Police Subculture, Culture Factors, Law Enforcement and Code of Ethics

Dr. John Motsamai Modise
South African Police Service

Prof. (Dr.) Kishore Raga
Professor Emeritus: Nelson Mandela University

Abstract:- In the first section will focus on police subculture make clear cross ways in wither the police **subculture contest width officially norms and values of policing. Describe the positive aspects of the p**olice **subculture. Identify the sources of p**olice **stress. Cultural research focuses on understanding 'the shared meaning employees derive about the basic assumptions, values, and beliefs that underlie their experiences at work, as transmitted to them via myths and stories they hear, especially in their socialization experiences to a new setting. Culture is generated from a range of internal and external influences, some of which lie beyond managerial control. Secondly, will focus on law enforcement and the police code of conduct, a**s *a* **law enforcement officer, fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.**

Keyword:- Policing, Police Culture, Police Subcultures, Culture Factors, Law Enforcement And Code Of Ethics, Social Theory, Accountability.

I. INTRODUCTION

Police culture, and its various aspects, is a recurring subject of academic research and publications. Culture has been defined as the 'normative beliefs (i.e. system values) and shared behavioural expectations (i.e. system norms) in an organization' (James, Choi, Ko, Che, McNeil, & Minton, 2008:21). System norms refer to explicit, system-sanctioned behaviours that are expected because they are considered appropriate for members of a particular social system (James et al., 2008: 21). Police solidarity is introduced as part of the academy training, is enhanced in the rookies' first encounter with the occupation (where values, norms and a shared belief system are established) strengthened by the nature of the work itself, and transmitted by the shared relationships (Kingshott, 2003).

The development of organizational culture has been defined as 'the integrated pattern of human behavior that includes thought, speech, action, and artifacts and depends on man's [sic] capacity for learning and transmitting knowledge to succeeding generations' (Jetmore, 1997:1–2). The development of cultures and sub-cultures are part of the normal evolution of an organization. The individuals that make up the organizational group control the organizational norms, and it is those same individuals that determine, and can change, those norms. An organization's culture is seen in its key values, beliefs, objectives and actions. It may be argued that, 'Understanding how the recruits are assimilated into the culture and how the culture manifests itself outside the organization become major imperatives for the police leader' (Harrison, 1998:2). This becomes useful when attempting to assess the police culture. In the police service, ways of thinking and actions become institutionalized and valued in themselves; this view is called an institutional perspective and is used to identify meanings that underpin ways of thinking and acting that are often taken for granted (DiMaggio, 1991). Values and meanings are part and parcel of what it means to act human, and are intrinsic elements of all cultures. Factors interact and are reinforced by other officers, eventually leading to the development of attitudes, behaviors, beliefs, and perceptions that reflect the dominant beliefs of almost all police officers. Ultimately, police officers cope with their organizational environment by taking a "lay low" or "cover your ass" attitude and adopting a crime-fighter or law enforcement orientation (Paoline, Myers, & Worden, 2000:578).

II. POLICE CULTURE AND POLICE SUBCULTURE

Police subculture is defined as a specific set of beliefs, attitudes, and behaviors exhibited by those in law enforcement. Because police officers spend the majority of their time dealing with crime, they may feel they need to be on guard when dealing with the public. They look to fellow officers for support, unity, and teamwork, and this creates a dynamic of 'us (the police) versus them (the public)'. A cultural product, formed by an environmental context that holds in high regard issues of democratic process and police lawfulness, and that seeks to punish its cops for errors they make. Secrecy is a set of working tenets that loosely couple the police to accountability, that allow them to do their work and cover their ass so that they can continue to do the work they have to do without interfering oversight (Gaines, Kappeler, and Vaughn, 2008: 327–330).

"Watch out for your partner first and then the rest of the guys working," "Don't give up another cop," "Don't get involved in anything in another cop's sector," "If you get caught off base, don't implicate anybody else" (Reuss-Ianni, 1983:14–16). The police subculture refers to the beliefs, norms, attitudes, and values that characterize members of the police force, which may be distinct from the beliefs expressed by other individuals or social groups. Among the primary formative influences that have been identified are the police academy training environments, the influences of the field officer, peer pressure from the organizational culture, the danger and isolation of police work, and organizational

pressures to secure arrests (Harris, 1973; Manning & Redlinger, 1977; More, Wegener, & Miller, 1999; Skolnick, 1994). The power of the prevailing culture is established through the process of the socializing new police recruits at the academy level. The effects of the paramilitary training as well as the 'war stories'of those senior officers, all transmit the culture to new recruits (Braswell, McCarthy, & McCarthy, 2003).

