

Growing tensions in Dutch public domain 1985-2005

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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 try 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. This phenomenon can be explained in two ways. First, it has to do with the expansion of a typically modern 'assertive' style among the population. Dutch citizens are no longer willing to accept the authority of the police. Second, police officers have become less tolerant of all kinds of offences. As a result, the famous 'tolerance' in Dutch society is diminishing rapidly.

Keywords

Policing, conflict, civilians, modern lifestyle, Netherlands

In recent years, many complaints have been voiced about the deterioration of the public domain in the Netherlands (SCP 2002: 655-678). Two tendencies could play a role in this regard. On the one hand, civilians are increasingly standing up for their own interests or desires without sufficient consideration of others. On the other hand, standards and expectations have been raised, with the result that people are becoming more quickly bothered by the behaviours of their fellow civilians. The combination of these two tendencies in the public domain has led to increasing conflict. The many claims that public life is becoming harsher are therefore not surprising. They could be related to the emergence of a more assertive lifestyle in recent decades.

Such conflicts, however, are not limited to mutual relations among civilians; they also arise in relations between civilians and the police. Civilians are more frequently experiencing the actions of the police as harsh, inappropriate or humiliating, and they are reacting to these perceptions with harsh words or by filing complaints. At the same time, the police perceive that civilians have become more resistant to being approached about their behaviour.

These differences in perspective regarding standards can increase the distance between the actions of the police and those of civilians. 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 as follows: 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?

1. Sources and methodology

To answer these questions, we delved into the archives of the National Ombudsman of the Netherlands.¹ 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. For this paper, we performed a thorough investigation of fifty-seven of these reports. Because we were primarily interested in how relations had developed during a twenty-five-year period, we focus on six years, examining ten cases each for the years 1982, 1987, 1992, 1997, 2002 and 2007. The dossiers that were examined are listed in the Annex.

The cases that we investigated were chosen through a process of careful selection. First, we considered their geographic distribution throughout the Netherlands. We hoped to avoid addressing only conflicts from the Randstad (or other specific regions). 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 archival materials of the National Ombudsman obviously have a number of limitations. We are aware that the reports that we investigate do not form a representative sample. The material that we searched provides insight only into cases in which citizens decided to file formal complaints. It is possible that all of these cases involve one particular type of citizen. It is also possible that certain police officers are more likely than others are to give rise to such complaints. We therefore make no claim that our findings can be generalised to society as a whole.

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, as the complaints submitted to the Ombudsman are likely to form only the tip of an iceberg. In that case, increasing conflict between the political realm and the citizenry would indeed be consistent with advancing harshness in the context of public life. 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.

Although our findings are derived from an analysis of fifty-seven reports, we begin with a brief sketch of a few cases that took place between 1982 and 2007 (Section 2). We subsequently discuss several theoretical considerations regarding aggression in public space (Section 3). We then use this theoretical framework to delve more deeply into the investigated reports, attempting to ascertain whether any change has actually occurred (Section 4). Finally, we discuss various possibilities for decelerating or halting the process of deterioration (Section 5).

2. Changes in behaviour

In this section, we address six cases that were examined by the National Ombudsman in the past twenty-five years. Our objective is to gain insight into any possible changes and to determine which trends can be traced.

Running a red light

The first case took place in 1982, when an older couple ran a red light. The police observed this and decided to pull the car over. The officer calmly explained why he stopped the couple: ‘You ran a red light’. The husband stepped out of the car. In a normal tone of voice, he stated his disagreement with the officer: ‘If we did, it must have just turned red’.

The wife then interrupted and, according to the officer, the atmosphere became less pleasant. ‘*In summary, I would like to state that the police-public confrontation acquired an unpleasant character because of the wife’s involvement (...) in the brief, professional conversation that I was having with her husband*’ (Statement, EL 82.00004 014). In an irritated tone, the wife stated that she did not think that it had been appropriate to pull them over. She felt that the police had treated them inappropriately. She maintained that the light had been amber, not red, and she made several attempts to avoid receiving a citation.

The officer found the wife’s behaviour unpleasant, but certainly not threatening. He did not feel it wise to discuss the matter. Remaining calm would prevent any further escalation. Another officer, checking to see what was taking so long, laughingly stated that there would be no way for them to avoid the citation. The officers concluded the interaction by describing the further procedure. Acting in a reserved manner, they explained why they were issuing the citation. Although this may have made the situation unpleasant, it did not cause it to get out of hand.²

With regard to the complaint that was filed – unfair treatment by the Amsterdam city police – the Ombudsman ruled that the case involved an unpleasant intergenerational situation. Police officers are charged with maintaining the public order, and this includes driving behaviour. The age of the parties involved is irrelevant in this regard.

