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CENTRALIZATION, DEMOCRACY, AND THE POLICE

GEORGE E. BERKLEY

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—EDITOR.

Prescriptions for creating a democratic police force may vary, but one element they usually emphasize is decentralization. A centralized police, it is often argued, is not only inconsistent with, but actually a threat to, democratic government. A large and disciplined force of armed men, it is contended, may lead to a swallowing up of democratic institutions. At the very least, a centralized police force tends to become too remote and too insensitive to the communities it serves.

Frequently cited as an example of the congruence between police centralization and totalitarianism is the unification of the German police under the Nazi regime. Today, one may point to the *Guardia Civil* of Franco Spain as well as to the police forces of many communist nations as existing examples.

Yet, if police centralization seems to have characterized many totalitarian regimes, it is increasingly characterizing democratic ones as well. Such developed democracies as Denmark, Belgium, and Israel have long had national police forces. In 1965, Sweden joined them by nationalizing its police. A year later, the French parliament approved the merger of the Paris police and the *Sûreté Nationale* into one country-wide constabulary force.

Other countries which have so far stopped short of complete nationalization seem to be moving in that direction. The three German states which still have municipal police forces are gradually abolishing them. England is consolidating its police forces into fifty large units through a compulsory amalgamation scheme ordered by the Home Office. The Home Secretary, it should be noted, already wields considerable power over local police forces. He issues rules and regulations governing police standards and must approve the appointment of, and can require the removal of, any local police chief. If police centralization is inconsistent with

democracy, then many democracies do not seem to have received the message.

This growing trend toward police centralization provides a timely occasion to re-examine the whole subject. Do centralized police forces threaten democracy or do they protect it? Does police centralization stifle democratic values and institutions or does it foster their fulfillment?

A good starting place for finding answers to these questions is that classic work of American political thought—it may be the most significant bit of political theory ever produced by an American—*Federalist Paper Number 10*. The *Federalist Papers*, it should be remembered, were a plea and a rationale for greater, not less, governmental centralization, and in Number 10, the most noteworthy of that impressive series, James Madison argues persuasively to this end. Madison's case is complex and is certainly not free of self-interest. He was greatly concerned with protecting the property of the privileged minority against usurpation by the unpropertied or little-propertied classes. However, the thrust of his exegesis bears directly on the entire problem of centralized government, including the police function.

Madison maintains that conflicting interest, or "faction," as he called it, can destroy a republic. This results from the tendency of one faction to get the upper hand over, and tyrannize over, another faction. As a solution, he advocates enlarging the area over which government rules. This brings many more different factions under its scope and thus makes it more difficult for any one particular faction to dominate. Looked at from another direction, the multiplicity of factions which result from an expanded governmental sphere tend to cancel each other out. This leaves the government free, and almost compelled, to seek the common denominator among the numerous groups and in-

terests which jockey for its favor. In so doing, it reaches out more fully for, and tends to serve better, the public interest.

Much work has been done by political scientists in recent years that lends credence to Madison's thesis. Large cities with numerous and diverse interest groups tend to be less dominated by any one group than do small towns. Senators serving large constituencies often seem more responsive to the desires of the general public than do their smaller-constituency colleagues in the House. And the President, with the largest constituency of all, remains the least susceptible to pressures from any one particular interest and the most responsive to the general welfare, at least as he perceives it.

This thesis has many implications for the police. If small government tends to be less responsive to the general will and more responsive to dominant interest groups, than is large government, the same will hold true for the police. That this has been and is the case is borne out by the experience of many nations. One reason the Germans give for doing away with municipal police forces is the inability of such forces to be independent of undue pressures exerted by local influentials. The same holds true for Great Britain. Before the Home Secretary began asserting increasing control over British police forces, constables could be seen washing the cars of town and borough councilors. In this country, the pattern of police subservience to local elites is widespread and deeply rooted.

Such practices are, of course, far from consistent with democratic behavior as it is commonly understood. If democracy is defined as "self-respect for everybody," as Professor William Riker has defined it, or as an "emphasis on human dignity," as Adlai Stevenson defined it, then equality before the law and its agents is a *sine qua non* component. Discriminatory treatment of any kind flouts democracy's basic principles, and such treatment has always characterized totalitarian regimes much more extensively than it has democratic ones.

Centralization furthers the goal of equal and impartial treatment in still other ways. The larger an organization is, the more it will tend to standardize and formalize its methods and procedures. In so doing, it will tend to curtail the opportunities for arbitrary behavior on the part of its members. The standardization and formalization of rules and procedures compels the members of an organization to treat both clients and colleagues, including subordinates, in a more impersonal manner. The discretionary area permitting the exercise of

favoritism or discrimination becomes correspondingly reduced. As Professor Grant McConnel has pointed out, "impersonality is the guarantee of individual freedom characteristic of the large unit."

Another democratizing factor facilitated by centralization is job mobility. Larger organizations provide more room for their members to move around in than do smaller ones. The policeman of a larger force who finds himself in a position that is not of his liking has a much greater potential opportunity to make a change. This will tend to extend his own freedom and develop his own self-respect while at the same time curbing the ability of his immediate superiors to exercise undue authority over him.

