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POLICE VERSUS CIVILIANS - GROWING TENSIONS IN THE DUTCH PUBLIC DOMAIN 1985–2005

By

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Abstract

In the Netherlands many people are complaining that the social climate has been hardening in recent years. This may be illustrated by the increasing number of conflicts between civilians and police officers. Using the archives of the Dutch National Ombudsman, we are trying to establish the extent to which such a tendency actually exists. These archives form an important source of information, as the Ombudsman is charged with addressing complaints from civilians about the behaviour of the police. Our investigation of more than 50 dossiers from the last 25 years suggests that tension between the police and the public is indeed growing. The discrepancy between the behaviours of civilians and those of police officers has made it difficult for either party to understand the other. As a result, escalation has become more likely. The central question of this paper is, therefore: is it possible to establish a pattern of change in relations between police and civilians over the last twenty-five years in the Netherlands? If so, which factors have contributed to these changes? Are civilians becoming increasingly aggressive, having lost respect for the police? Alternatively, are the police increasingly expecting that civilians will behave themselves, and are they becoming less tolerant of contradiction?

Keywords

Policing, conflict, civilians, modern lifestyle, Netherlands

1. Sources and methodology

To answer these questions, we delved into the archives of the National Ombudsman of the Netherlands. Disputes between police officers and civilians form a standard component of the work of the Ombudsman. The archive maintains an extensive dossier for each complaint that is filed, thereby allowing detailed examination of the circumstances leading up to each complaint.

The cases that we investigated were chosen through a process of careful selection. First, we considered their geographic distribution throughout the Netherlands. Second, we considered the setting of the conflict. The cases we selected involve public encounters between the police and the public. In reading the cases we paid attention to the behaviours of both the police and civilians. The following questions were important in the examination of each case:

- How did the parties approach each other?

- How did the parties react to conflict?

- Was cursing or other harsh language involved?

- Was force applied?

- Were weapons involved?

- Did the police call for reinforcement?

- How did the situation end?

The material that we searched provides insight only into cases in which citizens decided to file formal complaints. Regardless of their limitations, these sources could reveal possible trends that have emerged in recent decades.

If the hypothesis concerning the emergence of a more assertive lifestyle holds, we are likely to encounter evidence of such developments in the archives of the Ombudsman. Such evidence could also suggest avenues for further research. Finally, the dossiers might provide information about mechanisms that could play a role in such processes, as they offer insight into how aggressive behaviours on the part of the police and citizens can reinforce each other.

2. Changes in behaviour

In general, officers have two options for reacting in their contacts with civilians. First, they can adopt a dominant stance, leaving no room for discussion. A second way of responding would be to explain to civilians why they are being stopped, allowing them to tell their side of the story.

The police are not the only ones who have changed. Civilian behaviours appear to have changed as well. They are currently displaying a greater sense of self-esteem; they have become more assertive over the years and they are quicker to stand up for themselves,

even when they are approached by the police. How can this change be explained? Why does assertiveness transform into aggression?

Earlier publications have sketched the emergence of an assertive lifestyle (Brink 2001: 55–87; Brink 2002: 30–40). We limit this discussion to mentioning several changes in the areas of education and politics. One important point is that family composition has changed over the years. Parents are having children at later ages, and they are having fewer children. Further, de-pillarisation (i.e. the dismantling of structures of confessional segregation) has contributed to a tendency for civilians to develop themselves, and it has created space within which they can demand their own choices. All of these developments have caused civilians to become more outspoken. The preferences of individuals are being expressed more freely in public as well as in private settings. Most civilians are well aware of their social and political rights.

This process, however, has another side. Increases in the sense of self-esteem are accompanied by a growing chance of conflict. People have almost come to demand mutual respect from each other (Brink 2001: 99–103). People must watch themselves carefully and develop the self-knowledge that is necessary to avoid causing unpleasant situations. Even the slightest error can lead to a disturbance in the public domain (Vuijsje and Wouters 1999).

The chance of conflict has increased along with the advance of the assertive lifestyle and the highly developed sense of self-worth. It appears that civilians are setting increasingly high demands, which they are subsequently unable to meet (Brink 2001:

113–121).

In reaction, the police feel it necessary to take action sooner (Stokkom 2005: 147–150).

4. Changes over time

Both civilian and police behaviours have undergone changes. As civilians began to react more frequently with violence, the police responded with physical force. They used handcuffs, nightsticks, dogs or firearms without hesitation. Civilians did not tolerate this type of behaviour. Two interrelated factors were at play. On the one hand, civilians perceived police intervention as an assault on their self-esteem. On the other hand, civilians were showing less respect for the police, which could be manifest in a verbally and physically aggressive attitude (Stokkom 2005: 108). The feeling of being attacked thus generates an attacking stance.