A ruined garden

The second case took place in 1987. A tenant had been living in a neglected house in The Hague for some time. The property owner announced that he would like to start renovating the house in order to restore it to good condition. In order to begin, he would have to enter the garden. This was discussed with the tenant, who agreed – as long as the plants were not trampled to death. That had happened once before, and the tenant did not wish to experience it again.

During the day, when the tenant went to check on the progress of the renovation, she noticed damage in the garden. An argument ensued between the tenant and the property owner. The property owner asserted that he had the right to repair his own house. He asked the tenant to calm down and threatened to void the lease. The tenant felt threatened by the situation. She therefore decided to notify the police about the destruction and the threat.

Arriving at the scene, the police saw that the damage had sparked a situation. ‘*At the scene, we encountered the resident in a state of complete hysteria. The man had cut*

down several plants and ivy against the ladies' explicit wishes' (Report 1987/0073). The police officer immediately sensed an aggressive atmosphere between the tenant and the property owner. After first hearing the woman's story, the officers spoke with the owner. He was quite upset, and he made sure the officers were well aware of this fact. The police wanted to continue the discussion at the police station, but the property owner stated that he would not cooperate willingly.

The situation was tense. The police felt that harsh tactics could lead to escalation. For this reason, they continued talking with the property owner in the hopes of convincing him to accompany them to the station. They eventually succeeded in calming the man down and taking him with them. Although he was calm, the officers decided to handcuff the property owner as a safety precaution. The property owner perceived the application of handcuffs as aggressive and invasive, but he did not resist.

After arriving at the police station, the property owner had to wait two hours before being interrogated. He was then allowed to leave. A reserved attitude on the part of the police was evident in this situation as well. They attempted to make contact with the property owner through conversation. The citizen (in this case, the property owner) behaved more assertively, but his assertiveness did not change into aggression.

The National Ombudsman acknowledged that there were indeed sufficient grounds for arresting the man. Nonetheless, it would have been better to try to gain a general overview of the situation and find a solution on the scene. The situation did not call for the use of handcuffs in the arrest. There was no direct danger to either the officers or the property owner. The Ombudsman therefore ruled that the complaint of unfair treatment by the police was founded.

Night fight

In 1992, a number of brothers got into a scuffle at a campground. In the process, they began beating against the door of the canteen, which had already closed. Several guests came by and asked what was going on. Their meddling angered one of the brothers, who began threatening the guests. *'At that point, people came out of their cabins and asked what was going on, and my brother ... became angry, because he was quite drunk'* (Report 1992/545).

Attempts to calm him down failed, and one brother was seriously wounded after receiving a blow to the head. Because of the threatening situation, several guests immediately called the police, who arrived before the brothers left for the hospital to have the wound treated. Because the situation was already under control, the police did not arrest anyone. An excessive display of force could have quickly caused the situation to explode. The officers allowed the brothers to go to the hospital to have the wound treated.

Once at the hospital, the man refused treatment. He became aggressive and began threatening the hospital personnel. After leaving the hospital, the police were called and the man filed charges. Although the police thought that only the fight at the campground was involved, this was not the case. Several officers proceeded to arrest the three brothers. Two of the brothers stepped out of the car voluntarily, and they were calmly escorted to the police car. The injured brother, however, paid no attention and remained seated behind the steering wheel. To keep the situation from getting out of control, the police addressed the driver calmly and tried to convince him to accompany them to the station voluntarily. The driver and his brothers perceived the behaviour of the police as aggressive. The following is recorded in the statement: *the injured party 'remained seated in the car and did not want to get out. When he opened the door*

anyway, he was beaten and kicked by eight police officers, one of whom slammed his face against the pavement' (Report 1992/545).

The police, however, gave a different account of what happened. According to the police, their calm approach had initially kept the situation under control. After they had talked to the man for a time, he got out of the car. At first, everything appeared calm, but the situation exploded suddenly. All at once, the man began flailing around wildly. The police thought that he was under the influence of alcohol and decided to let him rage until it was out of his system. Although they remained calm and did not panic, the man was flailing so wildly, that he struck two officers. This changed the situation, and the officers decided to intervene physically. They hit him with a closed fist, grabbed him firmly and tried to wrestle him to the ground. No nightsticks or other weapons were used in the process. As soon as the man was on the ground, he was handcuffed and taken to the police car.

