Police and Society in Israel and America

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Abstract

Police in democratic societies are formally accountable to civilian authorities but there is a delicate dilemma concerning the proper degree of dependence or independence. If police are too dependent on civilian authority, we face the spectre of a police state. If civilian authorities are unable to control the police, the police can become a political force without accountability. This paper explores two sets of conditions affecting the degree of control of police: those characteristics of a society that determine the general control of police by civilian authorities and those variable factors that determine the degree of control with respect to particular groups on particular issues. Politicization, centralization, and continuity of political power are the general conditions explored; the reflection of societal cleavages within civilian authority, political sub-culture among the police, rank and file police organization, and normative commitment to due process among the police are the situational factors discussed. We examine the police in Israeli society and compare them with American police as a means of illustrating and elaborating the theoretical argument.

Police and Society in Israel and America

We began studying the Israeli police with a hope and expectation that we would uncover some interesting contrasts with American police. And indeed there are differences but the underlying similarities override these. There is a certain universality to standard police complaints, for example, whether the beat is the Carmel Market in Tel Aviv or Bedford-Stuyvesant. "Most citizens are indifferent or hostile and don't really understand a policeman's job;" "the police are called on to do society's dirty work and then get blamed for doing their job;" "getting called in on family fights is very unpleasant and a diversion from 'real' police work." The complaints are the same because the nature of the work and attendant social relationships are much the same.

But differences exist too and these are basically more enlightening even if smaller in quantity. The particular difference that interests us here concerns the structure of control over the police and how this affects the playing out of major social conflicts in a society.

Police in modern democratic societies have an unquestioned, legitimate right to use force against civilians provided it is done in specified, legal ways. Furthermore, they possess a monopoly on this right and this raises the ancient question of "Who Guards the Guards?" The problems, Albert Reiss suggests, center on "maintaining the political neutrality of the police, the use of legal means in police behavior toward citizens, and the assurance that the police will use universal criteria in their discretion to apply the law" (1971, Page 2).

In practice, of course, the police are not always politically neutral and universalistic in their discretion to apply the law. The differential treatment of challenging groups or individuals by the police may originate either with the police or with the civilian authorities to which police are accountable. In the first case, departures from neutrality derive from within the police--from internal sentiments and supporting structures. For example, a specific group may be regarded by police as dangerous to their welfare and to the social order more generally. In the second case, the police may have no particular attitude toward the people involved; rather, they are merely being utilized by civilian authorities to promote the latters' interest or their version of society's interest. Although we will not discuss it in this paper, there is a third potential cause of police partisanship; pressures exerted on police by forces outside the formal authority system, e.g., crowds, interest groups, and the like.

Police in democratic societies are everywhere formally accountable to civilian authorities. There is in this accountability a delicate dilemma concerning the proper degree of dependence or independence. If police are too dependent on civilian authority, we face the spectre of a police state. Civilian authorities in some countries are not above asking the police to commit burglaries in pursuit of information to be used against domestic political opponents, or to destroy damaging and embarrassing evidence of high crimes and misdemeanors. A docile and loyal police, acting on behalf of a corrupt and unscrupulous civilian authority, adds

up to no citizen protection at all and to the basic ingredients
of a police state.

But this is only one horn of the dilemma. When civilian
authorities are unable to control the police, the latter can be-
come a political force without accountability. Given the monopoly
of legitimate internal force which the police possess, this horn
offers an equally frightening prospect--unrestricted police tyranny,
a political Mafia beyond the reach of the law.

The problem, then, is to find some system of police account-
ability that avoids both horns--a sufficient independence to in-
sulate the police against partisan use, a sufficient dependence to
prevent the police from becoming a partisan force in their own
right. The problem has as much to do with the nature of the so-
ciety and the political structure in which the police operate as
it does with police organization and political beliefs.

Conditions for Partisan Involvement by the Police*

The success of an attempt by political authorities to em-
ploy the police for partisan purposes depends, ultimately, on the
degree to which the police are controlled by these authorities.
In specifying the social conditions under which such control is

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*We use the term "partisan" not in the narrow sense of
favoring a political party but in the broader sense of any inter-
vention to influence the outcome between contending parties in a
political or social conflict--in short, acts of influence rather
than of social control.

likely to be greater or smaller, it seems useful to distinguish two

classes of conditions:

    a. Those characteristics of society that determine the

general control of police by civilian authorities, and

    b. Those situational and variable factors that determine

the degree of control with respect to particular groups on particu-

lar issues. In other words, given some general level of control

over the police, we expect some variation from situational factors

to remain. We take up each class of conditions in turn.

1. <u>General Conditions of Control Over the Police by Civilian Authorities</u>

    1.1 <u>The greater the degree of politicization and centralization of
a society, the greater the control over police by civilian authorities.</u>

Modern, democratic societies differ considerably with respect

to the relative importance of the political sphere vis-a-vis other

institutional areas. Where the polity dominates other sub-systems

of society, such as the economy and culture, political principles

and roles pervade decisions and behavior of groups and organizations

throughout society. Under such conditions, the social structure

is more conducive to political penetration in the sense that political

considerations are assumed to be relevant and "natural" and are given

priority over other criteria of action.

