it increasingly tends to contaminate *low policing*. In other words, the latter is more and more wont to resort to both proactive and undercover methods previously used exclusively in high policing.

15 This opposition is undeniably heuristic, as is the above-mentioned observation, and I myself have published several studies on covert police practices, showing the part they play in “low policing”.¹¹ But one wonders how historically grounded it actually is.

3. A model for reality and reality of the model

16 It does indeed seem to me that Jean-Paul Brodeur’s approach lends itself to a sort of criticism brilliantly summed up by Pierre Bourdieu’s formula warning against the risk “of sliding from a model for reality to the reality of the model”.¹²

17 First, I’m struck by the fact that this opposition between a French and a British model is a platitude in research on the police. This opposition is often mentioned in other countries: opponents of the creation of the FBI conjured up the specter of Fouché,¹³ while the Japanese theoreticians of the 1920s invoked the English model, in opposition to the French model of the Meiji period.¹⁴

18 Actually, the origin of this English-French polarity is “impure” inasmuch as it was construed, precisely, during the English controversy over the modernization of the policing apparatus in the 18th and 19th centuries. It was then that the “French model” was waved as anathema; that is, a centralized State police intended for spying on political opponents, just the opposite of the well-intentioned English tradition. This partakes of what British historians have termed “Whig history” of the police, an ideological construction aimed at denigrating earlier police organizations and extolling the virtues of the *New Police*.¹⁵ Interestingly, however, for the English opponents of the *New Police* the “French model” did not designate Fouché’s “high police” only, but also the “*gendarmerie*”, which is to say a militarized police force, since the British were traditionally reserved about a strong military presence, or a permanent army (of which the *gendarmerie* is a part), in peacetime.

19 So that Peel himself distinctly disassociated himself from the hated model when presenting his “new police”, although its recruits, their training and their discipline made that New Police much more militarized than its predecessor, and its control by the Home Office turned it into a State police for all intents and purposes, equally breaking with the former system of locally controlled police forces. The emphasis on crime prevention, the uniforms contrasting sharply with soldiers’ gear, and the limited weaponry aimed at concealing those aspects.¹⁶

20 This British reference to the French “*gendarmerie*” as a counter-model is important. From the police history viewpoint, the *gendarmerie* is as representative of a “French model” as the *lieutenant-générale*. It has the advantage of being older

than the latter, since it dates back to the 16th century, when it was called the *maréchaussée*, and it really did constitute a model, since it threw down roots everywhere in Europe where the Napoleonic wars introduced it. When the surge of revolutions subsided, the restored monarchs retained that institution, viewed as superior to their own previous police forces.¹⁷ Now the *maréchaussée* certainly was a royal, centralized police, but above all it policed the roads and countryside to ensure safe travel, and its main function was not spying and political surveillance. Although the latter was naturally a part of the “overall surveillance” done by gendarmes on their rounds, they did not do it covertly, but by cultivating their relations with the “healthy part” of the population (as the official text called it).¹⁸

21 Furthermore, while the British didn’t want it for themselves, they unhesitatingly adopted it for policing their colonies, and first and foremost Ireland (it was actually Peel himself who created the Royal Irish Constabulary, which is nothing less than a gendarmerie).¹⁹

22 Conversely, we might note that in 1829, the very year in which London’s New Police was created, but several weeks earlier, prefect Debelleymes created a corps of uniformed “*sergents de ville*” in Paris, and the reasons he adduced are quite similar to those heard in London, since the idea was both to ensure visibility, to mark authority, to reinforce the powers-that-be and provide “mobile panopticism” based on the conspicuous surveillance of movements in urban environments. Mobile surveillance meant continual visibility, which is to say that officers were also constantly monitored by the public. This experiment was so successful that the corps expanded rapidly, its numbers rising from 100 to 750 in a matter of years. Subsequently, in 1854, under the Second Empire, the London example discovered by Emperor Napoleon III during his exile definitely inspired the introduction of beat policing, along with the increased number of uniformed officers.²⁰

23 In short, from the historian’s viewpoint, as Clive Emsley tells us, “There have never been two clear models of police, a British one, also employed in the British Empire and the United States, and a European one.” He goes on to explain that until the 1960s it would in fact have been difficult to single out one unique British model.²¹ But as Reiner has shown, it was in the 20th century that the “English model” was popularized, by Lee and Reith in particular.²²

24 Pursuing the comparison, Emsley develops a typology of public police based on their ties with the central government and their type of organization, rather than on means, and finds three “models” of public police. For 19th-century Great Britain, for instance, he shows the coexistence of the London Metropolitan police, the provincial police (itself diversified) and the militarized Irish police. In other words, one type of police for the capital/city, controlled by the central government; a series of local police forces the upper echelons of which mostly come from the London police but which are mostly answerable to local political institutions, and a militarized police (set up in an irredentist province, but gradually come to be accepted by the population).