Upon arrival at the station, the man was placed in a cell. He remained verbally aggressive, but he was released later in the day. The police were quite upset by the incident and thought it strange that a complaint had been lodged against them. They reacted by filing a counter complaint involving slander and defamation. We can see that the approach adopted by the police turned out differently than they had expected. It drew criticism from bystanders, who thought that the officers had been too soft and that they had allowed the situation to get out of hand too easily. At the same time, we can see that the assertive behaviour of the citizen involved easily transformed into aggression.³

The National Ombudsman was of the opinion that the men had been halted appropriately. Because the man was under the influence of alcohol, and because he had been accused of threats and abuse twice earlier that evening, it was quite understandable that the police would use force during the arrest. The brothers' account of the force that had been applied does not correspond to the injuries that the man had sustained. If the officers had applied more force, the man would have had more injuries than the head wound that he incurred at the campground. On these grounds, the Ombudsman ruled that the complaint – inappropriate arrest and use of excessive force – was unfounded.

A valid train ticket

The fourth case took place in 1997. After a night on the town, a man came to Rotterdam Central Station, where he was approached by a panhandler. The conversation lasted for several seconds and took place in a zone in which loitering was prohibited. This was witnessed by two officers, who decided to investigate the situation. Using a normal tone of voice, the officers asked the man whether he had a train to catch. The man replied that he did not wish to answer. He was bothered by the question unpleasant and interpreted it as a personal attack.

The police officers attempted to explain to the man calmly why they had approached him: he was not allowed to hang around in the station hall, because it was against the rules. They told him that he must either go to the platform or leave the station. One of the officers subsequently asked the man whether he had a valid train ticket. The man was bothered by this question as well, and he asserted that the officers were not authorised to ask him to show his ticket. The officers, in turn, found this response inappropriate and began to become irritated. They reacted by using a forceful tone to inform the man that he had a choice: either leave the station or receive a citation. Their actual words were as follows: 'Get lost or you'll get a citation' (Report 1997/424).

Because the man had a train to catch, he was unwilling to leave the station. He saw accepting a citation as his only option. The officers informed the man that he was

under arrest and that he would have to accompany them to the police station. The man went calmly and voluntarily, so no handcuffs or other means of force were necessary. Once at the police station, the man was pushed into an isolation room. He had to wait there until he was interrogated and the citation was issued. The man perceived the shove as both unpleasant and threatening. He had never expected anything like that. As it turned out, the officers had received an emergency call and therefore wanted to get the man into the isolation room quickly. The man had been sitting there for some time when an officer came to explain the situation and how it would be handled further. In an aggressive tone, the man let it be known that he was no longer willing to cooperate.

After an officer had spent ten minutes explaining to the man why he would have to wait, he became even more aggressive. The man wanted to leave the room, and he took a step forward. Because he would not return to the cell, and because the atmosphere was becoming increasingly aggressive, a second officer came to offer assistance. The situation appeared to escalate as the man was shoved into a cell with some degree of physical force. A hectic situation ensued, and the man became increasingly aggressive physically. Feeling attacked, the officers pushed him against the wall. In the process, he lost his balance and fell. Once on the ground, the man locked his legs around one of the officers to keep him from leaving the room. In the meantime, a third officer warned the man to behave. Because the situation was threatening to get out of hand, extra reinforcements were called in. Two more officers came to assist.

As soon as it became obvious that the warnings were having no effect, handcuffs were applied in an attempt to keep the situation under control. The man nonetheless still refused to cooperate. He resisted by kicking at the officers. Several officers sat on top of the man. After the handcuffs had been applied, they were finally able to get the situation under control and close off the area. As it turned out, the man considered the actions of the officers so aggressive that he felt he had no other choice than to respond with physical violence. After several minutes, it was decided to check on the man once more. He appeared to have cooled off and promised to remain calm. The procedure was explained to him. As soon as the man was completely calm, the citation was drawn up and the man was allowed to leave.

The National Ombudsman ruled that the police did have the authority to order the man to leave the train station. In refusing to do so, the man had violated the law, whereby he was subject to arrest. He had been detained and was not allowed to leave the police station at will. When the man attempted to leave the area, first with verbal violence and later with physical violence, the police had taken appropriate physical measures. In this instance, handcuffs had been necessary. The complaint – improper arrest with force and detention in a cell – was deemed unfounded.