Job mobility adds another democratizing element to a police organization, one that is somewhat more subtle but one that, at the same time, may be more important. Job mobility tends to churn the membership of an organization, interjecting from time to time new members into the organization's sub-units. In so doing, it may reduce the solidarity and sense of apartness in these sub-units and thereby tend to make the police force less of a "state within a state."

In his landmark work *The Governmental Process*, Professor David Truman has stressed the need for "cross pressures" to make a democratic society viable. The fact that its members are frequently pressured from different and sometimes conflicting interests helps to keep them from extremism and equips them with a basis for tolerating other points of view. Job mobility may help to increase these cross pressures within a police organization by opening up its members to greater contact with fellow employees of different backgrounds and viewpoints.

There are yet additional benefits which centralization may yield in terms of police democratization. To the extent that such centralization leads to an increase in organizational size, it will also tend to make the police force more attractive to trade union organizers and to make trade unionism more attractive to the policemen. This can help democratize the police force in many ways.

For one thing, the trade union may interpose a barrier between the police and an executive power intent on using them to increase its own power. During the stormy days of the Algerian crisis in France, the unions helped thwart attempts by right-wing elements in the upper police hierarchy to make the police serve as a tool of extremism. Trade unionism also gives the policeman opportuni-

ties to take part in such democratic processes as the election of officers and the ratification of decisions. It opens up avenues for the ventilation of grievances and for participation in decision-making.

Trade unionism gives policemen spokesmen and publications of their own. These can increase society's knowledge of its police while, at the same time, providing society with points of access for reaching the police. Finally, trade unionism gives the policeman some identification with the trade union movement generally. This may curb the pull to the right which the police, as symbols of authority and defenders of law and property, nearly always experience.

Most West European policemen belong to trade unions and these organizations have helped ease the problems which so easily arise between police and society in a democracy. In all these countries, police union leaders have insisted that the police remain a thoroughly civilian body—after all, more militarism would lessen the union's power—and they have fought for such things as increased recruit education, reduced reliance on force, and improved public-police relations. They also help prevent executive authorities from showing favoritism or discrimination in their personnel policies.

There are numerous other benefits which centralization, and its concomitant feature of large-scale organization, may provide. The larger the police force, the better able it will be to establish extensive educational facilities and teaching staffs. Various behavioral studies show that acceptance of democratic norms and values tends to rise with increased education. Large organizational size also increases opportunities for specialization and this permits increased use of civilian personnel. The more civilians in a police force, the more the force will take on the features of civil society. Furthermore, the increased specialization, along with the increased resources which are made available by increased organizational size, permit the police to undertake more positive programs in crime prevention, community relations, public relations, etc. Sweden's activities in all these respects were greatly accelerated by nationalization.

Last but certainly not least among the democratizing elements which centralization may further and foster is control. Although a local police would seem much more controllable than a national one, in practice it often works the other way. In Europe, parliaments have proven much more vigorous in exercising police oversight than have municipal

councils. This was certainly the case in Germany and is today the case in Great Britain. Israel, interestingly enough, made the desire for increased control a reason for setting up its police on a national basis.

"The main advantage," writes a retired British police superintendent of the Israeli national police, "is that there is a parliamentary control over the police, exercised through a minister which, on one hand, places the force under the democratic control of the nation, whilst, on the other hand, safeguards it from subjection to purely local political influences and pressures. It also insures the civil service character of the police and its complete abstention from politics."

If a centralized police may lend itself to greater, rather than lesser, control, then police centralization should not pose a threat to democratic government. The empirical evidence indicates that this is the case. History shows no instance where the police have taken over, or have decisively affected the take-over, of a democratic regime. On the contrary, there is at least one instance where the lack of centralization may have helped to bring about a democracy's downfall.

The police of Germany's fragile Weimar Republic were not a centralized force. As a result, the authorities often lacked the resources to deal with the growing disorders and brawls which were disgusting and frightening many Germans. As the Nazi movement grew in power, it became more difficult for local police chiefs—most of whom were not Nazis themselves—to deal with Nazi hooliganism. When Nazis posted their flags on a bridge in Cologne in defiance of the law, Konrad Adenauer, who was then the city's mayor, ordered the local police to pull them down. His order went unheeded. The local police were simply inadequate to cope with the rising totalitarian party.

It is interesting to note that Germany, with its decentralized police, succumbed to totalitarianism, while France, with a national police, did not. This is not to suggest that the main reason for the greater durability of French democracy over German democracy was the existence of a more highly-centralized police. Other, and more important factors, were obviously at work in determining the trend of events in those perilous days. However, the difference in police systems may well have played a role. To the extent that police power influenced the fortunes of the Weimar Republic, it was its weakness rather than its strength which contributed to the republic's demise.

To sum up, a centralized police, far from posing a threat to democracy, may actually serve as its bulwark. In looking at other countries, we find an increasing number of such centralized police forces working effectively to maintain and extend democratic government. This might well prompt

some re-examination of the situation in the United States. A single national police force is probably undesirable, or even unworkable, in a country of this size and diversity. But the possibilities for greatly increased state government participation in the police function merit careful consideration.