25 When formulated in these terms, the similarities with the French situation are quite evident, with its capital, Paris, under one authority (the *Lieutenant-général*, then the Prefect) directly answerable to the government (as it still is); local police forces commanded by State agents but mostly answerable to townships (until 1941); and a militarized police in the countryside (the *gendarmerie*).

26 In contrast to Jean-Paul Brodeur’s two “models”, then, we would propose three ideal-types; that is, a civilian State police, a civilian municipal police and a militarized State police, which three-part structure was to be observed, again according to Emsley, in the 19th century and well into the 20th, in most European countries.

27 In comparison, the way Brodeur postulates the existence of those two “models” is simplistic. There certainly is a high police segment within the French “police

assemblage”, to use his words, since the 17th century, just as there is (or at least was in the early days) a form of public security police specific to London within the British “police assemblage”, but it takes a great deal of theoretical strong-arming to raise the two to the dignity of opposite “models”.

*

28 While it is true that the questions we address to the past are always guided by our present-day concerns, it seems to me that the comparison of these two typologies (Emsley’s and Jean-Paul Brodeur’s) affords a good illustration of two differing ways of doing so. Either we look at how a phenomenon emerges, considering the complexity of situations as they unfold over time, in connection with a new question, or we go in search of an origin for an outcome – the present situation – so as to shed light on the latter. In one instance emphasis is placed on rereading the past in the light of present concerns; in the other, the past is used to reevaluate the present. When Jean-Paul Brodeur suggested reading police practices through the opposition between high and low police, he was not really concerned with the historical accuracy of that opposition. He was combating an “epistemological obstacle”²³ specific to Anglo-American sociology, so as to break with the prevailing, no doubt idealized conception of a police force constructed essentially on Peel’s London model, in which conception political espionage was just a deviant policing practice, and to defend another paradigm based on the *ancien régime* Parisian model in which that sort of practice was inherent, so to speak, in the police function. The success of this reversal may be measured by the fortune of the 1983 article, now a mandatory reference and the basis of his own much more ambitious theoretical enterprise, culminating in his last book.

29 In that sense, the effect of his writings has been similar, though on a lesser scale, to that of Michel Foucault’s “*Discipline and Punish*”, for which Jean-Paul Brodeur had such admiration: it prompted a spate of historical research ultimately challenging his own theses, but continued nonetheless to be read (and reread). What better fate can we wish for *The policing web* ?

Bibliographie

Berlière J.-M., Lévy R., 2011, *Histoire des polices en France de l’Ancien régime à nos jours*, Paris, Nouveau monde éditions.

Bourdieu P., 1980, *Le Sens pratique*, Minuit, Paris.

Bourdieu P., Chamboredon J.-C., Passeron J.-C., 1973, *Le métier de sociologue*, Paris-La Haye, Mouton.

Brodeur J.-P., 1983, High policing and low policing: Remarks about the policing of political activities, *Social Problems*, 30, 5, 507-520.

Brodeur J.-P., 1990, L’histoire, interprétation ou interpellation, in Robert P., Emsley C. (Eds), *Geschichte und Soziologie des Verbrechens*, Pfaffenweiler, Centaurus-Verlagsgesellschaft, 37-43.

Brodeur J.-P., 2003, *Les visages de la police, pratiques et perceptions*, Montréal, PUM.

Brodeur J.-P., 2007, High and low policing in post 9/11 times, *Policing*, 1, 1, 25-37 (republié en français avec une introduction de Frédéric Ocqueteau, sous le titre « Haute et basse police après le 11 septembre », *Criminologie*, 2011, 44, 1, 225-246 - n° spécial « Jean-Paul Brodeur, d’hier à aujourd’hui).

Brodeur J.-P., 2010, *The Policing Web*, Oxford, Oxford University Press.