The dominance of political institutions implies also that

individual members of society are "politically minded," using poli-

tical yardsticks as a basis for perception and evaluation of a wide

variety of situations. Thus, if the government takes an action that

is inconsistent with, say, economic efficiency, the public would judge

that action by its political significance rather than emphasizing its

economic consequences. In other words, politicization of society is likely to reduce the citizens' sensitivity to non-political consider- ations, thereby facilitating governmental penetration and regulation of the police as well as a host of other sub-systems.

If the political system is not only dominant but also highly centralized, the organizational basis for effective control by civi- lian authorities is further enhanced. That is, a centralized po- litical system is typically associated with organizational tools and mechanisms by which the authorities can maintain tight control over various governmental sub-systems, thus reducing their autonomy and possibility of independent action. A centralized political system is typically characterized by the tendency to centralize all of its organizational units. Such a system is likely to have, therefore, a centralized police system the heads of which are closely accountable to political authority. The combination of centraliza- tion and of politicization in society results in a system that is both structurally (centralization effect) and normatively (politi- cization effect) ripe for a high degree of dependence by the police on the political authorities.

1.2 <u>The greater the continuity of political power, the greater the control over police by civilian authorities.</u>

The likelihood of greater subordination by civilian authori- ties is also dependent on the frequency of turnover among the ruling parties. If the same party, or coalition of parties, remains in power over a relatively long period, it becomes easier for the government to maintain effective control over the police for the following reasons:

1.21) Under conditions of stable government, the organizational apparatus and mechanisms of control (e.g., personnel selection, lines of communication, coordination of role-definitions) tend to be more efficient;

1.22) When the same government is "here to stay," the police are likely to be less sensitive to potential criticism and protest from competing political groups. The police interest in collaboration with the authorities is greater under such circumstances, since the risk entailed in enraging other segments of the power structure is smaller;

1.23) The longer the same government remains in power, the more likely it is that its policies will become identified with the well-being of the system as a whole. That is, under such conditions, it becomes more difficult to differentiate between specific acts and policies furthering the interests of the ruling party and more general principles underlying the legitimacy of the political order.

The degree of politicization, centralization, and stability are likely to have independent effects on the extent to which the police are insulated from governmental control. Yet, it is reasonable to hypothesize an interactive effect such that the coexistence of a high degree of each of these factors results in a greater amount of civilian control over the police than their combined additive effects.

2. Variable Factors Determining Police Partisanship in Specific Situations

Given some general level of civilian control of the police, actual police partisanship in specific situations will vary depending on the following:

2.1 <u>The more that societal cleavages are reflected within the civilian authority over the police, the less the likelihood of partisan intervention by the police in social conflicts.</u>

When authorities become involved in confrontations with particularly persistent challengers, they frequently call upon the police (in a sense, "their" police) to act against the challenger. There are times when it is clearly in the long run interest of the police to delay intervention.

To make this point, we must introduce an additional concept—social cleavage. By social cleavage, we mean a <u>latent</u> division in the population, a fault line along which specific social conflicts tend to flow. A cleavage is different from a division on a particular public issue which may or may not activate one of the more enduring, latent divisions.

To the extent that major cleavages in the society are reflected among those with political authority over the police, it becomes difficult to use the police as an instrument to wage conflict. Any given conflict runs the danger of activating a major cleavage if it has not already done so. Once it does, the police will find that there is division among those with authority over them and a too rapid response to the desires of one group will quickly bring upon it the wrath of others. Intervention is, thus, fraught with risks for the police and these risks can be reduced by waiting—by insisting, for example, on written orders. The demand for a written request involves a clear rejection of police responsibility for intervention and its practical effect is frequently delay. The delay removes immediate pressure on the police and allows time for the activation of counter-forces among the authorities which may neutralize the original pressure for police action. The net

result is that authorities in such a situation are less likely to press for police intervention in the first place and that police are less likely to respond rapidly and eagerly given the potential costs from their standpoint.

2.2 <u>The greater the degree to which there is a distinctive political sub-culture within the police, the greater the likelihood of partisan intervention by the police in social conflicts.</u>

The sub-cultural distinctiveness of the police only interests us to the extent that it represents a distinct, normative view on social issues in the larger society. Police, like any other work group, have a series of norms concerning the handling of work situations, the protection of fellow officers, and the like. We need a narrower concept than this which we will call <u>political</u> sub-culture. A distinctive political subculture exists when there are normative pressures to hold particular views on issues on which there is a division of opinion in the larger society.

To speak of normative pressure is to imply something more than the fact that police opinion is distributed differently from that of a random sample of the population. Some police departments, in the United States have been described as "hotbeds of Bircher senti- ment," an observation that would not be contradicted by showing that only a minority actually belonged to the John Birch Society, or en- dorsed its views. The <u>atmosphere</u> is the social fact to which we refer rather than the distribution of private opinion. To take another example, Walsh (1969) has shown that in some police departments where only a minority voted for George Wallace in the 1968 Presidential Election, most officers perceived the Wallace supporters in their department as an overwhelming majority. They felt themselves surrounded

by Wallace enthusiasts, even though a majority of their colleagues
were actually voting for Humphrey or Nixon. The shared perception,
rather than the distribution of votes is evidence for the existence
of a political norm.