The police sub-culture is characterized by three features; authoritarianism, cynicism, and burnout (Blumstein et al., 2012; Johnson et al., 2005; Anderson & Lo, 2011; Rose & Unnithan, 2015).

- Authoritarianism is an officer's use of aggressive law enforcement, which can spill over to their everyday life.
- Cynicism, is we-versus-them mentality as officers believe ordinary citizens cannot assist them so they form deeper bonds with other officers.
- Burnout is when an officer experiences long periods of stress, which can lead to emotional exhaustion and cynicism.

These three characteristics impact police officers and affect how officers interact with others.

III. FACTORS CONTRIBUTE TO THE POLICE SUBCULTURE

Practically, the following factors contribute to policing; factors that contribute to police subculture. These factors just interact in complex unpredictable ways to produce values and norms not found in other occupations (Malloy and Judkins, 2004:78):

➢ *Organization Factors*
- typical police officer reports to duty at roll call in briefing room; after shift ends also attend briefing room to finish paperwork, change into attire, and go home;
- important so officers can discuss incidents that occurred on shift such as use of force;
- research shows that higher-ups don't influence police subculture;
- "The influence of first-line supervisors in directing the behavior of officers is limited. Even though supervisors emphasize a particular performance. Officers under their command do not seem to respond positively to these cues";
- internal review activities however shape police subculture, and interactions with one another;
- to protect police organizations from scrutiny, complaints, criticisms, and lawsuits rules are put into place (standard operating procedures);
- culture-shaping implications between the police and citizens;
- behavior can be influenced due to personal beliefs and circumstances that are encountered;
- young officers get frustrated due to being disillusioned by the routine;
- most common violent encounters that officers respond to are between friends and acquaintances;

- traffic stop interactions negatively affect police subculture;
- encounter between officer and driver are doomed;
- squads organized in 25 or more officers;
- known as platoons;
- unusual shift: midnight until daybreak;
- difficulty with "normal" jobs;
- often required to work weekends/holidays;
- transfers often take place, bringing knowledge from ex-colleagues to new ones;
- main impact for police subculture.

➢ *Street Environment*
- interactions with other criminal justice agencies shape police subculture;
- ex, if a prosecutor rejects a case that the officer believes is strong then it can lead to frustration;
- officers may feel that they stand alone and aren't supported by others;
- However, if a prosecutor accepts a case the officer believes is strong then it will lead to a significant amount of time on the officer's part;
- stressful for the officers.

➢ *Media:*
- Most influence on police subculture; supportive of police work in something called "inner circle".
- have come to appreciate hardships of policing, worked with police for several years;
- relationship is double-edged sword; and Positive: aid in investigations like sketches of suspects;
- Negative: cases of scandals can tarnish reputations of officers and the whole department.

Rokeach, Miller, and Snyder (1971) concluded that a police personality distinct from others does exist, and proposed the idea that individuals come into an occupation with predetermined attributes that are identified with their new occupation. However, Rokeach et al., (1971) also found that this distinct police personality is attributed to predispositions of personality that are present before the recruits' induction into the police subculture. These distinct predispositions are conducive to a career in policing and allow the individuals to comfortably choose and fit into the subculture (Conti, 2010; Rokeach et al., 1971). While the police subculture is distinct, at times it does attempt to catch up to the norms of the mainstream culture and can shift from negative attributes to positive attributes (Skolnick, 2008).

IV. ETHICS IN THE POLICE

The police as a law enforcement body has a code of ethics that is critical to the role it plays to society. This code embodies three principles, i.e. equal treatment, moral use of power and exemplary observance of law (Lawrence npag). In coexistence with this code, is the police subculture which is composed of a slightly different set of working values. These include an obligation to secrecy/silence (also referred to as the blue wall), mutual understanding, loyalty and discretion. Just like any other organization with a hierarchical structure,

those at the top of the force are given the upper hand in deciding on appropriate policies for day to day operations.