Brodeur J.-P., Monjardet D., 2003, *Connaître la police. Grands textes de la recherche anglo-saxonne*, Paris, Les cahiers de la sécurité intérieure, Hors-série.

Chassaigne M., 1975 (1906), *La Lieutenance-générale de police de Paris*, Genève, Slatkine-Megariotis Reprints.

Deluermoz Q., 2008, Circulations et élaborations d’un modèle d’action policier : la police en tenue à Paris, d’une police “londonienne” au “modèle parisien” (1850-1914), *Revue d’histoire*

des sciences humaines, 19, 75-90.

Emsley C., 1991, *The English police. A political and social history*, Hemel Hempstead, Harvester Wheatsheaf.

Emsley C., 1999a, *Gendarmes and the State in Nineteenth-Century Europe*, Oxford, Oxford University Press.

Emsley C., 1999b, A typology on nineteenth-century police, *Crime, Histoire & Sociétés/Crime, History & Societies*, 3, 1, 29-44.

Leroux G., 2011, Criminologie et philosophie. Quelques remarques sur la pensée de Jean-Paul Brodeur, *Criminologie*, 44, 1, 7-17 (n° spécial « Jean-Paul Brodeur, d’hier à aujourd’hui »).

Lévy R., 2008, Quand les ministères s'affrontent sur les pouvoirs de police. La légalisation de l'infiltration dans la lutte contre le trafic de stupéfiants, *Revue française de science politique*, 58, 4 569-593.

L’Heuillet H., 2001, *Basse politique, haute police. Une approche historique et philosophique de la police*, Paris, Fayard.

L’Heuillet H., 2002, La généalogie de la police, *Cultures & Conflits*, 48, 109-132.

Luc J.-N. (dir.), 2002, *Gendarmerie, État et société au XIX^e siècle*, Paris, Publications de la Sorbonne.

Madelin L., (dir.), 1945, *Les mémoires de Fouché*, Paris, Flammarion.

Mawby R.I., 2008, Models of policing, in Newburn T. (ed.), *Handbook of policing* (2nd ed.), Cullompton, Willan, 17-46.

Monjardet D., Lévy R., 1995, Undercover policing in France: elements for description and analysis, in Fijnaut C., Marx G.T. (Eds), *Undercover. Police surveillance in comparative perspective*, The Hague, etc., Kluwer, 29-53.

Napoli P., 2003, *Naissance de la police moderne. Pouvoir, normes, société*, Paris, La Découverte.

O’Reilly C., Ellison G., 2006, "Eye spy private high". Re-conceptualizing high policing theory, *British Journal of Criminology*, 46, 4, 641-660.

Philips D., Storch R. D., 1999, *Policing Provincial England, 1829-1856. The Politics of Reform* (London, New York, Leicester University Press.

Reiner R., 1991-1992, La tradition policière britannique: modèle ou mythe ?, *Les cahiers de la sécurité intérieure*, 7, 29-39.

Reiner R., 2000, *The politics of the police*, Oxford, Oxford University Press (3rd ed).

Sinclair G. (Ed.), 2011, *Globalising British Police*, Hants, Ashgate.

Theoharis A., 1997, Le contrôle du FBI par l’Exécutif et le Congrès : réformes et abus, in Berlière J.-M., Peschanski D., (dir.), *Pouvoirs et police au XX^e siècle. Europe, États-Unis, Japon*, Bruxelles, Complexe, 267-283.

Tipton E., 1997, De la “police du peuple” à la “police de l’Empereur” : la police japonaise dans les années trente, in Berlière J.-M., Peschanski D. (dir.), *Pouvoirs et police au XX^e siècle. Europe, États-Unis, Japon*, Bruxelles, Complexe, 81-95.

Williams A., 1979, *The police of Paris, 1718-1789*, Baton Rouge, Louisiana University Press.

Notes

1 J.-P. Brodeur, D. Monjardet, *Connaître la police. Grands textes de la recherche anglo-saxonne* (Paris, Les cahiers de la sécurité intérieure, Hors série, 2003).

2 J.-M. Berlière, R. Lévy, *Histoire des polices en France de l’ancien régime à nos jours* (Paris, Nouveau monde éditions, 2011).

3 On this subject, see the comments of his friend Georges Leroux, “Criminologie et philosophie. Quelques remarques sur la pensée de Jean-Paul Brodeur”, *Criminologie*, special issue on “Jean-Paul Brodeur, d’hier à aujourd’hui”, 2011, 44, 1, 7-17.

