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Conclusion

David Churchill, Dolores Janiewski & Pieter Leloup

The studies collected here analyse private security provision in a range of temporal and national contexts. They demonstrate that the protection of persons, property, privacy, workplaces and reputations has often extended beyond the bounds of formal state institutions. They examine multiple modes of providing security, including detective agencies, insurance companies, moral campaigners, employers' associations, paramilitary organisations, self-defence, vigilantism, communications corporations, public apologies and propaganda campaigns. Private security structures and practices have served as exemplars, surrogates, rivals, or partners to official authorities, or as default providers of law enforcement, political surveillance, risk prevention or even quasi-judicial functions, where state institutions have lacked the capacity, jurisdiction legitimacy or disposition to monopolise security provision.

Although non-state agents undertook diverse security activities themselves, the constituent elements of the modern state – police, public officials, courts, investigatory agencies, legislative bodies and personnel involved in authoritative rule-making and enforcement – were rarely absent entirely. Consequently, the chapters document various arrangements for dividing responsibility for security provision, from personal safety to the defence of national security and state sovereignty. In specific historical contexts, security regimes have implicitly or explicitly allocated to individual citizens, organised groups, private security firms or private-public partnerships the right to use coercion, lethal force, collect intelligence, punish deviancy, and impose regulations for the protection of citizens, employers, the economy or the public order.¹

As some of the contributors have demonstrated, private security techniques and exchange of personnel between private firms and public agencies have influenced the methods, approaches, and targets of state security activities. The contributions have also shown the impact of different political systems, historical experiences and ideological environments in legitimating or resisting the socialisation of powers to police and secure in the modern state. Depending upon the historical context and the specific form private provision at issue, state agencies have

variously recruited, encouraged, tolerated, prevented or sought to regulate private security agencies. The studies in this book clearly demonstrate the complexity and intricacy of security arrangements in the past, and strongly suggest that contemporary security scholarship has much to benefit from exploring earlier patterns of public-private interaction in policing, security, surveillance, and criminal justice.

Taken as a whole, the book highlights divergent developments in security regimes in different national contexts. Distinctive processes of state formation meant that some societies – most obviously European societies – more closely resembled the familiar state-centric model of security provision. Yet even in such cases, established structures of state security were subject to change in times of institutional crisis, political agitation and ideological strife. This is clear from Florian Altenhöner's chapter on post-war Germany, following Kaiser Wilhelm's abdication, which shows the fragmentation of political intelligence work across a multitude of military, paramilitary and voluntary forces claiming to defend society against the apparent threat of Bolshevik revolution. His findings – which are contemporaneous with Max Weber's famous lecture in Munich, capital of the short-lived Bavarian Socialist Republic, in 1919 – challenge Weber's claim that the state is defined by its ability to claim 'the monopoly of the legitimate use of physical force within a given territory'.² More generally, none of the modern states surveyed here monopolised the use of force within their borders. Moreover – as we shall discuss further below – the studies collected here strongly suggest that even the *legitimacy* of coercion flows not simply from the state, but also from the various clusters of private power and authority that have existed alongside it across the modern era.

Nonetheless, the main contrast running through the book is between security regimes and cultures in Europe and the United States. In the latter – the product of an anti-imperial revolt undertaken by dispersed colonial elites – the assembled states imposed constitutional constraints on the central government and divided political power between federal, state, county and city governance, providing greater space for private security arrangements to fill gaps in state capacity. As Stephen Robertson points out, support for private provision in the United States resulted not just from constitutional constraint on executive power, but also on the late development of the technical and administrative infrastructure required for an efficient system of national policing. By contrast, as Jacqueline Ross argues, the instability created by

revolutions, (civil) wars and hostile neighbour states seems to have resulted in much greater centralisation of undercover intelligence work as a ‘high policing’ function in European security regimes. Individual case studies further underline the importance of distinct governance models, cultural environments and ideological contexts in shaping private security practices. David Churchill’s study links insistence on personal responsibility for burglary prevention by the English police to the widely-shared mid-Victorian ethic of self-government. By contrast, in the quite different context of elite vigilantism, Chad Pearson exposed two regional cultures of rugged, masculine self-reliance that, in the context of stark disparities of power and wealth, allowed elite acts of violence to go unpunished.