If these policies do not serve to benefit both the community and the police officer equally, then this general bias will justify what emerges as a sub culture. The police sub culture can only be justified if it is responsible enough to deliver the intended mission of the general police force as a whole which is to protect the public. Also, the sub culture enabled officers to work as a united front since by following this culture each officer's personal interests are protected by fellow officers.

Police ethics is the special responsibility for adhering to moral duty and obligation that is inherent in police work (Schmalleger 2000: 228). The reason why police ethics in particular has received attention centred mainly on the many issues relevant to police power, authority and discretion:
- the authority of the police · the application of police powers
- the discretionary nature of policing, and
- peer pressure from both the individual and the organisational culture.

The ethical dilemmas, and subsequent decisions, confronting the police in a democracy are so extraordinary, due to the extra power that they have, that there is no other occupation in which its members are and should be held to such a high standard of professional and personal conduct (see Jetmore 1997: 1- 2).

Neyroud and Beckley (2001: 38) emphasises the significance of ethics for the police in particular, because:
- They have discretion to make decisions which affect the life, liberty and property of other citizens,
- They have the power to use intrusive, covert and deceptive methods,
- They have a duty to enforce the law,
- They have a duty to protect the rights of citizens,
- They have a crucial role in protecting hard-to-reach minority groups,
- They are public servants and, therefore, as the appointed guardians of the public's interests, they must show high standards of integrity (a commitment to moral life),
- They are the gatekeepers of citizenship and respectability,
- The integrity of the police worldwide has suffered a series of shocks, whether it be as a result of corruption, incompetence or racism.

Police culture, values and norms are terms used in the broader society and often take on different, though not unrelated meanings. It may be argued that values as unconscious and conscious feelings manifest themselves in human behaviour which may differ in intensity and direction. Trompenaars (1993: 23) argues that norms "gives us a feeling of 'this is how I normally should behave', whereas values is a feeling of 'this is how I aspire or desire to behave.'" Police culture can therefore be viewed as a set of informal and formal values that characterise the police institution as a distinct community with a common identity.

V. POLICE LAW ENFORCEMENT

The police as law enforcement department, fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice. The key to preventing crime is earning public support. Every community member must share the responsibility of preventing crime, as if they were all volunteer members of the force. They will only accept this responsibility if the community supports and trusts the police.

Law enforcement careers come with a number of duties and responsibilities for which moral behaviour is mandatory. The primary ones include discretion, power, and public service:
- Discretion. Discretion in law enforcement is necessary in order to efficiently manage call loads and to mediate minor incidents. Law enforcement personnel have enormous discretionary power throughout every rank, regardless of seniority, and are given great freedom to make operational decisions from the moment they start on the job. Discretion in law enforcement includes whom to arrest, whom to investigate, whom talk to, and whom to interview. More importantly, in these decisions officers have the power to deprive people of their freedom (Pollock, 2014). It is critical that law enforcement officials possess moral character so that the enormous decisions they must make are balanced and fair.
- Power. Because law enforcement officers exercise much discretion they also wield great power. They have the power to arrest, detain, search, seize, and question. The government grants officers these powers so they can enforce laws and maintain the peace. We live in a country in which due process protects civilians from the abuse of government agents and in which certain freedoms are expected. Thus, we expect law enforcement officers to use their discretion with due process in mind (Pollock, 2010).
- Public service. The state employs law enforcement officers to carry out the state's mandate: enforcing the law and keeping the peace. The trust the state places in law enforcement and other public officials to carry out this duty in a responsible fashion is called public trust. Public trust ensures that those tasked with these duties will not abuse their power. Public trust also ensures that all public officials will be held to a higher standard than those they serve. The ultimate test of public trust is that law enforcement officials "walk the talk" or "practise what they preach," and that they never engage in behaviour that, if performed by others, would be considered to break the law (Pollock, 2010).

