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Is Police Culture Cultural?

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Research on policing - in the sense of systematic empirical data gathering and analysis – was born in the second half of the twentieth century. As is well-known the pioneer was William Westley, who did fieldwork for his PhD in the 1940s in Gary, Indiana, published as a couple of journal articles in the early 1950s and a book in 1970 (Westley 1970). During the 1960s there was a growing body of empirical research on policing, stimulated by and reinforcing growing public policy debate (Newburn and Reiner 2012). It also reflected a more critical turn in academic criminology that framed criminal justice as the subject of concern, rather than a taken-for-granted panacea for problems of crime and disorder. Today policing research is a vigorous and extensive enterprise in academia, government and police organisations themselves.

The idea of police culture has become a pivotal element in both academic and policy discussion of policing (excellent recent reviews of the field include Foster 2003; Westmarland 2008; Cockroft 2013; Bacon 2014). This paper offers some reflections on the concept, from the perspective of someone who has been a participant almost from the start of the process, since beginning my PhD in 1969.

Current reviews of the topic all recognize the origins of the idea of police culture in a clutch of empirical studies in the 1960s and '70s, widely regarded as the classics of the field (Reiner 2015) . These were conducted by a variety of methods but primarily involved in depth ethnographic fieldwork. The theoretical and policy/political concerns of these works differed, and a number of them contained a

comparative approach, looking at policing in different jurisdictions and milieux within and between countries.

However, their very existence indicates one fundamental shared agenda. Before the emergence of empirical research on policing in the mid-twentieth century, police forces were tacitly assumed to be rule-bound, legalistic, bureaucratic organisations, in which top-down policies prevailed through a quasi-militaristic rank hierarchy and strict discipline code. This image was a deliberate creation of the founders of Anglo-American police institutions, precisely intended to defuse widespread opposition to their creation by projecting them as bound by a universalistic and impartial rule of law (Reiner 2010: Chap.3).

In a wider politico-economic and cultural context of re-emerging conflicts and social divisions, challenges to that harmonious and rational-legal conception of policing developed in the late 1950s and '60s. The shared ambition of empirical policing research, whatever its specific theoretical and political provenance, was to probe behind the mock-bureaucratic facade. In the language of legal realism, what was the law in action by contrast with the law in the books? How did the police think and behave behind the veil of legal rational discourse in which their practices were shrouded in court proceedings and in official documents?

One of the key discoveries of early empirical research was the extent of discretion about whether and how to invoke legal powers and processes, and more broadly how to behave or misbehave, that was held by operational police officers (Newburn and Reiner 2012). Whether or not this was sanctioned *de iure*, police inevitably had considerable *de facto* discretion, for reasons ranging from pragmatic

– above all that resources could never cover the vast array of offences police might uncover, to logical – the inescapable openness with which legal rules were interpreted in specific situations.

Perhaps over-reacting to an era in which 'the law' was often used as a synonym for police, early studies tended towards legal skepticism. Law (whether substantive or procedural) was at best one factor shaping police practice, alongside a variety of social, political and economic processes that it was the project of empirical research to analyse.

In the array of possible explanations of police conduct and misconduct the ideas and perspectives - the world-view - of rank-and-file police officers on the ground was widely seen as pivotal. This is the germ of the idea of police culture, but it was not formulated that way by any of the early studies now regarded as originators of the concept. The term 'culture' was hardly used by them, and figures at best as one of an array of words used to depict the beliefs and attitudes of police officers, including working personality, the patrol officer's view of his/her mandate, role conceptions, conceptual framework, orientations to work, manners and customs of the police etc.

Even more significant than this verbal diversity, the perspectives or world-views of officers were not seen as a unidirectional primary cause of police practice. Rather they were seen as having an interactive or dialectical relationship of mutual interdependence with practice, with both poles shaped by wider chains of institutional, political-economic, cultural and social dynamics and structures. It is significant that what are now regarded as the classic sources of the concept of police culture were mainly published as monographs.

Their treatment of police perspectives and ideas was part of a much broader canvas analyzing the nature, mandate, history, political and social role of policing, and its impact on and shaping by the wider culture. Although often concerned about policy issues and debates, the classic studies were primarily academic in motivation, animated fundamentally by a variety of theoretical frames rather than immediate managerial utility.

Although the term itself was not used, the early studies did clearly develop a framework for understanding the nature, functions and origins of the perspectives and world-view of police, the idea that has come to be crystallised under the label police culture. For the most part this was not spelled out explicitly, and as already mentioned, there were considerable differences in overall theoretical, methodological and political allegiances. Nonetheless, the general approach to what is now referred to as police culture was encapsulated in the chapter on the policeman's working personality in Jerome Skolnick's seminal *Justice Without Trial* (Skolnick 1966). Skolnick's sketch has been widely celebrated and criticized from a variety of perspectives, and remains a pivotal reference point in discussions of police occupational culture. However, I think there are two crucial misinterpretations in much of this literature.