4 J.-P. Brodeur, “L’histoire, interprétation ou interpellation”, in p. Robert, C. Emsley, eds., *Geschichte und Soziologie des Verbrechens* (Pfaffenweiler, Centaurus-Verlagsgesellschaft, 1990, 37-43, especially p. 37).

5 Ibid, p. 43.

6 Ibid, p. 40.

7 R. I. Mawby, “Models of policing”, in t. Newburn, ed., *Handbook of Policing* (2nd ed.) (Cullompton, Willan, 2008, 17-46).

8 J.-P. Brodeur, “High policing and low policing: Remarks about the policing of political activities”, *Social Problems*, 1983: 30, 5, 507-520. J.-P. Brodeur, “High and low policing in post 9/11 times”, *Policing*, 2007: 1, 1, 25-37. The latter was published in French under the title “Haute et basse police après le 11 septembre” in a special issue of the review *Criminologie* (2011, 44, 1, 225-246) titled “Jean-Paul Brodeur, d’hier à aujourd’hui”, with an introduction by Frédéric Ocqueteau. He had previously devoted a chapter to the question in his book, *Les visages de la police, pratiques et perceptions* (Montreal, PIM, 2003, 225-253).

9 In France, it has inspired, in particular, the work of philosopher Hélène L’Heuillet: H. L’Heuillet, *Basse politique, haute police. Une approche historique et philosophique de la police* (Paris, Fayard, 2001) ; H. L’Heuillet, “La généalogie de la police”, *Cultures & Conflits*, 2002, 48, 109-132. For a critical view, see C. O’Reilly, G. Ellison, “‘Eye spy private high’. Reconceptualizing high policing theory”, *British Journal of Criminology*, 2006: 46, 4, 641-660.

10 A lexicographic study on the origins of those two expressions would be in order, but this is not the place for it. Let us just say that in the sense used by Brodeur, the expression does not seem to date back to the *Lieutenance-générale* period; it is not mentioned in studies of that institution (M. Chassaigne, *La lieutenance-générale de police de Paris* (Geneva, Slatkine-Megariotis Reprints, 1975 [1906]; A. Williams, *The Police of Paris, 1718-1789* (Baton Rouge, Louisiana U.P., 1979) or of the *ancien régime* police (P. Napoli, *Naissance de la police moderne. Pouvoir, normes, société* (Paris, La Découverte, 2003). Fouché does mention it, however, in the sense of political policing, in his memoirs, published in 1824 (L. Madelin, ed., *Les mémoires de Fouché* (Paris, Flammarion, 1945). Actually, Jean-Paul Brodeur (1983) does not quote any specific source, but simply refers to texts from the *ancien régime* that mention practices which he views as being in the domain of high policing according to his own definition. Hélène L’Heuillet merely refers readers to Brodeur (*Basse politique, haute police. Une approche historique et philosophique de la police*, Paris, Fayard, 2001, 23). Volume 12 (1874) of Pierre Larousse’s *Grand dictionnaire universel du XIXe siècle* defines “high policing” (*haute police*) as a prerogative of the Ministry of the Interior, a province of the “*police de sûreté*”, and aimed at “acts which, although not exactly against the law, are judged dangerous for public safety” (See *Police*, vol. 12, p. 1293, Col. 4). The aspect of high policing most often mentioned in the 19th century is “high police surveillance”, designated in the 1810 Criminal Code as a form of administrative house arrest imposed following sentence serving, and which may also be applied to political opponents of the regime. A rapid search of the French National Library’s electronic library, Gallica, produced three 17th century documents and sixty-odd 18th-century documents including the expression “*haute police*”, but generally not in the sense of “political surveillance”, with few exceptions. A similar search for “*basse police*” yielded a single 17th-century document and another one for the 18th century, but neither in the sense intended here. There were however quite a few 19th-century documents, in which “*basse police*” meant “undercover police”, which is the opposite of the meaning it has for Jean-Paul Brodeur... Sometimes both expressions are defined in an opposite sense, indicating a degree of uncertainty, with “high policing” meaning “open, conspicuous policing” and “low policing meaning “undercover, secret policing”.