VI. CONCLUSION

The police symbolise the visible presence of the State in civil society. Nothing can therefore be further from the truth than notions that the police merely (supposed to) apply the law. If this happened to be true, the police would succumb to be more "puppets of the legal system, blindly enforcing the

law regardless of context or consequence" (Coleman & Norris 2002: 289). The police use, however, the law among a number of other resources to facilitate the restoration of order and to impose symbolic justice. The various elements of acceptable and unacceptable behaviour found within the police culture affect the efficiency of an individual officer. By their rejection of unethical behaviour and instilling their morality into the culture, ethical police officers are changing the organisational culture for the better. Ethical policing relies on a comprehensive integrated and dynamic ethical framework of decision-making at strategic, operational and tactical levels which is flexible and balanced enough to assist in converting declaratory symbolism into real life ethical judgements.

REFENCES

[1]. Anderson, A. S., & Lo, C. C. 2011. Intimate Partner Violence Within Law Enforcement Families. Journal of Interpersonal Violence, 26(6), 1176– 1193. https://doi.org/10.1177/0886260510368156

[2]. Akers, R. L. & Jensen, G. F. 2006. The Empirical Status of Social Learning Theory of Crime and Deviance: The Past, Present, and Future. In F. T. Cullen, J. P. Wright, & K. R. Blevins (Eds.), *Taking stock: The status of criminological theory* (pp. 37–76). Transaction Publishers.

[3]. Alvesson, M. & Sveningsson, S. 2015. Changing organizational culture: Cultural change work in progress. New York: Routledge.

[4]. Banish, H. and Ruiz, J. 2003. The anti-social police personality: a view from the inside. International Journal of Public Administration, 26(7). 831-881. https://doi.org/10.1081/PAD-120019322.

[5]. Bandura, A. 1977. Self-efficacy: Toward a unifying theory of behavioral change. *Psychological Review, 84*(2), 191–215. https://doi.org/10.1037/0033-295X.84.2.191.

[6]. Bayley, D. & Bittner, E. 1989. Learning the skills of policing. *Law and Contemporary Problems,* 47:35-59.

[7]. Braswell, M., McCarthy, B., & McCarthy, M. 2003. Justice, crime and ethics. Cincinnati, OH: Anderson Publishing.

[8]. Brown, M. K. 1988. Working the Street: Police Discretion and the Dilemmas of Reform, 2nd ed., Russell Sage Foundation, New York, NY.

[9]. Blumenstein, L., Fridell, L.A., & Jones, S.E. 2012. The link between traditional police sub-culture and police intimate partner violence. Policing-an International Journal of Police Strategies & Management, 35, 147-164.

[10]. Conti, N. 2010. Weak links and warrior hearts: A framework for judging self and others in police training. Police Practice and Research, 12(5), 410–423.

[11]. Campbell, M. 2007. Applying communities of practice to the learning police. Learning and Sociocultural Theory: Exploring Modern Vygotskin Perspectives' Workshop, 1(1). Retrieved from: http://ro.uow.edu.au/llrg.

[12]. Champoux, 2006. J. E. Organizational behavior: integrating individuals, groups and organizations. Radha Publications, New Delhi (2006). Google Scholar.

[13]. Chan, J. 2007. Police stress and occupational culture. In O'Neill, M., Marks, M. and Singh, A.M. 2007. (Eds.). Police occupational culture: new debates and directions. Amsterdam: Elsevier.

[14]. Cockcroft, T. 2013. Police culture: themes and concepts. London: Routledge.

[15]. Coleman, C & Norris, C. 2002. Policing and the police: key issues in criminal justice, in Criminology: A reader edited by Y Jewkes and G Letherby. London: SAGE.

[16]. Crank, J. P. 1997. Celebrating agency culture: Engaging a traditional cop's heart in organizational change. In Q. C. Thurman & E. McGarrell (Eds.), Community policing in a rural setting (pp. 49 – 57). Cincinnati, OH: Anderson Publishing.

[17]. Crank, J. P. 2004. Understanding police culture. 2nd ed. Florida: Anderson.

[18]. Crank, J. and Caldero, M. 2010. Police ethics: The corruption of noble cause. Mathew Bendre and Company.

[19]. Crank, J., Caldero, M., 1991. Production of occupational stress in medium-sized police agencies: A survey of line officers in eight municipal departments. Journal of Criminal Justice, 19, 339-349.

[20]. Davis, M. (1996). Police, discretion, and professions. In J. Kleinig (Ed.), Handled with discretion: Ethical issues in police decision making. (pp. 1-35). Rowman and Littlefield.