Skolnick's account of the police working personality (together with the work of other early researchers) is often criticized as a-historical, based mainly if not solely on *patrol* officers, insufficiently critical and structural, monolithic and deterministic. Much of this critique stems from taking the working personality chapter out of context. It is intended as a synthesis of previous work on the police world-view, and comes after an extended discussion of the problems and place of

policing in democratic societies committed to principles of the rule of law. There is thus explicit acknowledgement of the variety of forms of policing in time and space, and the specificity of the socio-legal context being studied. The ethnographic fieldwork in *Justice Without Trial* focuses on vice and other plain-clothes activities, not on patrol officers. Their practices are not portrayed as *determined* by their working personality, but as a subtle interactive cat-and-mouse play between the tactics of suspects and cops.

The most problematic misinterpretation of Skolnick and the other classic first generation studies comes, however, from retrospectively representing them as primarily *cultural* analyses. On the contrary, whilst certainly the world-view of officers is seen as a significant element in understanding policing, this is portrayed as shaped by the place of policing in wider structures, at a meso level the character of different organisations and communities, but ultimately, at a macro level, the overall political economy and culture of particular societies. Skolnick's ideal-typical working personality comprising suspiciousness, internal solidarity/external isolation, and conservatism, is shaped by the foundational elements of the police role as legal authority, the consequent - but variable in intensity - dangers from symbolic assailants and accountability institutions, and politically and socially changeable pressure to produce results.

The social structural sources of police occupational perspectives is also evident, for example, in Banton's comparison of UK and US policing (Banton 1964), Bittner's consideration of the specificities of skid-row peace-keeping (Bittner 1967), Wilson's 'varieties of police behaviour' (Wilson 1968), Cain's rural-urban contrast (Cain 1973), Manning's study of Anglo-American police work (Manning 1977),

Punch's analyses of small-town Essex versus the Amsterdam inner-city (Punch 1979a and b), and Holdaway's seminal ethnography (Holdaway 1983, 1989).

The culture of police is thus not a primary cause of police practice, for good, ill or both. Cultural perspectives are mutually interdependent with practice, and structural pressures shape them both. How variable or constant particular facets of culture are depends on whether they are rooted in changeable or intrinsic elements of policing in various environments, both within and between police organisations. Skolnick's three shaping factors, the exercise of authority (legitimate power), danger (from those over whom power is exercised and from those having authority over police), and pressure to produce results, differ across different environments. Exercising potential power over populations is arguably fundamental to any policing mandate. In democratic societies a more or less successful governmental project is to render this into authority through legitimation strategies, such as accountability to the rule of law. The exercise of power creates primary dangers from those subject to it, and in democracies a secondary danger facing officers is sanctioning for breaches of legality they might commit in pursuing their primary mandate. Both dangers vary in degree and kind in different jurisdictions, as does the pressure to produce results. Thus the more or less constant elements of policing tend to generate an ideal-typical pattern of cultural responses helping police cope with their lot.

As Weber stressed, however, an ideal type is a pure conceptual model for illuminating reality, but is never or hardly ever actually embodied in particular people. Partly this is because of detailed contextual

differences, but fundamentally it is because of human subjectivity and a degree of autonomy in interpretation and action. Officers bring different personalities and initial orientations to situations, although the structural weight of the problems they face then tends to shape some commonalities in response.

The fate of this initial model of what has come to be known as police occupational culture has been subject to vicissitudes inherent in social scientific research, and in the structure and culture of academe. In an important recent critique David Sklansky introduces the notion of 'cognitive burn-in', arguing that originally useful ideas get ossified into a fixed image, which impedes further development of insights and understanding. However, I would argue that this tends to happen not so much with the original ideas themselves, as the version that is translated in simple form into textbooks, secondary treatments, and above all influences policy debates. Sklansky himself formulates the 'Police Subculture Schema' that suffers from cognitive burn-in as assumptions that 'police officers think alike; that they are paranoid, insular, and intolerant; that they intransigently oppose change; that they must be rigidly controlled from the outside, or at least from the top' (Sklansky 2007 p. 20).

This neatly sums up an interpretation of police culture that has become widely embedded not only in textbooks, but also more significantly in managerial and political debates about police reform. It is not, however, the analysis of police culture that can be found in the various classic ethnographies to which the concept (although not the term itself) can be traced. As outlined above, these studies recognized variations (within and between forces) right from the start. They saw culture not as free-floating ideas developed and

transmitted by cultural processes alone, but as structurally rooted in the nature, stresses and strains of police work in different contexts, as interpreted variously by officers as they sought to navigate the pressures and mandates of their roles.