Turning to later developments, our studies again found divergent trends. Rhodri Jeffreys-Jones found greater state involvement in security and control of communications during World War I in both the United Kingdom and the United States, but with privatization quick to follow in both societies. Dolores Janiewski and Simon Judkins detail the contemporaneous emergence of a public-private security network in California which, like Althenhöner’s examples from Germany, began in the post-war ‘Red Scare’ which served to justify both police and private surveillance. Armed with a state law criminalising radical advocacy, the network expanded in the 1930s to battle unions and the resurgent Communist Party, and later attacked the New Deal welfare state. Yet Pieter Leloup’s and Adam White’s analyses of official approaches to the private security industry in Belgium and the United Kingdom respectively provide a counterpoint to these studies. White shows that British civil servants and police chiefs sought to shut out the burgeoning contract guarding firms of post-war Britain – fearing they would debase the sovereign currency of the public police – while developing closer working relations with other sectors of the security industry (specifically the alarms sector). Leloup argues that concerns about abuse of powers by private security firms – and more diffuse anxieties about their apparently rapid growth – ultimately lead to tighter statutory regulation. In these cases, states sought to retain (or, perhaps, retrieve) supremacy over ‘core’ policing and surveillance functions. Such examples should encourage scholars (in White’s words) to produce a more ‘nuanced historical periodisation’ of the interaction between public and private security, attentive to continuities and transformations, and subjecting to empirical scrutiny the extent to which modern states seek to monopolise security provision or instead tolerate plurality.

A common concern for several chapters is instances where individuals assumed for themselves protective responsibilities usually attributed to the state. David Cox and Yasmin Devi-McGleish, Francis Dodsworth, Wilbur Miller and Churchill all investigate different approaches to self-protection. Yet their studies reveal distinct relations between self-government and state provision in security. Cox and Devi-McGleish examined an alternative restorative process, outside the official retributive justice system, which prioritised victims' needs for reputational protection over the priority of the authorities to punish offenders appropriately. This differs from Churchill's study, in which the police required victims (and would-be victims) to take responsibility for security of their property, rather than seeking to monopolise the task of protection, and were sometimes frustrated by the manner in which individuals acted fulfilled their responsibility. The emphasis shifted again in Dodsworth's and Miller's contributions, both of which show that self-protection can serve as a form of empowerment, though in quite different respects. In Dodsworth's case, acquisition of emotional competencies for (unarmed) self-protection forms part of a later twentieth-century 'securitisation' trend and a shift toward prevention and harm reduction in security discourse. This is set in the context of a broader 'de-civilising process' – simultaneously a move away from a state-based guarantee of safety and a heightened sense of the likelihood of unpredictable violence. In Miller's case, the proliferation of firearms, together with supportive frameworks of law and policing, have effectively vested sovereign penal power in the hands of private persons. Here he supports Jennifer Carlson's argument that cultures of armed personal protection in contemporary societies foreground a 'sovereign subject' who, vested with lethal weapons, takes on functions of the classic sovereign state.³

The contributions discussed above highlight the contingency of the relation between public and private security echoing a longstanding theme in security scholarship on the distinct purposes or rationalities of private security which seek to minimise loss and harm rather than punish. These case studies reveal the diverse motivations and rationalities of individuals as security actors, and the variety of techniques (from extracting public apologies to carrying firearms) which can underpin self-protection. They also reveal how (to adopt Clifford Shearing's term) 'private governments' can operate as contentious alternatives to formal authority, or alternatively as more or less autonomous delegates of sovereign power.⁴