A distinctive political sub-culture provides collective
support for intervention against groups that are the subject of police
hostility. Public confrontations provide the police with an oppor-
tunity to punish such groups--to "teach them a lesson"--under cover
of performing legitimate police functions.

2.3 The greater the power of police peer organizations such
as unions, the greater the likelihood of partisan intervention by
the police in social conflicts. Police are everywhere, hierarchically organized but the degree
of effective control in these formal hierarchies varies considerably.
In some urban police departments in the United States, for example,
the head of the police force must face the likelihood of wide scale
subversion of any efforts that conflict strongly with peer group norms
among the rank and file. There may be serious risks for the command
level in disciplining or firing lower ranking officers for "insubor-
dination." More specifically, police unions and benevolent associations
can provide a power base that legitimizes and makes easier the exer-
cise of sanctions by the rank and file against the organizational
hierarchy. While police don't strike, they have developed a series
of ingenious sanctions that are extremely difficult to control. The
"blue-flu", that mysterious virus that affects police at times of
discontent among the rank-and-file; or the over-enforcement of the
law by issuing greatly increased numbers of traffic tickets, thus

producing increased pressure on the police command from outsiders--
these are typical examples of such devices.

2.4 <u>The greater the normative commitment of the police to
abstract standards of law and due process, the less the likelihood
of partisan intervention by the police in social conflicts.</u>

The commitment referred to is to procedural law and due pro-
cess, not merely to substantive law. In a broad enough concept of
police professionalism this would presumably be included. "The needed
philosophy of professionalism," Jerome Skolnick (1967 p. 238) writes,
"must rest on a set of values conveying the idea that the police are
as much an institution dedicated to the achievement of legality in
society as they are an official social organization designed to con-
trol misconduct through the invocation of punitive sanctions."

To summarize our theoretical argument, there are first of
all certain general societal characteristics that determine the de-
gree of control civilian authorities will exercise over the police.
We have suggested politicization, centralization, and continuity of
political power as the ones we consider paramount. If a society is
very high on these variables, then we hypothesize that civilian con-
trol over the police will be so high that there is no need to examine
more specific situational elements. The police will have insufficient
autonomy as an actor to make it worth examining their actions in
specific situations. If they appear to act in a partisan fashion, it
is merely the civilian authority acting in such a fashion through
their agency.

To the extent that civilian control over the police is only
partial and incomplete, it is worth examining more specific variables

that explain why police are more likely to intervene in a partisan
fashion in some situations rather than others. We have considered
four such variables: the reflection of societal cleavages within
civilian authority, political sub-culture among the police, rank-
and-file police organization, and normative commitment to due pro-
cess among the police.

We hope, by examining the police in Israeli society and
comparing it with what is known from various studies of American
police, to explore and elaborate the above theoretical argument.

The Police in Israel

Unlike American society with its 40,000 different police
jurisdictions, Israel has one--a national, highly centralized police
organization. The organization is sub-divided both functionally and
geographically, but the hierarchy of command is tight and sub-divi-
sions have limited autonomy.

The organization is headed by an Inspector-General, a police
career officer who has held a variety of police posts en route to
the top position. The formal relationship to civilian authority is
somewhat complex. Israel is quite unusual in having a separate Minister
of Police rather than subsuming this function under other ministries
such as Interior or Justice. The reasons for this are somewhat idio-
syncratic and historical, having partly to do with the nature of
coalition government and the particular individuals in power at the
beginning of the state. It is sufficient for the purposes here that
the police ministry has remained under the control of the dominant
political party and that the Minister serves an important liaison
function between the police and the cabinet. He is, on the one hand,

a spokesman for police interests and concerns in the Cabinet and answers and defends the police in the Knesset (the Israeli parliament) and other public political forums; on the other hand, he is a spokesman for the Cabinet and Prime Minister in dealing with the police.

Israeli society has been uniformly characterized by its high degree of politicization since the pre-state era. In fact, it is difficult to point to a Western democracy that can successfully compete with it in this respect. During the period of the British Mandate, the dominance of the political sphere within the Jewish sector of Palestine was due, mainly, to continual and intensive organization aimed at achieving political independence. With the establishment of the Israeli state in 1948, the problem of defense and security against the Arab world became prominent and continues to remain so after four major wars. Preoccupied with national political problems, Israelis have learned to perceive and evaluate most events through the vantage-point of national and international politics. Such a tendency is expressed not only in the potency of the common argument that the problem of national defense and security has priority over other areas. The penetration of the polity goes beyond this widely shared feeling: it means that behaviors and policies of groups and organizations below the level of the State are judged in terms of their relevance to national goals.

Such an atmosphere is highly conducive to deviations from standards that would seem appropriate in other societies. For example, economic inefficiency, including waste and corruption, is often defended and even justified on the grounds that excessive concern

with such matters will reduce the ability of the society to absorb
the continuing flow of immigrants. Similarly, internal social problems
such as economic and social inequality for different ethnic groups
have been overlooked for a long time—and not only by the government—
on the grounds that the priority problems of national security, immi-
grant absorption, and economic development required the postponement
of concerted efforts on this front. Given this climate, one should
not be surprised to discover that civil-service and other bureaucratic
organizations are not noted for their adherence to universalistic and
professional standards when these happen to conflict with political
considerations.

