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OUT AND ABOUT:

A Study of Policework in
Palmerston North

J.F. JONES
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**A Study of Policework in
Palmerston North**

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The work of the thinker, is not to mould
the political will of others.
Rather, to work, is to undertake to think.
Something other, than what one has thought
before.

(Foucault, 1989:305-306)

Abstract

This study offers a new conception of policework. It does so by utilizing Foucault's idea of knowledge as power in an empirical examination of front-line policework. Rethinking policework in this sense necessitates a break with the orthodox view of the police as 'the law' and instead, this study considers that knowledge/power relations might form a fundamental component of policework. It shows how such relations reinforce one another and inform the routine work of the police.

In contrast to reactive law enforcement which targets crime, knowledge/power forms a generalized pro-active power which operates to induce compliance and order relations. Knowledge/power works through the implementation of surveillance, normalizing judgements and the examination, to provide what Foucault calls 'the technology of discipline'.

In rejecting the view of policework as a narrow response to crime, a major methodological issue lies in specifying the rationality of productive power. To this end, Foucault provides the necessary guidelines to recognize and understand the workings of power: power should be seen as creative and should be sought in its own field, aside from the state or law. Far from being repressive or a form of domination, power should be seen as discreet with decidedly humanist tendencies. These insights form a framework for the study of policework and power.

The fieldwork period of the study covered a time-span of eight weeks during which material was gathered through interviews and by observing police activities in Palmerston North. This permitted a structural interpretation of power and social practices and opened the way for fresh theoretical perspectives on the subject of policework. The findings of this study support Foucault's view that policework is not merely repressive and limited to law. This study portrays policework as productive with an unlimited capacity to manage social behaviour and relations.

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To those respondents who might recognize themselves in the study, I have attempted, as much as possible, to objectively record and interpret each case based on the facts and Foucault's theory. If any descriptions cause discomfort, please know my analysis is structural and not meant in any way to be personal.

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Police Humour: A Kind of Preface

- "I didn't join the job to be a Neighbourhood support person. I joined the police for the adrenalin, excitement and stuff like that ... so every man to his own" (female officer).
- "It worries me that Community Policing might mean strolling around the streets, greeting little old ladies, patting people on the head, saying 'Hello, how are you today'".
- "... Society in general is a problem ... I'm not just talking about the 'scum' you see walking down the road. I'm talking about people in business suits who have the same attitude towards the Police as the 'scum' walking down the street ... it's 'Joe Citizen' and 'scum'".
- "The public stereotypes the police. When I first joined, I believed the Police were very efficient, well drilled ... but experience has taught me their organization is bloody hopeless. It's hurry up and wait, hurry up and wait ...".
- "The cop who can keep on keeping on ... but a town like Palmerston North is really laid back ... on real slow nights you 'pop off' behind a building and go to sleep".
- "A busy night is full of action, locking up a few crims, catching someone on the job, doing a burglary, flogging a car ... catching them ... yeah!"
- "Fights, noisy parties, prowlers, incidents involving alcohol ... on Friday nights we go to job after job, but when we reach the scene, there's nothing happening. It's all over ... finished! We turn around and leave".
- "I like to turnover the real 'hoodie' types ... the decent ones are usually home in bed ...".
- "I might pull in a car because it's the only one around and I want someone to talk to ... my mates say 'Oh you must be a cop you've got nose trouble!'".
- "Sometimes arrests for minor offences are 'shit arrests'. Also if you make a real 'cock up' and you get in the 'pee' for it, it's on your own shoulders!".
- "A good arrest is when you know someone's done it and he should put his hands up and say 'yes I did it' and if he doesn't, well I lock them up anyway".
- "We shine our beamlight on snogging couples ... they've disappeared now ... gone to Pork Chop Hill. There aren't many lovers on the street now ... could be videos".
- "I joined the Police to meet people, because working with dead meat for seven years was boring" (ex freezing worker).
- "They say we should put ourselves in the criminal's shoes. But it's the thick heads, the hoons, who make up 90% of the criminal element in the city!".