Other contributors emphasise how private security has influenced the techniques and practices of state agencies. According to Stephen Robertson, American public authorities not only accepted the Pinkerton National Detective Agency's methods but incorporated its bureaucratic, managerial and investigative techniques, once the federal government expanded its own intelligence operations. Preceding the establishment of the Secret Service or the Federal Bureau of Investigation (FBI), the Pinkertons operated as a de facto national police force, filling the gap in policing services at the state and federal level. Pinkerton management instructed their agents in the recording of intelligence and the transmission of information through carefully crafted reports to clients. Enhanced by the transfer of personnel from the Pinkerton agency and other detective agencies to the FBI and police departments, private security firms established the investigative, surveillance, intelligence and record-keeping methods later adopted by public security agencies in the United States. Similarly, a common policing and surveillance culture facilitated the public-private security partnerships analysed by Janiewski and Judkins and Jeffreys-Jones, that produced a broadly shared ideological agenda fashioned in battles against unions and radicals in the late nineteenth-century United States.⁵

Following on from discussions of differing ideological environments within which private security established its role, the studies collected here illuminate the legitimisation of private security and the interests that non-state actors protected. Legitimation presents a puzzle for contemporary private security scholarship, given the major focus in the sociology of (public) policing on the importance of law and public protection in legitimating the police.⁶ Lacking this rationale, private security actors needed to establish their credentials in public discourse, through what contemporary scholars have described as 'legitimation work', to sustain their claim to operate in the security field.⁷

Several contributions have highlighted efforts to gain public and political acceptance for private security initiative. In Churchill's case study arguments put forward by both the police and security firms ascribed responsibility for crime prevention to the individual. Pearson's analysis shows how Owen Wister's writings justified vigilante violence as a form of popular justice in western and southern regional contexts. Deploying populist rhetoric to conceal the elite interests being protected, Wister contributed to the construction of a masculine American

archetype of the heroic gunfighter. The proliferation of such imagery in popular culture at least partially explains why Miller found western and southern states in the forefront of gun rights legislation. This too complements the analysis of Janiewski and Judkins, who found an alignment of interests between vigilantes, major economic interests, conservative politicians and California law-enforcement to combat unions that operated both within and outside state and local government institutions.

The reaction to the Russian Revolution and post-World War I revolutions produced an effective legitimisation strategy for private security networks which played upon existing suspicions of the centralised state and the spectre of Soviet-style totalitarianism. As discussed by Althenöner, Janiewski and Judkins, anti-Communism fostered an ideological environment in which anti-left forces could portray themselves as defenders of public order and national security against subversion. Jeffreys-Jones also shows how communication companies deflected public attention from the potential for intrusive private surveillance by touting their ability to protect client privacy. Despite such claims, he notes the zeal with which British and American corporations used industrial espionage against workers and unions. As examples of political or 'high' policing designed to hide the potential for abuses by private security interests or convince the public of the need for their services, these studies remind security analysts of the importance of private interests in the shaping of the ideological environment in which their methods and actions gain public acceptance.

Finally, in keeping with the critical disposition of much contemporary private security scholarship, these studies highlight the dangers of concentrating private power in security and the social ills to which it can give rise. Concerns about the reach of the state into 'private' life can aid the formation of private organisations and corporations whose reach far exceeds that of the individual. In his contribution, Jeffreys-Jones deplores the way that Cold War propaganda enabled George Orwell's image of 'Big Brother' to conceal corporate surveillance. More broadly, for scholars concerned about abuses of power, violations of civil liberties and invasions of privacy, several contributions challenge assumptions that the police, surveillance or security state constitute the principal threat. In an era when 'surveillance capitalism' has attracted critical scrutiny, it is useful to bring attention to previous examples of the potential for harm and even lethal violence at the hands of private actors claiming to dispense popular justice, enforce the law, preserve order or protect privacy, property, dominant ideologies or even the nation itself. Rather than constituting a 'new frontier of power' as Shosona Zuboff has

claimed, our contributors have delineated much earlier frontiers where corporations, employer associations, paramilitary groups, detective agencies or vigilantes have subjected their targets to intrusive surveillance and control.⁸