The Israeli police have functioned historically in this climate.
From its very beginning, this organization has been headed by officers
who regarded their collective-political role as more important than
their professional identity should a conflict arise. When the Israeli
police organization was established in 1948, it faced a special problem.
On the one hand officers were sought who were experienced in police
work and this meant turning to those who had served in the British
colonial police force; on the other hand, the new government sought
officers whose political loyalty and sympathies had been proven in the
fight for independence. In a manner typical of other institutional
spheres, a solution had already been prepared in the pre-State period.
Many Jewish policemen entered the force as part of their membership
in the Hagana—the major Jewish Defense Force during the British
mandate. These people, in fulfilling their professional roles as
policemen and acquiring useful experience in the technical and or-
ganizational aspects of police work, viewed their role as a means

for the attainment of national goals—not merely personal career
goals. There was no question about the loyalty of such people—
they clearly opposed the British regime even while serving in its
police force. In a case of conflict between political and profes-
sional or career considerations, political criteria had clear priority.
Even among those who joined the British police by their own initiative,
membership in the Hagana was typical with similar consequences for
their subsequent resolution of any role conflict that might arise.
No criticism is implied in pointing out that from the inception of
the Israeli police, political criteria have been central in the
selection of higher officers with technical expertise and experience
regarded as important but secondary.

We do not intend to imply that most or even many police ac-
tions are heavily influenced by political considerations. The over-
whelming majority of police actions have no political ramifications.
But when an issue has implications for national policy, it is natural
for top police officials to assume a political orientation from the
outset rather than casting the issues in the technical or professional
terms of "law enforcement."

The polity in Israel has been not only dominant but also
highly centralized. The government, through the medium of the dom-
inant labor party and its affiliated groups, has been successful in
concentrating a political power that directs and regulates social
functions in almost all spheres of life. There are no really signi-
ficant political power bases outside the government, except for the
influence exerted by the opposition parties. Given the continuity
in power of the ruling coalition, even this opposition influence is

perforce a limited one. Local government is relatively insignificant. Government control over the functioning of the economy, for example, is so pervasive that it is difficult to regard Israeli private business as "independent" in any meaningful sense. Furthermore, the government itself owns a significant portion of the business enterprises and other forms of economic property (e.g., land). The Histadrut (General Labor Federation) which owns many economic organizations and enrolls the vast majority of hired labor in Israel, is itself controlled to a very large extent by the government since the labor party is in power in both places.

This high degree of centralization has been associated with an extremely stable power structure. The labor party, which has undergone various transformations and mergers throughout the years, dominated the political arena of the Yishuv (pre-state period). Although unable to secure an absolute majority, it has emerged after every election-- including the 1973 election--as the largest party. It has thus been assigned the role of forming the ruling coalition. Counting the pre-state period, this party has been in power for the last forty years.

The impact of these factors on the relationship between political authorities and the police has been obvious. Action (or deliberate inaction) by the police in situations of potential national socio-political impact, has stemmed, directly or indirectly, from the government. The system is one of high accountability. The Inspector-General is in daily communication with the Minister of Police giving a full-account of both past and prospective police actions. Accountability is the lightest and most subtle form of control and is hardly

experienced as such. In the Inspector-General's view, he keeps the
Minister fully-informed so that he will always be in a position to
answer any questions from political colleagues or the press about
police activity. He does not ask the Minister of Police how the
police should act in given situations but will inform him of police
plans on sensitive issues. The Minister, in turn, does not issue
orders but may make suggestions or express any special concerns of
the Cabinet to which the police should be especially attentive. Dis-
agreements can arise and the flow of influence may be two ways but
it is difficult to conceive of the police ignoring the expressed
desires of the Cabinet even against their professional judgment.
When President Nixon approved the so-called Houston plan for domestic
intelligence including extensive electronic surveillance and burglary
as techniques, he failed to implement it because of FBI Director J.
Edgar Hoover's continued opposition. No Israeli police official,
past or present, has had the power to resist and countermand a con-
sidered decision of the Prime Minister and Cabinet.

"One important difference among police systems," David Bayley
(1974) notes, "is the extent to which police tasks include an active
role in political life as opposed to preoccupation primarily with
prevention of crime and the maintenance of public order. . .The French
police, for instance, have played an active role in politics since
their inception; the British police have from time to time been thrust
into political life, largely as a result of widespread public disorder,
but the role has been slight."

Bayley suggests two central factors that account for persis-
tent intrusion of the police into politics. The first centers on the

process of penetration by national institutions throughout a society
--essentially a process of state or nation building. Bayley suggests
that it is critical whether or not this penetration into the periphery
by the political center meets with violent resistance.