[21]. Drummond, D. S. 1976. Police culture. Beverly Hills, CA: Sage.

[22]. Ellwanger, S. 2012. How police officers learn ethics. In M. Braswell (Ed.), M. C. Braswell, B. R. McCarthy, & B. J. McCarthy, Justice, crime, and ethics (7th ed.). Newark, NJ: Anderson Publishing Company OH.

[23]. Fielding, N. G. 1988. Joining Forces: Police Training, Socialization and Occupational Competence, Routledge, London.

[24]. Ford, R. 2003. Saying one thing, meaning another: the role of parables in police training. Police Quarterly, 6(1), 84-110. https://doi.org/10.1177/1098611102250903

[25]. Gaines, L. K., Kappeler, V.E., & Vaughn, J.B. 2008. Policing in America (6th Ed.). Cincinnati, OH: Anderson.

[26]. Harris, R. 1973. The police academy: An inside view. New York: Wiley.

[27]. Holdaway, S., 1983. Police accountability. *Public Law*, pp. 675-679.

[28]. Holdaway, S., 1983. Policing in a plural society. *The Modern Churchman* (3), pp. 30-39.

[29]. Holdaway, S., 1998. Police race relations in England: a history of policy. *International Journal of Inter-Cultural Studies*, 22 (3), pp. 329-349.

[30]. Inciardi, J. A. 1990. The Evolution of Drug Abuse in America. In Handbook of Drug Control in the United States, edited by J. Inciardi. New York: Greenwood Press.

[31]. James, L. R, Choi, C. C, Ko. CHE, McNeil, P. K, Minton, M. K, 2008. Organizational and psychological climate: a review of theory and research. Eur. J. Work Organ. Psychol. 17:5–32.

[32]. Johnson, L. B., Todd, M. & Subramanian, G. 2005. Violence in Police Families: Work-Family Spillover. J Fam Viol 20, 3–12. https://doi.org/10.1007/s10896-005-1504-4.

[33]. Kappeler, V. E., Sluder, R. D. and Alpert, G. P. 1998. Forces of Deviance: Understanding the Dark Side of Policing, 2nd ed., Waveland Press, Prospect Heights, IL

[34]. Kingshott, B. F. 2003. Ethics of policing: A study of English police codes. Unpublished PhD thesis, University of Exeter.

[35]. kolnick, J. H. 2008. Enduring issues of police culture and demographics. Policing and Society: An International Journal of Research and Policy, 18, 35–45. doi.10.1080/10439460701718542.

[36]. Lafollette, H. 2007. The practice of ethics. Malden, ME: Blackwell Publishing.

[37]. Loftus, B. 2010. Police occupational culture: classic themes, altered times. Policing and Society, 20(1):1–20.

[38]. Lipsky, M. 1980. Street-level bureaucracy: Dilemmas of the individual in public services. New York: Russell Sage Foundation.

[39]. Manning, P. K. 1977. Police work: The social organization of policing. Cambridge.

[40]. Manning, P. K. 1995. "The police occupational culture in Anglo-American societies", in Bailey, W. (Ed.), The Encyclopedia of Police Science, Garland Publishing, New York, NY, pp. 472-5.

[41]. Manning, P. K., & Redlinger, L. 1977. Invitational edges of corruption: Some consequences of narcotic law enforcement. In P. Rock (Ed.) Drugs and politics (pp. 279–310). Scranton, NJ: Transaction Books

[42]. Meyer, M. E. & Steyn, J. 2009. Nurturing isolation in the South African Police Service: a comparison of male and female recruits. Policing: An International Journal of Police Strategies & Management, 32(1):108–127

[43]. Milner, H., & Judkins, B. 2004. Partisanship, Trade Policy and Globalization: Is There a Left-Right Divide on Trade Policy? International Studies Quarterly, 48, 95-119.

[44]. More, H. W., Wegener, W. F., & Miller, L. S. 1999. Effective police supervision (3rd ed.). Cincinnati, OH: Anderson Publishing Company.

[45]. Muro, M., & Jeffery, P. 2008. A Critical Review of the Theory and Application of Social Learning in Participatory Natural Resource Management Processes. Journal of Environmental Planning and Management, 51, 325-344.