11 D. Monjardet, R. Lévy, “Undercover policing in France: elements for description and analysis”, in C. Fijnaut, G.T. Marx, eds., *Undercover. Police Surveillance in Comparative Perspective* (The Hague, etc, Kluwer, 1995, 29-53) ; R. Lévy, “Quand les ministères s’affrontent sur les pouvoirs de police. La légalisation de l’infiltration dans la lutte contre le trafic de stupéfiants”, *Revue française de science politique*, 2008 : 58, 4, 569-593.

12 P. Bourdieu, *Practical Reason: on the Theory of Action* (Stanford, Stanford University Press, 1998).

13 A. Theoharis, “Le contrôle du FBI par l’Exécutif et le Congrès ; réformes et abus”, in J.-M. Berlière, D. Peschanski, eds., *Pouvoirs et police au XXe siècle. Europe, États-Unis, Japon*, (Brussels, Complexe, 1997, 267-283).

14 E. Tipton, “De la ‘police du peuple’ à la ‘police de l’Empereur’ : la police japonaise dans les années trente”, in J.-M. Berlière, D. Peschanski, eds., *Pouvoirs et police au XXe siècle. Europe, États-Unis, Japon*, (Brussels, Complexe, 1997, 81-95).

15 D. Philips and R.D. Storch take issue with this vision in *Policing Provincial England, 1829-1856. The Politics of Reform* (London, New York, Leicester University Press, 1999).

16 C. Emsley, *The English Police. A Political and Social History* (Hemel Hempstead, Harvester Wheatsheaf, 1991, 25 and 235); R. Reiner, *The Politics of the Police* (Oxford, Oxford U.P., 2000, 3rd ed., 50-51).

17 C. Emsley, *Gendarmes and the State in Nineteenth-Century Europe* (Oxford, Oxford University Press, 1999).

18 J.-N. Luc, dir., *Gendarmerie, état et société au XIXe siècle* (Paris, Publications de la Sorbonne, 2002).

19 R. I. Mawby, 2008, 23-24. For an overview, see the collected studies in G. Sinclair, ed., *Globalising British Police* (Hants, Ashgate, 2011).

20 Q. Deluermoz, “Circulations et élaborations d’un modèle d’action policier : la police en tenue à Paris, d’une police ‘londonienne’ au ‘modèle parisien’ (1850-1914)”, *Revue d’histoire des sciences humaines*, 2008 : 19, 75-90.

21 C. Emsley, “A typology of nineteenth-century police”, *Crime, Histoire & Sociétés / Crime, History & Societies*, 1999: 3, 2, 29-44.

22 R. Reiner, “La tradition policière britannique : modèle ou mythe ?”, *Les cahiers de la sécurité intérieure*, 1991-92 : 7, 29-39.

23 P. Bourdieu, J.-C. Chamboredon, J.-C. Passeron, *The Craft of Sociology, Epistemological Preliminaries*, Berlin, Walter De Gruyter, 1991.

Pour citer cet article

Référence électronique

René Lévy, « About the proper use of policing “models” », *Champ pénal/ Penal field* [En ligne], Vol. IX | 2012, mis en ligne le 12 mai 2012, Consulté le 22 octobre 2012. URL : <http://champpenal.revues.org/8276> ; DOI : 10.4000/champpenal.8276

Auteur

René Lévy

Research director at the CNRS (CESDIP, UMR 8183, CNRS/UVSQ/Ministry of Justice), director of the *Groupe Européen de Recherche sur les Normativités* (GERN).
Contact: rlevy@cesdip.fr

Articles du même auteur

Du bon usage des « modèles » de police [Texte intégral]

Point de vue sociologique et point de vue historique, à propos de *The Policing Web*, de Jean-Paul Brodeur

Paru dans *Champ pénal/ Penal field*, Vol. IX | 2012

Commentaire de Bernard Harcourt, *The American Carceral: Rethinking the Prison and the Asylum* [Texte intégral]

Séminaire GERN "Longues peines et peines indéfinies. Punir la dangerosité" (Paris, 21 mars 2008)

Paru dans *Champ pénal/ Penal field*, Séminaire du GERN "Longues peines et peines indéfinies. Punir la dangerosité" (2008-2009)

Commentaire de Bernard Harcourt, *The American Carceral: Rethinking the Prison and the Asylum* [Texte intégral]

Séminaire GERN. Longues peines et peines indéfinies. Punir la dangerosité. Paris, MSH, Vendredi 21 mars 2008.

Paru dans *Champ pénal/ Penal field*, Vol. V | 2008

Droits d'auteur

© Champ pénal