The special circumstances of state-building in Israel make
it an extreme case of non-resistance to penetration. The state-
building process was carried out largely before a state existed and was
part and parcel of the fight for independence. There was never any
need to employ the police in this process--it was essentially an
accomplished fact by the time the Israeli police were formed. The
peculiar situation of the Mandate meant that the Israeli police or-
ganization post-dated rather than preceded the consolidation of power
by the political center.

A second factor suggested by Bayley is a cultural one--the
degree of "traditional insistence in the country upon the importance
of right-belief. Such a tradition justifies scrutiny of very per-
sonal aspects of individual lives. Where the Inquisition was strong,
there police forces active in politics are to be found from an early
time" (1974).

Again this feature is largely absent in Israeli society.
Some elements of the religious community, most notably the Neturei
Karta ("Guardians of the Gate") represent such insistence but their
claim is strongly resisted and is an article of contention with others.
In a society with immigrants from so many different countries, cultural
pluralism and tolerance of diversity is both a necessity for coexistence
and a positive value for many.

Neither of the characteristics which Bayley suggests encourage the persistent intrusion of the police into politics are present in Israel to any significant degree. And indeed few if any would argue that such persistent intrusion actually exists. Nevertheless, the potential for such political use remains; with its high politicization, centralization, and continuity of government, the danger for Israel is clearly more one of police overdependence rather than independence.

Until the time of Watergate, the concern in the United States has been the opposite. In Cleveland, New York and other cities we have witnessed open rebellion of the police against civilian authority; in Philadelphia and Milwaukee, a police career has proved a stepping stone to election as mayor as the police have formed alliances with sections of the electorate under the code words of "law and order."

The lesser control of civilian authorities over the police in the United States is a direct reflection of the greater decentralization, lesser politicization, and turnover of the party or individuals in power. The police system is itself highly decentralized with over 40,000 separate police jurisdictions. Even though local and state governments have much more independent power than any analogous units in Israel, they are hard put to bring this power to bear on many police departments. County sheriff departments, for example, are frequently headed by an elected official. A sheriff who serves by direct election is answerable to everybody and everybody's business, as we know, is nobody's business. A political party may be able to force some accountability on its nominees but the comparative weakness of

American political parties in many locales allows elected officials to win party nomination without organizational support in many cases. Furthermore, an elected official serves for a specified term and cannot be removed during his tenure short of the most gross offense. In contrast, Israel has the most direct and specific accountability imaginable. The head of the police must answer for all his decisions to a single, specified official who closely monitors his actions. While his Minister functions in part to insulate him from the political heat by absorbing some of it, let the police cause the government serious political embarrassment and the Inspector General is in deep trouble. He serves at the pleasure of the government and it takes no imagination on his part to recognize that his tenure will be short if this becomes displeasure.

One important manifestation of the lesser control over police in America is the greater possibility for police officers to establish their own independent political bases. According to former White House officials, President Nixon was urged to remove J. Edgar Hoover as FBI Director and decided upon this course of action. Upon calling Mr. Hoover to his office to so inform him, the President lost his nerve and said nothing of his decision. Now there is no doubt that the Attorney General and the President had the formal power to remove the FBI Director from office at their pleasure just as they could insist on FBI implementation of the Houston plan. What is it that kept them from using this authority? The obvious answer is that Mr. Hoover was a formidable enemy to make. First, and less relevant for our point, he possessed much ammunition that could do damage to the Nixon administration. Vulnerability

to political blackmail is one of the costs of the widespread use of
covert and illegal operations in a democratic society. But, in addi-
tion, Mr. Hoover had an independent political following in the popu-
lation. Furthermore, his supporters overlapped heavily with Nixon
administration supporters and his open hostility would have created
a sharp cleavage in the ranks.

A similar political independence is found in a number of
American cities. Before he became Mayor of Philadelphia, then police
chief Frank Rizzo was a major political force that the incumbent Mayor
Tate could ill afford to antagonize. A police command with independent
political support is less dependent on civilian authority and, to
that extent, is insulated from pressures to reflect the will of that
authority.

No such independence exists among the Israeli police. There
have been a few figures in Israeli politics with this kind of independence
but the Inspector General of the Police has never been one of them.
Nor is it likely that any Inspector General who seemed to be developing
such independent power would last very long in his office.

The Georgian Episode

A concrete illustration of police deference to the government
in the handling of political conflict situations occurred in the summer
of 1973 in the port city of Ashdod. Ashdod is a new city, established
during the mid 1960's, to serve as a second mediterannean port-city for
the southern part of Israel. Ashdod has a predominantly immigrant
population with a high percentage of Jews from Middle Eastern and North
African origin. Recently, with the beginning of the latest wave of
Russian immigration, its population has come to include several hundred
families from Georgia in the Soviet Union.

At the beginning of the summer of 1973, some forty Georgian workers, who had been employed as temporary dock workers during the peak of the citrus export season, were layed-off (along with other temporary workers) as the peak season passed. Within a few days, several hundred Georgians seized control of the city of Ashdod. Organized in small groups, they occupied several strategic positions such as the municipal building, the port, and roads connecting the city with the rest of the country. They stopped all traffic from moving into or out of town, halted public transportation, and, of course, all work at the port. Although actual violence was minimal, several persons who attempted to by-pass the Georgian guards at the blockades were beaten and one or two high ranking port officials were kidnapped. The protesters demanded the immediate rehiring of all the Georgian workers who had been fired.