The police countered these developments by adapting their behaviour to that of civilians. These public servants began to take harsher action, and they no longer allowed room for discussion (Stokkom 2005: 21–23). The police began to approach civilians in a more distant manner, and they became less likely to exercise restraint. Citations were issued mercilessly, and civilians were more likely to be stopped. The use of verbal and physical force during arrest became increasingly common. The underlying assumption was that situations should be handled as quickly as possible, thereby preventing further escalation (Stokkom 2005: 19–20). In many cases, however, the opposite seemed to occur. The quicker and harsher actions of the police apparently caused civilians to behave even more aggressively (Stokkom 2005: 148).

The changes in police conduct were not entirely due to civilian reactions. Changes in governmental policy and general hardening of the social climate also took their toll. The Netherlands has been following a trend that has been observed in all Western countries, a trend characterised by increased control, discipline or moralisation (Garland 2001). It would be illogical for such tendencies to have no implications for the police, particularly given the preference for holding the police corps accountable for their 'performance'. The hardening of the social climate plays a role as well.

5. Future of the public space

Analytically speaking, the findings of our research appear clear. We must conclude that the behaviour of the police and that of civilians have grown increasingly further apart in the past twenty-five years. Each party has a different perception of what constitutes proper behaviour. Civilians expect a cooperative stance from the police. They do not tolerate officers who immediately proceed to issue citations, make arrests or take similar actions. When such situations do occur, they are increasingly leading to irritation, which causes assertive civilians to resort to verbal and physical aggression. For their part, the police expect civilians to respect their authority and abide by the standards that are specified in the law. They attempt to demand respect through decisive action. In addition, they have become quick to adopt an authoritarian or dominant attitude. They are quicker to use verbal and physical force against civilians who do not conform, although this often causes civilians to become even angrier.

Each of the parties is faced with a normative task. Civilians can be expected to be conscious of the special position of police officers. An officer who makes an arrest or issues a citation is more than an ordinary person who is encroaching on the freedom of private civilians. At the moment of arrest or citation, the officer is representing governmental authority and may thus apply force or violence. Proper citizenship requires recognising this authority and voicing any objections to the actions of the police in an appropriate manner (Ten Berge 2007: 33–40). The pursuit of proper citizenship is also consistent with the 'civilisation offensive' that has been sketched in earlier publications (Brink 2004: 97–155).

The police are also faced with a normative task, although it is of a different sort. They should consider the prevention or reduction of unnecessary escalation as a component of their professionalism (Stokkom 2005: 129). The powerful and consistent maintenance of public order is unavoidable, but that does not mean that officers must act mindlessly or in a provoking manner towards civilians. We expect the police to resist the temptation to engage in intimidating, dominant or authoritarian behaviour. We also expect them to provide civilians with concise explanations regarding their actions. In other words, propriety can be demanded from the police in both respects (behaviour and explanation), particularly to the extent that they wish to account for their actions as professionals.

We think that these two forms of propriety can reinforce each other. A police force that acts clearly but correctly will instil a greater sense of their authority among civilians, and civilians who respect police authority will give less cause for using means of force.

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1982	1987
Statement EL 82.00004 014	Report 1987/0073
Statement YB 82.01348 020	Report 1987/0264
Statement 81.0041 020	Report 1987/0404
Statement EL 81.00439 025	Report 1987/0546
Statement EL 81.00436 020	Report 1987/0577
Statement YB 82.00267 051	Report 1987/0674
Statement WJ 82.01307 013	Report 1987/0734
	Report 1987/0796
	Report 1987/0871
	Report 1987/0936

1992	1997
Report 92/259	Report 1997/094
Report 92/360	Report 1997/106
Report 92/382	Report 1997/147
Report 92/517	Report 1997/161
Report 92/545	Report 1997/261
Report 92/668	Report 1997/273
Report 92/682	Report 1997/348
Report 92/724	Report 1997/409
Report 92/920	Report 1997/424
Report 92/965	

2002	2006/2007
Report 2002/012	Report 2006/068
Report 2002/042	Report 2006/109
Report 2002/048	Report 2006/125
Report 2002/089	Report 2006/165
Report 2002/243	Report 2006/207
Report 2002/244	Report 2006/316
Report 2002/250	Report 2006/367
Report 2002/378	Report 2007/004
Report 2002/392	Report 2007/013

Annex: Investigated reports