

Сандул Артем Ігорович,
курсант 2-го курсу ННІ № 3
Національної академії внутрішніх справ
Науковий керівник: **Козубенко І. В.**
викладач кафедри правничої лінгвістики

FRENCH AND ITALIAN CITIES AND THE GOVERNANCE OF URBAN SAFETY

In two countries characterized by a centralized police system, France and Italy, a growing investment in security by the municipalities has been observed since the 1980s and 1990s, illustrating the institution of city-state partnerships in these matters (local security contracts in France, security contracts in Italy). An examination of the urban safety policies being developed by cities leads to various questions on the role of the state in providing everyday security. In fact, European states have historically been constituted through a process of establishing the state monopoly on the use of force, claiming responsibility for ensuring the safety of property and people within their territory. The entry of non-state actors into the security sector thus impels us to question the role of the state in what can hereafter be called safety governance—in other words, a mode of security production that brings together various kinds of actors that are no longer exclusively state-based.

Alongside the national police forces (Police Nationale and Gendarmerie Nationale in France, and the Carabinieri and Finance Guard in Italy) exist the municipal police, who are under the direct authority of mayors, and whose jurisdiction is less extensive than that of the national police. French and Italian mayors have at their command a municipal police force to enforce the bylaws of their territorial unit (or commune) but possess no hierarchical authority over the national police forces [2].

The person in charge of maintaining public order (i.e. security of the state and its institutions) at the local level is the Prefect. He or she is the representative of the state on the departmental territory, in France's case, and the provincial territory in Italy's. Within the communal territory, it is the mayor who represents the state and who, in this capacity, is the competent authority in matters of public order. As a representative of the state at the commune level, the mayor also plays a judicial role, whereby he or she must conduct investigations and repress crime. The mayor exercises these roles under the authority of the district attorney, the representative of the parquet (or Public Ministry).

In Italy, the municipal police are involved in all police operations. The framework act of 1986 accords judicial and auxiliary public safety functions to municipal police, and a law from 1992 gives them traffic jurisdiction. In their role as judicial police, the municipal police work under the direct authority of the Parquet and have the authority to lead investigations. As agents of auxiliary public safety, municipal police can, upon orders from the mayor, obtain authorization from the prefect to act as an agent of public safety, which entitles them to carry a

firearm without needing to obtain a license for it. A decree of March 4, 1987 from the Minister of the Interior sets out the rules surrounding the carrying of weapons by municipal police. In practice, only the municipal police of small communes do not carry weapons [1].

The municipalities' role in the governance of urban safety has grown with the process of the contractualization of prevention and safety policies that has been established over the last two decades. These contractual policies reflect the creation of “partnerships” between local associations or groups and the state, which join forces to prevent and fight crime. In France, these contractual policies have their roots in the “delinquency prevention” policy that issued from the eyrefitte Report of 1977 and the Bonnemaison Report of 1982, which bestowed upon the mayor the responsibility of oversight of partnership authorities: the Communal Councils on the Prevention of Crime. From 1992 onwards, the territorialization of safety policy led to new contractual instruments aimed at improving the inter-organizational functioning of state services and integrating them locally by bringing them closer to the population. These various forms of contracts, the latest of which is the local security contract (Contrat Local de Sécurité, CLS), favour a reinforcement of the repressive services to the detriment of socio-educational players.

Crime prevention and security territorialization policies coexisted during the 1990s until integration initiatives were introduced. In 2002, the French government launched a new security policy aimed at improving integration between “prevention” and “safety.” A July 17, 2002 decree instituted the Local Councils for Security and Prevention (Conseils locaux de Sécurité et de Prévention de la délinquance, or CLSPD), intended to manage the local security contracts (CLS) by replacing the Municipal Committees for Crime Prevention (CCPD), whereas a letter dated December 4, 2006, concerning the development of a new generation of local security contracts was aimed at improving integration of the existing instruments in order to give a “new impetus to the prevention of crime.”

In Italy, the history of contractualization does not reach as far back as France's and is characterized by a three-way relational system between municipalities, regions, and the state. The security contracts signed between mayor and prefect, first and foremost, have the goals of coordinating the municipal police and the national police forces and of improving intelligence received by the mayor. In May 2003, the Italian Ministry of the Interior counted 208 such contracts across the entire territory. According to our estimations, in 2003, more than 18 million Italians (less than one third of the population) resided in a zone covered by a security contract. In France, data from the Ministry of the Interior counted 867 CLSPDs created by September 1, 2005, 783 of which were already operational. For the record, the 1999 CLS report counted 290 signed CLSs and 439 others in the process of being drafted, which represented over 31 million citizens affected (51% of the population).

Furthermore, eleven regional safety laws exist, which have the common goal of establishing a partnership between the region and State services and to create a budget to fund projects for crime prevention and the safety of local territorial units (provinces and communes) and associations. The regions are also in the process of signing urban safety program agreements with the State. Currently numbering six, these agreements notably provide for: the development of scientific research on identified problems; project funding; reinforcement of joint training programs between state police, municipal police and carabinieri; and the improvement of coordination among the various bodies (state police, Carabinieri, the Finance Guard and municipal police).

During the 1980's and 1990's, French and Italian municipalities revived the jurisdiction over urban safety they had possessed since the 19th century. This "return" of the cities to a sphere monopolized by the state means innovation in organizational layout and policy content. On the one hand, municipalities create departments specifically in charge of urban safety. These new departments are most often structured along functional lines: at the heart of the department, one unit is in charge of relations with socioeducational stakeholders, while another works with the National Police. Thus, municipalities act as the key player articulating prevention and safety within their territory.

On the other hand, reinvesting in urban safety by the French and Italian municipalities consisted in enacting new measures. Urban Mediation Officers, highway video surveillance, anti-disturbance municipal bylaws (e.g. dealing with alcohol consumption on highways or aggressive begging) are the main policy innovations found in France and Italy. Therefore, the return of municipalities to urban safety proved to be a powerful instrument of change in policy content.

References:

1. Braghero, M. & Izzi, L., « Le legislazioni regionali », in Selmini, R. (ed.), *La sicurezza urbana*, Bologna. - 2004: Il Mulino, - Pp. 245-257.
2. Germain, S., *Les politiques locales de sécurité en France et en Italie. Une comparaison des Villes de Lyon, Grenoble, Bologne et Modène*, thèse de doctorat de science politique, Saint Martin d'Hères : Université Pierre Mendès-France Grenoble II, - 2008. - 2 vol., 651 et 499 p.
3. Malochet, V., *Les policiers municipaux. Les ambivalences d'une profession*, thèse de doctorat de sociologie, Bordeaux : Université Bordeaux II, - 2005.