During the first few hours of the confrontation, the police had insufficient force on hand to take action had they so desired (due to the absence of part of the regular force on temporary assignment elsewhere). However, within a few hours, the police accumulated sufficient manpower to handle the technical aspects of forcefully removing the blockade.

It is inconceivable that the police would have taken action at this point, however, without the explicit consent of civilian authorities. In fact, the police abstained from action even in the face of considerable public pressure to intervene actively. Private citizens as well as officials in various organizations in Ashdod demanded immediate police action. The atmosphere was tense and near explosion.

The crisis was finally resolved through negotiation when a member of the Israeli cabinet—the Minister of Transportation—rushed to Ashdod and negotiated directly with the leaders of the protesters. During the many hours of negotiation, the police remained silently in the background. An agreement was reached under which the essence of the protesters demand was met and the blockade was voluntarily lifted without police intervention or arrests.

Although the police encountered some criticism for their failure to take action against such overt law violations as assault, disruption of traffic, and even kidnapping, most members of the Israeli public probably recognized that the police were a misplaced target for criticism —or for credit, for that matter. Neither the police or the government attempted to hide or would feel any reason to hide the fact that the decision on how to act rested with the civilian authorities, not with the police.

The situation had obvious and major national and international ramifications. It contained the possibility of a violent clash between two ethnic groups (Moroccans and Georgians) thereby sharpening an internal cleavage which would threaten and undercut the important goal of national unity. It contained the further possibility of a violent clash between police and Georgian immigrants with great potential for hostile propaganda (e.g., a photograph of an Israeli policeman clubbing a Soviet immigrant) that would have undermined the government's goal of encouraging such immigration.

Police officials and civilian authorities would be of one mind in seeing the Georgian episode as quite properly dominated by political

considerations of the sort mentioned above, not as merely a technical matter of law enforcement. Neither would argue that the handling of such a situation should be left to either the local police commander or even to police at the national level. The naturalness of a member of the national cabinet handling the negotiation would be taken for granted in such a highly politicized and centralized society.

Variable Aspects of Police Partisanship in Israel

We have argued that civilian control of the police is so much higher in Israel than in the United States in general that it is not as meaningful to ask about the specific situations in which police are likely to take partisan action in a social conflict situation. Is it meaningful at all to ask the question? Control remains a relative matter and even with respect to Israel, it is worth exploring the operation of the specific variables suggested in our second set of hypotheses: reflection of societal cleavages within civilian authority, political sub-culture among the police, rank-and-file police organization, and normative commitment to due process among the police. To anticipate our conclusion, we will argue that relative to the American police, the factors making for partisan intervention are more attenuated. Thus, even if the general control of civilian authority over the police were diminished in Israel, there is less reason to expect partisan police action to be a problem. We explore this argument by examining each of our variables in turn:

1. Reflection of societal cleavages within civilian authority over the police. Major social cleavages in Israel are, to a considerable extent, reflected within civilian authority over the police. There are four major cleavages worth considering: social class, religious-

secular, ethnic, and a political cleavage centering on the "right" of Israel to the territories occupied in the six-day war and most particularly the West Bank. It is our contention that each of these cleavages is substantially represented <u>within</u> the ruling coalition.

The labor party, of course, has the support of many middle class groups as well as traditional blue collar workers. With respect to the religious cleavage, not only is the National Religious Party a partner in the ruling coalition, but many religious Jews are loyal supporters of the labor party rather than of one of the religious parties. Regarding the ethnic cleavage, there is a very active attempt on the part of the labor party to represent both Oriental and Western Jews although the latter continue to dominate the highest positions.* Finally, the labor party has for many years, walked a tight rope between right wing and left wing factions on policy toward the territories and the party includes under its umbrella a broad spectrum; furthermore, its coalition partner, the National Religious Party, asserts historical claims to substantial portions of the occupied territory.

Note how the presence of these cleavages affect the police. Religious demonstrations, for example, are quite frequent in Israel on many different issues including civil marriage, autopsies, violations of the sabbath, and other alleged offenses against Jewish religious practice. These demonstrations frequently involve the taunting of police, rock throwing and other provocations. The potential cost to the police for mishandling such a situation is enormous. It

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*The only cabinet minister of Oriental origin happens to be the Minister of Police.

is hard to imagine a worse nightmare for the Israeli police than
(say) a newspaper picture of a policeman beating an orthodox Jew
in full religious garb.

The net result is that civilian authorities use the police
against religious demonstrators with kid gloves and expect the police
to wear the same gear. Although religious demonstrators have com-
plained to us about police roughness, their examples, to those familiar
with police in other countries, have a quaintness about them. The
major police weapon for the control of such demonstrations is a wagon
that squirts blue water. It lacks the power to squirt while moving
so its halt is a signal for demonstrators to scatter quickly or get
doused. And as one observer told us, with indignation, it sometimes
takes as many as four or five washings to remove the stain. While
the police are not popular with religious demonstrators, their be-
havior has not become a major issue and there have been no lasting
scars from the minor clashes that have occurred.