- "You forget the Children and Young Persons Act in the heat of the moment ... They are the criminals, we are the policemen ...".
- "The worst job is attending a death. Turning bits and pieces of bodies over. A policeman soon learns how mortal he is ...".
- "I don't like having to get up in Court, then 'losing face' in front of 'the Beak'. That's bad!".
- "Defence lawyers are a breed apart. Many still believe everything their clients tell them over what the police say. You have to wonder about their credibility ... I mean, are they with us, or somewhere in the clouds!".
- "Students, well, there are only a few bad eggs ... bloody 'Scarflies' ...".
- "Then we have 'the boys who think they are men', the Cortina boys. They hoon around the Square showing off mainly. They don't listen to us. They tell us to 'piss off' ... This is the big wide world out there! The public don't realise on a normal shift, the amount of 'shit' we put up with. It's amazing!".
- "The Mothers: They pretend to be a motorcycle club, but they're not. They are a gang. The business that goes through their place is just amazing ... things we have no idea about".
- "The 'black jersey, black jean boys' ... you get to know who they are by working with them ...".
- "... I take their glue bags off them. I'm looking after their health so it's not theft ...".
- "... I stopped a real attractive female who hopped out of her car and was wearing a short mini skirt. She flashed her anatomy at me, she thought she'd put one on me ... so I arrested her!".
- "People who offend, sometimes just need a push in the right direction to get there. I pointed a student in the right direction recently ... I said 'go home, back to Mum, sort yourself out before you venture out again'".
- "... and with elderly people ... who knows what makes them tick. If they steal things, you just give them a ride home ... it's a service really".

INTRODUCTION

The work of an intellectual is not to mold the political will of others; it is, through the analysis that he does in his own field, to re-examine evidence and assumptions, to shake up habitual ways of working and thinking, to dissipate conventional familiarities, to re-evaluate rules and institutions and starting from this re-problematization (where he occupies his specific position as an intellectual) to participate in the formation of a political will (where he has his role as citizen to play).

(Foucault, 1989: 305)

The above quotation by Foucault summarizes the approach taken in writing this thesis, to re-examine our understanding of policework. The quotation is relevant because, in a sense, this whole study is an attempt to 'shake up' conventional explanations in the area of policework. I believe that as we permit legal rhetoric to actively construct policework, we not only ignore but grossly misrepresent fundamental differences which shape each field. Moreover, by viewing policework in terms of the law, we settle for a comfortable symbolism at the expense of understanding concrete political practices. In this thesis, I challenge the law enforcement view which has, to a large extent, determined the public character and perceived significance of policework. The dominant view of the police as 'the law' does not correspond to observable practice, yet we go on treating the police as if they are the law because we feel comfortable knowing we can rely on them to 'keep the lid on crime'.

As scholars of the police, we know that in 1500 B.C. there were efficiently organized police forces which kept the peace in Egypt and Mesopotamia. We learn that the term 'constable' derives from Latin and refers to the 'keeper of the stables' in Roman times and we also know that a locally elected constable kept the peace in Middle England. But somewhere in the historical development of the police, policework became entangled with law, a feature which has persisted to define the police into modern times. Hence, today, we tend to equate police powers with legal power.

This discursive alignment of the police as 'the law' can be seen in those texts which variously identify the police as being 'repressive', 'prohibitive' or 'oppressive'. Currently in Britain, legal and social theorists emphasize the element of repressive police powers in their arguments for a more 'democratic police' and the restoration of due process to policework. This has led to a widening gap between those who

expound on the police, and police themselves. Thus, as we enter the 1990s, relations between theorists and practitioners in the area of policework, are becoming increasingly adversarial. In Britain, and to a lesser extent in Australia, 'experts' joust with police over the central issue of repressive police powers. The experts of 'deviance', 'mismanagement' and 'occupational uncontrollability' seem set on restoring the law while the police are entrenched in an effort to maintain, or extend, their legal powers. The argument developed here, that police powers might be something more than repressive, would find little favour in this context.

The present thesis is an attempt to 'break the silence' surrounding the mystique of the police as 'the law'. In undertaking this task, I acknowledge the work of Glynn who, back in 1975, attempted to do the same. Nearly two decades ago, Glynn¹ in his book *The New Zealand Policeman: The Developing Role of New Zealand Police*, recognized the 'ineptitude of the law enforcement model' and called for its dismissal as a way of explaining policework. Referring to today's world of rapidly changing values and self-doubt, Glynn warned of the consequences for the police/public relationship, of neglecting to clarify the police role. Glynn believed:

Such a task was crucial to the nature of the on-going functional relationship between the police and the public (Glynn, 1975: 11).

But his words went largely unheeded. Glynn, rather than the legal model, was dismissed and we continue to conceive of the police as 'the law'. This has seriously retarded any attempt to develop a comprehensive sociology of the police in New Zealand. We tend instead to compensate for this lack of foresight by relying on American and British models to define our police. In this area, mere assumption replaces home-grown empirical study.

It is this problem that broadly motivates the research presented here. While I acknowledge that this study is only a 'snapshot' in time, I hope, by taking up Glynn's challenge, to contribute towards clarifying the modern role of the police in New Zealand. The task in this study will be to demonstrate, by way of a concrete historical analysis, the utter incongruity of referring to the police as 'the law'. As events and

1 J.F. Glynn currently resides in Port Moresby where he works in the area of training and development for the Papua-New Guinean Government.

experiences unfold in the study, I provide what is hopefully ‘sufficient evidence’, to justify this claim.