Social science analyses perpetually have to grapple with perennial philosophical and theoretical antinomies that are never finally resolvable. In the case of studies of police culture these include determinism/autonomy; structure/action; social/individual; critique/appreciation; materialism/idealism; macro/micro; realism/constructionism. These polarities can never be transcended, and are in an inevitable dialectical tension. This was seen by all the classical theorists, including Marx and Weber, although in textbook caricature they are the quintessential one-sided materialist and idealist respectively. But both recognized that people make their own histories albeit not under conditions of their own choosing; and that explanation had to be adequate at the level of meaning *and* of causal explanation. The history of social science, including the specific area of police culture studies, bounces between fresh attempts to suggest resolution through emphasizing what an earlier phase played down, and often relabeling old concepts to suggest progress.

The pressures and reward structures of academic life accentuate this mock progress by incentivizing neophilia. 'Originality' is the prime currency. This is embodied in the chronocentrism that pervades academic publications, where reference lists are dominated by the very recent with a scattering of 'classics', but almost nothing between five and fifty years old (Rock 2005).

There *is* an element of progress, to be sure, in terms of an accumulation of empirical knowledge, but not an ultimate resolution

of fundamental epistemological and existential dilemmas in the quest to understand social phenomena. The attitudes and perspectives of police officers, their cultures and sub-cultures, are relevant to understanding policing, but they shape practice only in interaction with a plethora of other factors, and not in a uni-directional way.
In this there is nothing unique about policing.
All occupations have typical cultures. A reflexive study of police researchers by Al Reiss offers a particularly revealing example (Reiss 1968). Reiss was director of the largest-ever observational study of policing, conducted for the Presidential Commission on Law Enforcement established by Lyndon Johnson in 1965. The fieldwork was conducted by dozens of students who rode with police for hundreds of hours, producing a vast treasure trove of detailed observations of police-public encounters.
Reiss analysed the observers themselves as a collateral by-product of their work with the police. Prior to their fieldwork, the students displayed the negative views of police that were standard in campus culture of the 1960s, seeing them as authoritarian and racist. Their observations did dutifully record many instances of the malpractices that underlay such critical views. However, after sharing the pressures of the encounters from the perspective of the patrol car, the students attenuated their condemnatory vilification of the cops. They continued to disapprove of the discriminatory and at times brutal practices they witnessed. However, they saw these as shaped – but not excused – by the pressures and problems of patrol work. They came to have an appreciation (though not an acceptance) of the police as fundamentally good people sometimes led to do bad things. What is particularly fascinating is Reiss' demonstration of how the

students' explanation of this related to their own disciplinary perspectives (law, management, and sociology). The law students attributed the malpractices they encountered to bad laws administered by good cops, and saw legal reform as the solution. Management students put the blame on poor managerial practices. And the sociologists saw police wrongdoing as due to an unjust social system (that also generated the problems the cops had to deal with). In short, the students exhibited both an overall culture typical of their time and place, and sub-cultural twists on it that were related to their particular disciplinary orientations.

The main implication of the structural approach to the understanding of police culture that I am advocating (and which was implied by the classical studies) is that there are limits to the reduction of police malpractices through either individual level policies such as better selection, training, or ethics, and even to organisational policy reforms such as more sophisticated discipline and accountability, or even reformulations of aims and methods such as community or problem-oriented strategies changing the field within which police culture is lived (Chan 1997).

To a large extent the structural sources of police attitudes or practices that are antithetical to liberal democratic values lie in constant and inevitable features of policing rather than organizationally variable ones. The root is the fundamentally bifurcated mission of policing in an unequal society. Policing is concerned with the protection of order, but order has two faces: *general* – the universally beneficial achievement and safe-guarding of social co-ordination and co-operation; and *particular* – the reproduction of the inequalities of power and privilege that

characterizes all complex societies that have existed so far. In Marenin's pithy characterization, policing deals with 'parking tickets and class repression' (Marenin 1982).

This means that such blights as discrimination in police culture and practice can only be somewhat alleviated by reform policies. This is indicated empirically by a recent clutch of sophisticated and sensitive observational studies that amongst other things indicate the continuing resilience of the perspectives initiated by the classic studies despite decades of reform initiatives (Westmarland 2001; Loftus 2009, 2010; Bacon 2016). Fundamentally they can only be addressed by tackling the foundational injustices and inequalities in the societies being policed. In recent times, however, the inequalities exacerbated by the hegemony of neoliberalism (Reiner 2007, 2016) have intensified the pressures generating unequal policing, vitiating the effect of policies aiming to curb race, gender and other forms of discrimination and unjust policing.

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