A similar reluctance to get pulled into a confrontation is
apparent in the handling of many labor disputes. We return to the
port of Ashdod for further illustration. During an earlier labor
dispute between regular dock workers and the Port Authority, striking
workers chained shut the main gate to the Port. The Port Authority
called the police to reopen the gate. Police intervention here con-
tained the risks discussed above--a clash between strikers and police
might occur. If this happened, it is reasonable to expect that the
angered workers would have brought pressure to bear on the police
through supporters in the government, including those with direct

authority over the police. It is not surprising, then, that the police
showed a marked reluctance to intervene. The Ashdod police commander
agreed to send a unit only after the Port manager had made his request
in writing. When the police arrived, negotiations were held with the
strikers to persuade them to open the gate. Only after these attempts
failed did a policeman cut the chains and open the gate, an act which
the striking workers did not resist at this point. Thus, no clash took
place and the police avoided becoming embroiled as protagonists in a
conflict.

"Sit-ins," although not usually called this, are a common form
of protest in Israeli society. There is a long history, for example,
of immigrant groups refusing to accept the housing offered them by the
Ministry of Absorption and underlining their demands by simply squatting
where they were--for example, at the airport. It is common for other
groups pursuing claims against one or another ministry to occupy the
offices of the authority in question and refuse to leave.

The police clearly regard intervention in such disputes with
great distaste and there is considerable evidence that they intervene
with marked reluctance. An official calling the police in such a case
must convince them that there is no alternative. In the process, the
police will frequently put pressure on the official in question to
resume further negotiations. We were told of one case, for example,
in which the official calling the police had refused to talk further
with a group occupying the premises. The police commander in question
made it clear that he would not act to remove the protesting group
unless the official would receive a delegation from the protesters

to talk further. When this condition was accepted, the remainder
of the protesters voluntarily dispersed and the police role ended.

The process of applying for a demonstration permit illus-
trates a similar stance in many cases. Israeli law requires that
a group intending to hold a political demonstration must apply to
the District Commander of the police in their area several days
in advance to obtain permission. However, the police claim that
they will not usually intervene in a technically "illegal" demon-
stration (that is, a demonstration without a permit) unless the
demonstration disrupts traffic or the demonstrators employ violence.
In other words, the police essentially renounce the justification of
holding a demonstration without a permit as a sufficient reason for
intervention.

One might ask, then, why have such a law in the first place
when the same criteria are applied to both legal and illegal demon-
strations? The answer is that the <u>process</u> of applying for a permit
is an important opportunity for social control. Israeli police, like
police anywhere else, regard demonstrations as at best a nuisance.
Regardless of content, they make extra-work for the police and divert
resources from what they regard as "real" police work. Handling
demonstrations is, at this level, like handling the unruly crowd and
traffic snarls at a soccer game. It is tolerated as legitimate but
something that makes life that much more bothersome for them. Demon-
strations, however, unlike soccer games, have an additional, much
more dangerous element for the police. Since they involve political
issues, they inevitably have the potential for bringing the police into
an uneasy or harmful relationship with the political authorities over them.

When a group planning to hold a demonstration comes to the police
to apply for a permit, it presents the police with an opportunity. There
is a built in conflict-of-interest between the challenging group and the
police in this situation which has nothing whatsoever to do with the con-
tent of the group's protest. The challenging group is interested in
maximizing the visibility and size of its demonstration; the police in
maximizing its manageability. For the representatives of the demonstra-
tors, this means that the more central the site, the better. The process
of applying for a permit is one of negotiation over this central conflict.
The police suggest routes or locations that will make it possible for
them to maintain a flow of traffic and to disperse the demonstrators, if
this becomes necessary, with a minimum of bystander involvement and
property damage. The demonstrators suggest routes that will maximize the
awareness of their cause among the public and provide the maximum number
of witnesses for excessive police force if used against them. In the
process of negotiation, the police frequently exact promises from
demonstration leaders in exchange for police acquiescence in more public
routes. At the same time, they attempt to deter demonstrators from using
violence or interfering with freedom of movement by threatening them with
arrest if they do. Finally, they use the time before the demonstration
to contact third parties with presumed influence over the demonstrators
to enlist their aid in ensuring that the demonstration will remain peace-
ful and manageable. Thus, a larger system of social control is activated
through the process of permit application.

An "extremist" group is one which does not threaten to activate a
major cleavage through its protest. Such groups are not protected by the
constraint against police intervention described above. The police may

or may not intervene in a particular instance but, if they do, the intervention is considerably less perilous. To be caught beating a leftist student is a minor embarrassment which can be handled in the standard way of establishments everywhere--by identifying the victim with discredited political groups. Political isolation, in Israel as in the United States, removes a major constraint against partisan intervention by the police.

2. <u>Political Sub-culture</u>. Several observers of the American police have argued that they form a group with a distinctive world view. William Westley (1970) describes them as a "social group which tends to be in conflict with and isolated from the community; and in which the norms are independent of the community." Rodney Stark (1972, p. 86) suggests that "it is fruitful to think of the police as themselves constituting a fairly distinct sub-culture, much akin to ethnic and religious minorities." He goes on to argue that the police sub-culture has a particular political and social content that brings it into conflict with the sub-culture of blacks and other racial minorities "as well as with the subculture of political and social dissenters, both students and adult. . ."