Having said this, I should clarify my own position regarding the legal model of policework. Legalism, as I will show in Chapter Five, operates as a specific mode, in a particular sphere of influence. In this respect, legal power forms an important component in policework. My argument is that we should not identify legalism as the determining characteristic of policework. I argue that the activities which comprise policework are various and ordinary, and are grounded in their own technologies of power.

The aim then, in writing this thesis, is to examine policework on its own terms: Foucault’s ideas permit us to make critical distinctions between the law and police (Chapter Two), and to provide us with an intellectual history or logic behind each police practice (Chapter Four). Using such a theorist to inform the study meant it was possible to move away from a focus on symbolic law and instead analyse actual police practices as these occur in front-line policework.

A central concern of Foucault lies in his insistence that each social relationship is an interplay of knowledge and power. Such a conceptualization permitted an analysis which was, at once, critical and reflexive. In the emergence of power as strategic thoughts and practices, police activities became processes in the making (or possibilities), rather than a set of empirical facts. The reflexive nature of policework will become clearer as the chapters unfold. By taking a step in this direction, I aim to show the different ways in which knowledge/power relations come to define one another in the autonomous discourse of the police. In choosing to use Foucault’s ideas, I provide what I hope are fresh insights on the old problem of repressive power. This thesis specifically addresses power as a central component of policework. The primary objective is to look at power in terms of its tactical relevance for the police and for the wider social order. More specifically, this involves asking the following questions:

How do the police utilize power?

What form does power take?

How does power exert itself?

What are the consequences of power, if any, for individuals and society?

Ultimately, the thesis addresses the question of how police power produces and constitutes certain social behaviour and relations.

Theoretical and Methodological Concerns

The central problematic for this thesis then, involves a concrete examination of power. In the opening Chapter One seek to:

- (i) demonstrate the inadequacy of existing explanations which draw on the legal model;
- (ii) show how these generalizations have worked to deny the development of an autonomy of police discourse;
- (iii) re-think policework on Foucault's terms and raise for consideration, the importance of a focus on mundane, everyday practices.

In Chapter Two, the focus is epistemological. Here, the 'grounds' of the legal model are laid bare and I argue against using it as a general explanation. I provide theoretical and empirical arguments to support my claims. I then advance the importance of using both words and deeds, in a fairly abstract discussion. Foucault's point is that we should never try to close the gap between words and deeds but instead treat each sphere as unique and distinctly autonomous. This means seeing policework as connected yet distinguishable from the law. The issue is one of how to describe and specify the rationality of police powers. In this chapter, a view emerges of productive power which emanates from the police and which directly targets the body. Discipline, as deployed here, is not understood to repress or prohibit but instead produces compliance. Unlike legal power, discipline is politically and economically useful as it procures obedience. The final section examines the structures of surveillance, normalizing judgements and police assessments as essential components of discipline. Together, these components structure my analysis of pro-active policework in Chapter Seven.

The methodological premises and practices of the study are described in Chapter Three. My intention in investigating policework is to observe and record, as much as

possible, everything said and done in certain observed circumstances. In line with Foucault's view of the importance of attending to the local, I have chosen to focus on one provincial police department and will examine a wide range of practices from as many contexts as possible. On the premise that power is multi-dimensional, I believe this broad approach will produce a most comprehensive analysis.

Having described my approach, I go on in Chapter Four to unravel the complex nature of power and how it is borne of something other than itself. In contrast to those studies which leave both power and the police 'dangling' somewhere in law, I situate both within a particular historical context in time. In the course of this chapter, power and the police emerge aside from the law.

In Chapters Five, Six and Seven, I present my findings. To capture the full range of policework, reactive policework (Chapter Five) and pro-active policework (Chapters Six and Seven) are described in police terms, then analyzed according to the conceptualization of power as knowledge. In the analysis, I endeavour to show that in a society such as ours which routinely utilizes surveillance, the extraction of compliance does not depend on the law.

Overall, the study produces findings which tend to support my argument that when it comes to understanding policework, exclusive reliance on the legal model is inappropriate. The everyday reality of the police is infinitely more complex in their capacity to manage social life.

As was the case with Glynn, the present study offers no solutions for those who seek to improve the police. My motives are minor and lie in providing necessary insights in the area of policework. Such a project is not meant to be a finished product. Hence it may conceivably raise more problems than it can solve. However, despite the possibility of unforeseen consequences, I happen to believe, like Mathiesen, that:

... the alternative lies in the unfinished, in the sketch, in what is not yet fully existing. The 'finished alternative' is finished in a double sense of the word (Mathiesen, 1974: 13).

Having introduced this thesis, I now invite the reader to venture 'Out and About' in the domain of policework.