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REFLECTIONS ON POLICE BUREAUCRACIES
IN MODERN SOCIETIES*

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Reflections on Police Bureaucracy in Modern Societies

The emergence of a uniformed and organized police with a relative monopoly over the internal use of force in modern societies creates a number of problems for the society, principally the political neutralization of the police, the maintenance of legality in their behavior toward the citizen, and the assurance that they will be universalistic in their discretion to apply the law. The organizational means to deal with these problems varies considerably among societies.^{1/}

This paper makes no attempt to explain systematically how these differences in police organization came about. Quite clearly differences in civic culture among countries such as the degree of consensus institutionalized in the law, differences in the size and homogeneity of their populations, and even differences in their national histories will explain variation in police organization.^{2/} This paper begins with these variations in police organization in mind, e.g., whether the police are accountable primarily to a local government unit or to the State, and tries to show how these differences in organization have consequences for the behavior of citizens and the police in the society, and for other elements of police organization.

A major organizational dimension of police systems is their accountability to political authority. In modern democratic societies a crucial feature of the accountability of police organizations are the forms of political authority that protect the rights of citizens vis-a-vis the police organization.

The mass is in a paradoxical situation in relation to governmental police systems. On the one hand they are vulnerable to state tyranny enforced through the police organization, i.e., a "police state". On the other hand they are vulnerable to policy tyranny when State authority is unable to directly control the police organization or hold it accountable.^{3/}

The organizational form of the accountability system in modern societies bears an important relationship to this paradox. The vulnerability of the citizens to state tyranny has led in some societies to the development of local government police organizational systems that are directly accountable to local authority. Local police systems are relatively inaccessible to centralized State control unless their allegiance or compliance can be obtained by other means. These organizational safeguards against state tyranny lead, however, to greater vulnerability of the citizen to police tyranny since the State's right and opportunity to intervene is limited.

There is an interesting question whether the obverse cases obtain, e.g., is the citizen less subject to local police tyranny in centrally organized and controlled police systems? Such systems (at least in the more populous democratic societies) are large-scale bureaucracies. Bureaucratization, of course, is a major way for governments to neutralize civic power. For the police, bureaucratization increases their legal reliability. The neutralization of civic power through bureaucracy while making the citizen less vulnerable to local police tyranny due to local interests opens the way to local bureaucratic tyranny,

particularly where the central bureaucracy cannot insure local accountability. To be sure, the central features of bureaucratic "tyranny" apply whether the bureaucracy is local or State controlled. But in a police bureaucracy, one need only assure the allegiance of the central commanders to the political elites to insure reasonably effective control of the local organization.

There are a number of important consequences that follow from the form of control and accountability of police systems. Only a few of those related to the gross distinction of whether they are centrally or locally organized and controlled are considered below.

In democratic societies, the police bear an important relationship to the resolution of value conflicts in the society, particularly in situations where there is direct civic protest. As Silver has pointed out, the bureaucratically organized police systems emerged in democratic societies in the nineteenth century under conditions of mass protest and in the interest of the elite and state control of the mob.^{4/} Indeed, he persuasively argues that to a degree the police functioned to deflect the hostility of the mass from the elites to the police. Under these conditions value protest often takes the form of protest against the police. The same conditions tend to hold in some societies with modern police systems.

It would appear that some of the important differences in the form and consequences of protest are related to whether the police system is centrally or locally organized and controlled.

When there is civic protest on issues of values in the society and the police are centrally organized and controlled, the State is more immediately involved as an organizational actor. The protest is more likely to be defined as an action against the State; if sanctions are applied, they tend to be made across the system. On the other hand, in societies where the police are more locally organized and controlled, such situations are more likely to be defined as protests against local authority; then both sanctions and action taken as a consequence of local protest are defined as local rather than society-wide. Indeed, one might hypothesize that political revolutions and revolutionary situations are more likely to arise in societies with central bureaucratic police systems. Furthermore, it appears that where citizens are vulnerable to state tyranny, the state is more vulnerable to revolutionary protest.

One of the major problems in holding the police accountable in all democratic societies is to insure their neutrality from local elites and interest groups. The criteria governing the legality of police-civil relations in a democratic society are universalistic. A centralized bureaucracy probably is more effective in insuring the legal neutrality of the police from local interests and elites than is a local one.

Yet, this very neutralization of local interests in a centralized system can substantially affect their opportunity to change the police bureaucracy. The problems of civil rights and minority groups in the United States may serve as a case in point. The organization of most policing on a local basis has

meant that the American Negro minority has had less equity in the system, particularly in its Southern states. National control of the police undoubtedly would result in a more equitable distribution of justice. At the same time, precisely because of patterns of local control, the Negro minority where effectively organized politically in American cities has changed the quality of police-civil relations and their organizations, changes that have benefited the white majority citizen as well as the Negro minority.