The content centers on conceptions of social disorder. "At one extreme are what have been called low-risk conceptions. From this point of view, the stability of public order is seen as fragile and thus that the maintenance of a free society requires unqualified respect for law and authority. The limits of variability and protest must be held to a narrow range, lest anarchy ensue. Threats to these standards or order must be put down quickly and firmly. High-risk conceptions of order, on the other hand, regard the social bases of order as considerably more durable, capable of sustaining considerable challenge and dissaray. From

the point of view of high risk conceptions, it seems feasible and desirable to run greater chances of disorder in the interests of individual liberty, diversity, and keeping the legal system responsive to changing demands" (1972, p. 88).

The police, Stark goes on to argue, represent a sub-culture with an extremely low-risk conception of order. "They are trained to regard anything that is slightly out of the ordinary or irregular as suspicious-- a potential threat to order." (1972, p. 88).

The nature of police work is such that, in any country there are likely to be forces pushing the police toward a low-risk conception of order. A stable environment implies predictability and the possibility of routinizing and rendering more safe interactions that have a high potential for conflict and violence. Much of the social cost of internal conflict is borne by the police and it is particularly easy for them to focus blame on the challenging group that is rocking the boat rather than on some abstract, structural source of conflict.

No doubt some of the same forces operate on Israeli police but they operate in a society with a generally high degree of minor disorder in public life. One can hardly witness the daily disarray of crowds boarding a bus or entering a theatre or of constant minor but noisy challenges in public bureaucracies, and fear the imminent breakdown of the social order. Police are accustomed to a level of challenge and disarray that an American policeman would likely regard as intolerable.

If Israeli police have a distinctive political sub-culture, then, it is not a very visible one. Various observers and participants whom we have interviewed have expressed the suspicion that police hold one or another view in disproportional numbers. But these generalizations

turn out to be based on beliefs about the population from which the police are recruited. Knowing that rank and file police are drawn primarily from lower class and working class communities of Oriental origin, observers attribute to the police the views they associate with those communities. They do not suggest that socialization into the police and its informal norms significantly affects such attitudes. Perhaps it is symptomatic that while there are a wide variety of nick-names for American police (e.g., cops, fuzz, screws, pigs, the Man), there are no common nicknames for their Israeli counterpart.

The relative absence of a distinctive political sub-culture among Israeli police removes a potential support for partisan intervention. Lacking normative support for intervention against particular groups, they are less likely to perceive confrontations as opportunities to punish the disliked. Of course, they reflect general societal norms and when dealing with pariah groups they will still tend to give vent to those hostile feelings which they share with the general public.

3. <u>Rank and File Police Organization</u>. The internal control structure of the Israeli police is a tight one. Police unions do not exist. There is no analogy to the situation in some Departments in the United States where a police chief must walk a tight rope between the demands of "the men" and those of his political superiors. Rank and file police in Israel do things that the higher officers don't approve of--this is in the nature of much police work which necessarily takes place where it cannot be closely monitored. But the control problems are aggregated individual ones rather than the product of organization into independent power units. Once again, Israeli police, compared to their American counterparts, lack a structural base for independent,

partisan intervention. Even if rank and file Israeli police had strong
hostility to a challenging group, it would be much more difficult for
them to act on these feelings. Lacking any insulation from sanctions
through an organization of peers that might protect them against dis-
ciplinary action, extra legal acts that are publicly visible and overt
carry with them extremely high risks.

4. Commitment to Due Process. We don't have a reliable basis
to judge whether the normative commitment of the Israeli police to due
process is any deeper than that of their American counterparts. We are
inclined to doubt that it goes much beyond lip service in either country
but short of systematic observational data on police encounters which
we lack for Israel, it is impossible to know. In neither country would
we regard the existing commitment to due process as any kind of serious
constraint on police partisan intervention.

Conclusion

The differences between American and Israeli police explain
why each society has its own special problems in the delicate balance
of police relations with civilian authority. The Israeli police have
considerably less insulation from political authority than do most
American police forces. The accountability is more direct and police
officials have no independent political base with which to counter the
demands of political authority. American police typically have greater
independence and ability to resist civilian authority.

At the same time, American police have both a greater impulse
and greater organizational support for independent political action.
They possess a more distinctive political sub-culture and powerful
rank-and-file organizations in many jurisdictions enable them to act

collectively more easily. Israeli police lack both the impulse and the wherewithal for such independent political action.

For American police, then, the dilemma of too much independence remains a real one. Unfortunately, as Watergate has made clear, the alternative danger is also present. To tighten control over the police without sufficient restraint on political authorities themselves is to invite a cure as bad or worse than the disease.

The Israeli problem is, in this sense, a simpler one. The danger that the Israeli police will become an independent political force is negligible while the alternative danger that it will become a dependent political instrument of the government is real. The potential for employing the police for partisan purposes under the camouflage of national needs remains an important concern. In such a situation, increased police independence becomes an acceptable risk.

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