Bringing together leading scholars in historical research on private security, this volume has provided new insights into the development of private security in different political, legal, social and cultural contexts. It has discussed detective agencies and security companies but also wider forms of private security, including armed and unarmed self-defence, vigilantism, employers' associations and security technologies. It has offered new insights into the complicated interactions between the modern state and autonomous security actors. While each chapter focuses on specific developments within five national or comparative contexts, collectively the authors document broader trends in the emergence of private security agencies and their varied forms of co-existence or conflict with state-based security, intelligence, and policing organisations. Without pretending to comprehensive coverage, the book has challenged faulty assumptions about an imagined past of state-centric security and policing, before the contemporary era in which plural policing and privatisation has attracted so much scholarly attention. It has also underscored the potential for abusive practices, violations of civil liberties, unequal justice, and violence that can follow from the accretion of power to private groups and individuals cut free from tangible obligations to wider publics.

There remains, of course, much more research to be done. Notable gaps in geographical and temporal coverage and specific forms of private security provision await dedicated study. There is also a need to find new sources of documentation on private security operations, and to make more systematic use of existing sources, to explore their activities and their relationships with public entities in greater detail. Even so, the volume has traced the mutual constitution of private and public security networks, many paths and multiple pathways that security regimes and modern states have taken to arrive at the present.⁹ Putting together multiple historical trajectories gives scholars much needed historical grounding, which highlights the dangers of thinking about policing, security and surveillance in binary terms. When we consider the interaction between private security and the modern state, we must recognise the complex mix of monopoly and plurality, historical transformations and continuities, privatisation and state expansion which mark its history.

¹ For an insightful overview of the responsibilities and the challenges facing the modern state, see Roland Axtmann, 'The State of the State: The Model of the Modern State and Its Contemporary Transformation', *International Political Science Review/ Revue internationale de science politique*, 25(3), 2004, 259-79.

² Max Weber, 'Politics as a Vocation' in *From Max Weber: Essays in Sociology*, ed. H.H. Gerth and C. Wright Mills (London: Routledge & Kegan Paul, 1948), 77-8.

³ Jennifer D. Carlson, 'States, Subjects and Sovereign Power: Lessons from Global Gun Cultures', *Theoretical Criminology*, 18(3), 2014, 335-53.

⁴ Cf. Clifford Shearing, 'Reflections on the Refusal to Acknowledge Private Governments' in *Democracy, Society and the Governance of Security*, ed. Jennifer Wood and Benoît Dupont (Cambridge: Cambridge University Press, 2006), 11-32.

⁵ For the shared ideological agenda and its origins, see Frank Donner, *Protectors of Privilege: Red Squads and Police Repression in Urban America* (Berkeley: University of California Press, 1990), 7-64.

⁶ See for example Peter K. Manning, *Police Work: The Social Organisation of Policing*, second edition (Prospect Heights: Waveland Press, 1997); Diarmaid Harkin, 'Police Legitimacy, Ideology and Qualitative Methods: A Critique of Procedural Justice Theory', *Criminology & Criminal Justice*, 15(5), 2015, 594-612.

⁷ See Francis Dodsworth, *The Security Society: History, Patriarchy, Protection* (London: Palgrave Macmillan, 2019); Angélica Thumala, Benjamin Goold and Ian Loader, 'A Tainted Trade? Moral Ambivalence and Legitimation Work in the Private Security Industry', *The British Journal of Sociology*, 62(2), 2011, 283-303. See also Adam White, *The Politics of Private Security: Regulation, Reform and Re-Legitimation* (Basingstoke: Palgrave Macmillan, 2010).

⁸ Shoshana Zuboff, *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power* (London: Profile Books, 2019).

⁹ David Churchill, 'History, Periodization and the Character of Contemporary Crime Control' *Criminology & Criminal Justice*, 19(4), 2019, 485. See also White, *Politics of Private Security*; Marc Schuilenburg, *The Securitization of Society: Crime, Risk, and Social Order*, trans. George Hall (New York and London: New York University Press, 2015).