Quite clearly, however, local organization of the police leads to greater variability among police organizations in the society, both in form and in practice, than does centralized control. Such variability seems conducive to innovation as well as differential application of universalistic norms. It perhaps is not surprising, therefore, that police organization in the United States shows both more innovation toward modern police systems and more variability in police-citizen relations than do more centralized systems.

The organization of police on a local versus a centralized basis also is related to the nature of corruption of the police system when it occurs. In a local system, corruption is highly neutralized in the system on a locality basis because of its almost inevitable linkage to local government and its insulation from the State. Thus the State can neither corrupt or be corrupted by the police. The situation in a centralized system is quite different. While local bureaucratic corruption occurs, it becomes possible for the police to be corrupted by the State, as well as vice versa.

Two examples may serve by way of illustration. In the United States where one has a primarily local system of policing, one finds again and again instances of a "police scandal" involving local government officials and the police, or involving local political elites and the police. One can easily be misled to conclude that corruption among the police and government officials is widespread in the United States. Yet, clearly that is far from the case. By the very nature of the local organization of the police, the corruption of both the State political system and of the police is restricted. The recent "Ben Barka" case in France illustrates the contrasting case. Where one has a more centralized police system, the State may corrupt the police or, alternatively, be corrupted by it.

The problems of police systems in deploying their manpower and other resources to accomplish their tasks likewise is related to the nature and form of their governmental control. The typical tactical problem arises when either the organization of the crime or the mobility of the offenders extends beyond a territorial jurisdiction. This problem is common to all police systems. At the nation state level, it has led to the development of the Interpol organization among States. Within nations there are various organizational forms ranging from a national police through the extended authority of the London Metropolitan Police, or that of the more limited authority of specialized police organizations with jurisdiction over special forms of crime as in the United States. Whenever such special jurisdictional authority is limited, as it generally is in the United

States, to federal crimes or specialized forms of crime, any organized criminal effort becomes difficult to control. There are two main reasons for this. The main visible forms of the operating organizations are local and become implicated in local police systems; the syndicated quality of the organization on an extra-territorial basis is largely an "invisible" corporate structure inaccessible to local police authority.

There is another factor of the structure of police systems that markedly affects police systems--the structure of their recruitment and promotion systems. The main difference lies in whether there is separate recruitment and promotion into the staff and command structure. Just two examples are given to show the effect this can have on the operating system.

In the United States recruitment to the police is made almost entirely at the lowest rank (patrolman) and promotion to the staff or command levels is made almost entirely from this level--lateral insertion into the ranks is uncommon in the United States due to another local feature of the system, viz., tenure is limited to a local civil service system and employee rights are nontransferrable across local police systems.^{5/} These features of local police organization in the United States profoundly affect police occupational culture, prestige, and its internal organization of training. Though it is not altogether a necessary consequence of these features, it does mean that the police elites are more likely to qualify for staff or command positions on the basis of field experience than on the basis of qualifications prior to entry into the organization or as a

consequence of formal education within it. Though formally organized training is not entirely lacking, it is largely locally organized and the educational staff is recruited from local talent.^{6/} These features of police organization then sharply limit the development of a professional police and only the larger metropolitan or state police organizations in the United States develop a professional cadre.

These features of recruitment and promotion affect internal organization in yet other ways since they facilitate the development of primary group loyalties that extend from the top ranks of the organization to the bottom. The friends and work associates of all previous ranks remain accessible to the commander. This very fact means that when corruption enters a police organization in the United States, it is not uncommon for it to involve men from the top to the bottom ranks. In a centralized police system with a separate officer corps, corruption, when it occurs, generally is less likely to spread from top to bottom. When it does, however, it is more likely to follow bureaucratic office than primary relations networks.

The fact that police are locally organized and controlled does not mean that they are necessarily highly integrated with or supported by the local populace. Much depends upon the general cultural support legitimating their activity and the patterns of deference obtaining in the society. The police in England and the United States provide an interesting contrast in this respect. The English police, other than the London Metropolitan Police, like those in the United States are

essentially local, though they are loosely linked by a central inspection system and receive some fiscal support from the national treasury.