Angry bystanders

In Tilburg, local supervisors are authorised to confiscate improperly placed bicycles and take them to a depot. According to an established procedure, an owner can reclaim a confiscated bicycle from the depot upon paying a fee. In 2002, after having spent a day in the city, a Tilburg resident returned to the place where he had left his bicycle. Much to his surprise, several supervisors were in the process of loading his bicycle onto a cart. The man asked them to return his bicycle. They responded that he was too late. He asked a second time for them to return the bicycle, but this time in more aggressive terms: ‘Give the bike back or I’ll pull it off the cart myself!’ (Report 2002/250).

The supervisors repeated that it was too late. The man became upset and used increasingly aggressive language. The supervisors were afraid that his verbal aggression would turn into physical aggression. They considered the situation threatening and

decided to alert the police. The man was glad to know that the police were coming. That would at least give him the chance to tell his side of the story and explain what was going on.

Upon their arrival at the scene, the officers went directly to the supervisors to ask about the nature of the problem. A brief conversation took place between the supervisors and the two officers. In the meantime, the man carried on an excited and angry telephone conversation, saying that his bicycle was being confiscated. On the grounds of their conversation with the supervisors, the officers determined that the situation was indeed threatening. In an authoritative tone, they asked the man to accompany them to the police station. The man was greatly astonished, as were the bystanders. In aggressive terms, the man asked why they had not asked to hear his side of the story. According to all indications, the actions of the officers were only making him angrier.

In the meantime, a relatively large crowd formed around the scene. They appeared to have a clear interpretation of the situation, which exacerbated the situation at the scene. To prevent further escalation, the officers decided to handcuff the man. The man once again attempted to convince the officers that he had remained calm the entire time – this time supported by the bystanders. He denied the presence of any threatening situation, and he maintained that he had not been aggressive at all. The officers did not respond, however, and they led him away. As it turned out, the officers had asked the man in passing about his view of the situation. In the excitement and tumult – which had been exacerbated by the pressing crowd – the man had not heard them.

According to bystanders, the man never became physically aggressive. It was clear that he had reacted with verbal aggression upon seeing that his bicycle was being loaded onto the cart. The man wondered why the police had not tried to mediate. The National Ombudsman assumed that the supervisor had wanted to report a serious violation: making threats. The man had been caught in the act, as the police encountered an angry and upset man, and physical aggression appeared a serious possibility. The officers were authorised to arrest the man and take him to the police station. The complaint – improper arrest and the use of handcuffs – was deemed unfounded.

Go ahead and shoot me!

The last case took place in 2007. A man had been arrested by the Haaglanden regional police during a routine traffic control. After the man had been stopped, he was asked to show his driving licence. The man replied that he did not have his licence with him. The officer informed him that he was in violation and that he would receive a citation. The officer asked the driver for his identity card and immediately began to write the citation. While the officer was writing the citation, he asked the man to step out of the vehicle. The process took a bad turn, as the situation exploded immediately when the driver got out of the car. In an aggressive tone and with arms flying, the driver let it be known that he would not accept the way things were being handled. He shouted: *'Is this the way the government has to earn its money, by ripping people off? Do you want my clothes too? Here! Take my sweater and jacket, or would you rather just go ahead and shoot me?'* (Report 2007/013).

The officer refused to tolerate this behaviour and called for reinforcement. He asked the man once again for his identity card. Without responding, the man turned around and started walking towards his car. The man perceived the developments as quite strange, and he felt attacked by the authoritarian behaviour of the police. For their part, the police thought that the man was refusing to cooperate and was trying to drive

away. When the man started to walk towards his car, the officers decided to arrest him, thereby hoping to prevent further escalation. Things did not turn out as they had hoped. The verbally aggressive man then began to resist his arrest physically. He later explained that he had been walking to the car to get his identity card. He was shocked when, as he was looking for his papers, he was pushed to the ground and handcuffed by three officers. The only way to prevent this from happening was to react physically to the actions of the officers.

The man evidently objected to his arrest, and he felt attacked. He also let this be known clearly, which eventually resulted in a wrestling match between the two officers and himself. The officers attempted to get the man on the ground so that they could handcuff him. In this way, they hoped to get the situation under control and to take the man to the police station. Because of the man's heavy resistance, this proved quite difficult. In order to get the situation under control nonetheless, reinforcement was once again requested. Throughout the process, the man continued to try to free himself from the officers by kicking and striking them. After a time, the officers were able to get the man on the ground and apply the handcuffs. The man was then taken to the police wagon for transport to the police station.