[46]. Newburn T. and Reiner, R. 2007. Policing and the police. In M. Maguire, R. Morgan and R. Reiner. The Oxford Handbook of Criminology (4th ed.). (pp. 910-952). Oxford: Oxford University Press.

[47]. Paoline III, E. A. 2003. Taking stock: toward a richer understanding of police culture. Journal of Criminal Justice, 31:199–214.

[48]. Paoline III, E. A. 2004. Shedding light on police culture: An examination of officers' occupational attitudes. Police Quarterly, 7, 205-236.

[49]. Paoline, E. A., III, Myers, S. M., & Worden, R. E. 2000. Police culture, individualism, and community policing: Evidence from two police departments. Justice Quarterly, 17, 575 – 605.

[50]. Pollock, J. M. 2010. Ethical dilemmas and decisions in criminal justice. United States: Wadsworth Publishing Company.

[51]. Punch. M. (1979a) Policing the Inner City (London: Macmillan).

[52]. Punch, M. (1979b) 'The Secret Social Service', in S. Holdaway (ed.). The British Police (London: Edward Arnold).

[53]. Punch, M. 2009. Police Corruption: Deviance accountability and reform in policing. Portland, Oregon: Willan Publishing.

[54]. Rawls, J. 1999. A theory of justice. Cambridge: Harvard University Press.

[55]. Reiner, R. 2010. The politics of the police. Oxford University Press.

[56]. Reiner, E. 1992. Quanto Mechanics, from Black-Scholes to Black Holes: New Frontiers in Options. RISK Books, London, 147-154.

[57]. Reuss-Ianni, E. 1983. Two cultures of policing. New Brunswick, NJ: Transaction.

[58]. Rose, T., & Unnithan, P. 2015. In or out of the group? Police subculture and occupational stress. Policing: An International Journal of Police Strategies & Management, 38(2), 279-294

[59]. Rokeach, M., Miller, M. G., & Snyder, J. A. 1971. The value gap between police and policed. Journal of Social Issues, 27(2), 155–171. https://doi.org/10.1111/j.1540-4560.1971.tb00658.x

[60]. Rubinstein, J. 1973. City police. New York: Farrar, Straus, and Giroux.

[61]. Sklansky, D. A. 2005. Police and democracy. Michigan Law Review, 103:1699–1830. Roberg, R., Crank, J. and Kuykendall, J. 2000. Police and society. 2nd ed. Los Angeles: Roxbury.

[62]. Skolnick, J. 1994. A sketch of a policeman's working personality. In Justice Without Trial: Law Enforcement Journal of Sociology, 42, 481–506.

[63]. Skolnick, J. H. 1994. Justice without trial: Law enforcement in democratic society (3rd ed.). New York: Wiley.

[64]. Skolnick, J. 2008. Enduring issues of police culture and demographics. Policing & Society, 18(1) 35-45. https://doi.org/10.1080/10439460701718542.

[65]. Sparrow, M. K., Moore, M. H., & Kennedy, D. M. 1990. Beyond 911: A new era for policing. United States: Basic Books

[66]. Van Maanen, J. 1973. Observations on the making of policemen. Human Organization, 32, 407-418.

[67]. Van Steden, R., Van der Wal, Z. & K.M. Lasthuizen 2015. Overlapping Values, Mutual Prejudices. Empirical research into the ethos of police officers and private security guards. Administration & Society 47 (3): 220-243. SSCI Public Administration 2016 IF: 1.092 (29/47).

[68]. Walker, S. 2001. Police accountability: the role of citizen oversight. Belmont: Wadsworth. James LR, Choi CC, Ko CHE, McNeil PK, Minton MK, et al. 2008. Organizational and psychological climate: a review of theory and research. Eur. J. Work Organ. Psychol. 17:5–32.

[69]. Westley, W. A. 1970. Violence and the police: A sociological study of law, custom, and morality (Vol. 28). Cambridge, MA: MIT press

[70]. Westley, W. 1970. Violence and the Police Cambridge: MIT Press.

[71]. Westley, W. A. 1970. Violence and the police: A sociological study of law, custom, and morality. Cambridge, MA: MIT Press.