In England, the police and public rely almost as much on customs as on legal institutions to govern the relationship between the police and the populace. In the United States, there is much greater reliance on legal institutions. Recently it was reported in England that the "underworld" rapidly produced the offenders who shot three police officers, more of a crime against a custom than a legal norm. Whether or not the underworld was shocked out of custom is immaterial; the public was. The police in England can count upon a whole host of customary patterns that affirm the legitimacy of their role. Police work in the United States is a work role legitimated largely by legal institutions. But even the legal organizations in the United States, such as the courts, are more likely to negatively than positively sanction police organizations. The police in the United States have prestige; they do not have much status honor.^{7/} The fact that custom does not support the police in the United States means that the legal institutions increasingly have sought to formally restrict police authority with citizens, a not uncommon solution in the absence of custom. Thus one finds that police in the United States today are formally more restricted in their relations with citizens than they are in England.

While cultural homogeneity of populations, institutional forms of legitimacy in the society, and even national histories may produce these differences in customary behavior with the

police and legal control of them, there may be other reasons as well. Certainly in the absence of custom, a system of local control is subject to extra-local control in a democratic society largely through political means expressed in legislation or in constitutional authority exercised through the judicial decisions. In the United States, the relatively smaller role of customary relations affirming the legitimacy of police relations with citizens, and vice versa, creates problems of local versus central control as well. To achieve formal legal control through legislation at the national level in the pluralistic judicial system of the United States means establishing federal law. When such laws involve criminal violations, they come under the jurisdiction of federal courts and are open to federal policing. Given the deep ambivalence toward federal control of policing in the United States, such legislative solutions are less likely to be used as a means of compliance. Judicial decision based largely on constitutional rather than legislated authority, therefore, has become a major means for controlling the legality of police-citizen relations in the United States. While the effect of these decisions is generally regarded as a limit on police discretion under the law, they have largely related to discretion in means rather than ends of conduct--the legality of the behavior of the police toward the citizen.

This discussion points to a central dilemma in democratic societies. On the one hand, they seek to organize the police so that public order is maintained and criminal deviance is controlled and sanctioned. On the other hand, they seek to safeguard

citizen rights to dissent, to publically assemble, to privacy, and to dignity before the law. The organization of police field units then cannot be like that of the military where the command is structured to disseminate and execute orders that the line is to obey or to train the men in the line to cope with "new" situations with courage and honor. Much more is required of policemen in the line in modern democratic societies. The police officer in the line while he must know the rules, while he must be prepared to face situations with courage, and while he must do so with honor, must also exercise considerable discretion in making decisions.

But the discretion involved is not merely one of training in the law or knowing the rules. It requires a sensitivity to the citizen and his community, to the organization of which he is a part, and to the organized legal system of which law enforcement is a part. Increasingly in democratic societies, particularly those with local police systems, the civic and legal pressures require a human relations bureaucracy with a professionalized police officer, though pluralistic democracies confront the problem in a more exacerbated form.

Yet this in turn poses a problem for the bureaucratic organization of the police as it does for any bureaucratic organization that encompasses professionals. The core of any client centered profession is a decision that affects the fate of the client. The professional must have the right to exercise considerable discretion in making that decision--to exercise professional judgment. Yet a bureaucracy generally is organized to limit

employee judgment or discretion in applying the rules. Professionals require that decisions be decentralized and their discretion be overriding. Bureaucracies tend to centralize decisions and to subject decisions to higher review. This structure accounts for the dilemma of the professional in all bureaucratic organizations and does so for the professionalization of the police. Ultimately a professionalized police in democratic societies would require a quite different structure. What we have now in modern democratic societies is a professionalized police organization rather than a professionalized police.^{8/}

The modern bureaucratic police department, like the modern military organization of which Janowitz writes, undergoes continuous transformation as a consequence of technological innovation, transforming the police department into a management and technological engineering enterprise.^{9/}

In the United States the more modern (less tradition oriented) departments increasingly make use of the professional, managerial, and technical specialist who is not a member of the sworn personnel. In keeping with its military tradition, these are referred to as the "civilians" in the department. Not uncommonly these civilian management specialists are recruited from among the ranks of retired military management officers, and through the role transformation they are referred to as "civilians" in the department. Like the military, the modern police department increasingly recruits or trains specialists that have their counterparts in other modern bureaucracies--the

communications specialists, the computer specialists, personnel specialists, management analysts, systems analysts, and a variety of others. The movement of these personnel in and out of police departments, much as in the military bureaucracy, decreases the influence of police tradition and the authority of the major police decision-makers.

Unlike the military, however, most modern police departments in the USA have more successfully resisted the immediate intervention of the civilian policy makers and managers at the field operating level. On the other hand, the integration of the legal and law enforcement systems has meant that the judicial roles have had considerable indirect, if not direct, effect on the field operating systems. There is considerable variation among democratic societies, however, in the way the law enforcement and judicial subsystems are integrated. The Scandanavian countries, for instance, have a more immediate linkage than those evolving from the English common-law tradition.