At this, the man once again voiced his objections to the officers. Even on the way to the police station, he continued to kick heavily. He also expressed himself in a verbal tirade. Among other outbursts, he shouted, 'I want to die. Just shoot me!' Once at the police station, the man was placed in a holding cell. At that time, he appeared confused and angry. After a while, a decision was made to release him after issuing a citation for not being able to produce his driving licence, partially because the man had regained his composure.

The National Ombudsman pointed out that the man was a suspect because he had violated the law. He had been driving without a licence. In addition, the situation had immediately gotten out of hand, and an aggressive atmosphere had emerged. This was exacerbated by the appearance that the man intended to drive away. The officers thus decided to arrest the man and prevent further escalation. The force that was applied, including the handcuffs, had been appropriate, as the man had physically demonstrated his unwillingness to cooperate. The handcuffs had been necessary to protect the safety of the bystanders, the police and the man himself. The greatest portion of the complaint – that the cause for arrest had not been stated, the use of excessive violence and disrespectful treatment – was unfounded. Another portion of the complaint – the absence of a fair hearing – was deemed founded.

3. Theoretical background

The cases that are discussed in this paper show that the behaviour of citizens and the police has changed over the years, particularly with regard to an increased chance of escalation. We see how situations that went no further than unpleasant remarks in 1982 explode almost immediately in 2007. In contacts between police and citizens, a single word can lead to aggression. It is logical that the chances of such an escalation are higher when the contacts are involuntary, as in arrests and citations (Timmer 1999; Stokkom 2005: 21-23, 47-48). Two factors play a role: officers have become more likely to take harsher action, and civilians have become more likely to display aggression.

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. This was clearly the case in the incident from 2007. 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. This appears to have been the usual case in 1982. This point has been emphasised by a number of scholars, including Mastrofski, who proposes that officers who take a polite stance can expect more cooperation from civilians and run less chance of escalation (Mastrofski 2002). Reacting harshly and quickly without leaving room for discussion can generate considerable resistance, and it increases the chance of escalation (Stokkom 2005: 147-150). In the Netherlands, the police originally chose a cooperative approach, shifting to a more dominant attitude over time.

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. They no longer tacitly accept being approached about their behaviour, even when they are approached by the police. In most cases, civilians have enough self-restraint to show that they do not appreciate the actions of the police by making remarks. Beginning in the 1990s, however, we can observe a decline in this self-restraint, with the result that the public is increasingly tending from assertiveness to verbal and physical aggression. 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. The child now plays a central role in family life and is consciously involved in the decisions about family affairs. Space has developed for debate and negotiation. This indisputably reinforces a sense of self-esteem. 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. They are quicker to get involved in matters of administration and politics. 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, also has another side. Increases in the sense of self-esteem are accompanied by a growing chance of conflict. It is common knowledge that people with a great sense of self-worth are prone to being hurt. Particularly in such densely populated countries as the Netherlands, this means that civilians must regularly make way for others. It is not always possible to do or say everything that one may wish. Social norms call for treating others with respect and acting appropriately with regard to fellow civilians. 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).

One result of these circumstances is that civilians are becoming more sensitive to people and behaviours that do not conform to social expectations. A harsher attitude awaits those who show insufficient respect or otherwise deviate from the norm (Schuyt 1995). 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).

These developments are evident, and not only in mutual relations among civilians. Its consequences are just as serious for interactions between civilians and police officers. Because of their assertive attitudes, civilians have become quicker to notice their objections. In reaction, the police feel it necessary to take action sooner (Stokkom 2005: 147-150). This leads to a situation in which police and civilians are placing behavioural demands on each other. On the one hand, civilians expect the police to take a cooperative stance. If they do not, the police cannot expect much respect from them. On the other hand, the police expect civilians to abide by the law. Violations are being punished immediately and more harshly.

4. Changes over time

Both civilian and police behaviours have undergone changes. All of the reports that we examined show traces of these changes. Through the years, the behaviours of these parties have grown farther and farther apart. In the 1980s, the police often adopted a reserved stance and attempted to talk with civilians. In addition to issuing citations, they also explained the reasons for the citation, as well as what the further procedure would be. Officers remained calm and were open to comments from civilians. The attentive and reserved behaviour on the part of the police apparently counteracted escalation. Civilians had to go to some lengths before the police would apply verbal or physical force. At that time, Dutch citizens were reasonably assertive, but they possessed enough self-restraint to ensure that their assertiveness did not transform into aggression (Brink 2001: 125-128). Furthermore, the average citizen respected the police, and this respect contributed to a situation in which people restrained themselves and kept their irritation under control.

The reserved attitude of the police continued to exist for some time. People realised that harsh conduct can easily cause a situation to escalate. The public, however, began to accuse officers of being too soft and acting too late. While the behaviour of the police had changed little, the situation among civilians became quite different. Irritation began to rise more quickly. A single question from the police became enough to spark a serious situation between the police and civilians. While officers initially adopted a reserved stance and tried to talk with civilian, this approach generated an aggressive attitude on the part of many civilians. Civilians began to feel attacked more quickly, and they became less capable of restraining themselves. Assertiveness changed quickly into verbal aggression. Although the police frequently attempted to bring threatening situations under control through conversation, this attitude reinforced civilians' feelings that they were being attacked.

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.

In the years that followed, civilians became more aggressive and less tolerant of the police. 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 became 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. With regard to the first point, it is well known that governments have become much more active. For example, beginning in the mid-1980s, criminality has been gaining more attention, trouble-making young people are being watched more closely, civilians are being encouraged to file charges and active policies have been developed to address domestic violence (Wittebrood 2006: 146-153). 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. Recent times have witnessed a decrease in tolerance for deviant voices or behaviours, and it is unlikely that the police have been insensitive to this development. Nonetheless, we can derive no evidence of this from the reports of the National Ombudsman, which involve concrete interactions between civilians and police officers. They do not involve governmental policymaking or the priorities of top police officials. With regard to actual behaviour, the process of hardening is unmistakable.

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 farther apart in the past twenty-five years. Interaction is leading to explosive situations more frequently, and people are becoming more likely to resort to verbal or physical aggression. A situation has emerged in which parties do not understand each other and in which they are placing new demands on each other. 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.

This diagnosis assigns the 'guilt' for the deterioration in the public domain to two parties. On the one hand, it is caused by civilians, who are finding it increasingly difficult to restrain themselves. They feel compelled by the actions of the police to defend their self-esteem. On the other hand, it is caused by the police, who allow little room for civilian input and who react immediately to violations of legal norms. They are quicker to use force when civilians refuse to listen. A considerable discrepancy has thus emerged over the years regarding the expectations that civilians and the police have

of each other and regarding the behaviours that emerge from these discrepancies. This obviously raises the question of how this discrepancy can be reduced.

The answer to this question cannot be purely analytical. It demands a more normative perspective that recognises the asymmetrical relationship between civilians and the police. 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 the 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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Annex: Investigated reports

The reports listed below are located in the archives of the National Ombudsman of the Netherlands in The Hague. The cases that we examined are indicated with a year and a serial number (Column 1), followed by the number under which they are filed in the archives of the National Ombudsman.

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1982

Statement EL 82.00004 014
Statement YB 82.01348 020
Statement 81.0041 020
Statement EL 81.00439 025
Statement EL 81.00436 020
Statement YB 82.00267 051
Statement WJ 82.01307 013

1987

Report 1987/0073
Report 1987/0264
Report 1987/0404
Report 1987/0546
Report 1987/0577
Report 1987/0674
Report 1987/0734
Report 1987/0796
Report 1987/0871
Report 1987/0936

1992

Report 92/259

Report 92/360

Report 92/382

Report 92/517

Report 92/545

Report 92/668

Report 92/682

Report 92/724

Report 92/920

Report 92/965

1997

Report 1997/094

Report 1997/106

Report 1997/147

Report 1997/161

Report 1997/261

Report 1997/273

Report 1997/348

Report 1997/409

Report 1997/424

Report 1997/482

2002

Report 2002/012

Report 2002/042

Report 2002/048

Report 2002/089

Report 2002/243

Report 2002/244

Report 2002/250

Report 2002/378

Report 2002/392

Report 2002/411

2006/2007

Report 2006/068

Report 2006/109

Report 2006/125

Report 2006/165

Report 2006/207

Report 2006/316

Report 2006/367

Report 2007/004

Report 2007/013

Notes

- ¹ This contribution was originally written on the occasion of the 25th Anniversary of the Dutch National Ombudsman on 1 November 2007.
- ² This was more often the case in the 1980s.
- ³ This occurred more frequently in the 1990s.