Historically in Western democratic societies, the emergence of a police system distinct from the militia and "voluntary service" in a watch system, led to the development of a tradition oriented rather than a rationally efficient bureaucratic system. Primary group loyalties, often based on a cohort effect of common movement through the ranks, and devotion to duty and honor bound the men in the organization together and brought the commanders close to the men in the line, particularly in those countries that did not recruit a distinct elite corps of staff and command. The rational bureaucratic departments sought to

break these traditional loyalties and in part they disintegrated with technological innovation. Their disintegration, however, has created a new set of problems of how the command can insure control--how it could make its orders stick--with less reliance on traditional forms of allegiance to the command.

A related dilemma arises at the staff and command level as well. One might almost paraphrase Janowitz's characterization of the dilemma for the military profession in this respect^{10/} since the dilemma is rapidly growing with the emergence of a highly centralized command that increasingly relies on communications and computer technology to make operating decisions. To do so, the professional police must recruit and retrain men for its elite who are skilled in police management. Yet at the same time it must recruit many officers who can command the allegiance of the men in the line. The problem is particularly acute in departments that do not recruit solely into the line. While some men fulfill both role-set requirements, many do not.

In rational bureaucratic organizations, symbolic appeals to courage, devotion to duty, and honor do not ring true. Yet they are essential elements in a police system. The modern trends in police departments make it difficult to perpetuate these elements and the "new" cohorts of officers in the more modernized American police department display fewer of these elements. Furthermore, an increasing emphasis on civic control of the police in the United States serves further to weaken them--one does a "professional" job, not his duty. How far one can go in dispensing with these elements remains an open question.

Potentially one should be able to go much further with the police than with the military, since, unlike the military, much more depends upon the necessity for and willingness of a population to be policed, and their demand for police service. There is not essentially a conflict relationship with the police and the elements of heroic leadership necessary in combat perhaps can altogether disappear for the police.

The fact that no bureaucracy conforms to a model of rational organization is well established. While the modernizing police department places heavy organizational emphasis on modern techniques of personnel selection and training, on technology and technical efficiency, and on rational planning and management, it cannot dispense with charisma in its leaders and a commitment to duty and honor, particularly in democratic societies, like the United States that are fundamentally inhospitable to the police.^{11/}

A paramilitary organization like the police displays, and perhaps must continue to display, elements of traditional and rational bureaucracies. In modern democratic societies they must also be human relations centered bureaucracies.

Bibliography

*The author is indebted to Donald Black and David Bordua as he profited from discussion with them of ideas put forth in the early portion of the paper.

1. Cf. David Bordua, Police, Encyclopedia of the Social Sciences, forthcoming 1967.
2. Ibid.
3. This paradoxical situation refers only to the citizen's relationship to public police systems. The relationship of the citizen to private police systems poses additional questions not considered in this paper.
4. Allan Silver, "On the Demand for Order in Civil Society" in David J. Bordua (editor), The Police, New York: John Wiley & Sons, forthcoming 1966.
5. It should be apparent from this discussion that in the United States police organization is local not only because it is accountable to local political authority but that it is intricately interwoven with all elements of local government structure. This implication of the law enforcement organization almost entirely with local organization keeps it apart from most locally organized police systems in other democratic societies.
6. This is one of the most rapidly changing areas in the United States, however, with some states having adopted state-wide qualifications and training for police officers, e.g. in the state of California. There also is an F.B.I. Academy for local police officers, but only a very small proportion of all police officials receive formal instruction in it.
7. See David J. Bordua and Albert J. Reiss, Jr., "Command, Control and Charisma: Reflections on Police Bureaucracy", The American Journal of Sociology, Vol. 72 (July, 1966), pp. 70-71 and 75-76.
8. There are substantial changes underway in this respect in the United States, however, such that the effective range of police powers of the F.B.I. has been extended markedly in recent years.

See Albert J. Reiss, Jr., "Police Roles", Papers of the Center for Research on Social Organization, The University of Michigan, 1965, and Albert J. Reiss, Jr., and David Bordua, "Environment and the Police" in David Bordua (editor), The Police, New York: John Wiley & Sons, forthcoming 1966.

9. See Bordua and Reiss, "Command, Control and Charisma: Reflections on Police Bureaucracy", op. cit., pp. 68-72.
10. See Morris Janowitz, The Professional Soldier: A Social and Political Portrait, Glencoe: The Free Press, 1960, esp., pp. 31-36. The reader familiar with these passages will recognize the heavy reliance in the sections that follow placed on this perspective developed for the military organization.
11. See Bordua and Reiss, "Command, Control and Charisma: Reflections on Police Bureaucracy", op. cit., pp. 73-76.