The Work of Egon Bittner

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INTRODUCTION

In the last twenty years or so, the shining efforts of many to frame policing as a theoretical field within the broader umbrella of organisation studies have dimmed. The effort has collapsed into a series of footnotes, paeans to the pragmatic immediacy of policing's own vague problematics. Why should a scholar care whether a crime rate goes up or down, absent a theoretical query? Who wants an efficient police force enforcing selectively the available laws? The evidence for a collapse of inquiry is shown in overviews of policing 'innovation' that shows none have occurred. What are described as 'innovations' were not operationally defined, the programs were not implemented systematically, and the outcomes were made up as the innovations went forward (Willis and Mastrofski 2011). These innovations were couched in the short term, theoretical and street-driven occupational culture of policing. Reviews of problem-solving (Reisig 2010), for example, show it to be rarely done, empty, self-serving, and unrelentingly embedded in the patrol officers' myopic view of policing. Why, for example, should the 'dependent variable' always be officially recorded crime, a matter under the control of the police?

   The once bright ethnographic burst of the past is gone and with a few exceptions, ethnographic studies don't carry forth a concern for detail, conceptual work, penetrating insights and revealed contradictions of the police rhetoric. Let us explore this quagmire of reflection in which the police view of the job, the practitioner's rationale, becomes the organising framework for research that stands unconnected to abstract conceptions or the theories of the great masters: Marx, Weber, Durkheim, and of late, Goffman and Garfinkel (1967). This misleading and simple framework obscures detail and evidence. It takes the following form-epigrams as advice: 1) Reduce the issues at hand to straightforward concrete problems defined strictly in accord with the oral culture of the occupation, not a concern with justice, equality, security or the quality of life, but crime control. 2) Assume crime is a real and constant natural object not a constitutive object created by the responses to the phenomena. 3) Avoid at all costs

more complex questions about the causes or prevention of crime. 4) Employ methods that remain superficial, uncritical, vaguely abstract and operationally defined consistent with the official rhetorical and presentational strategies of the police, i.e., officially reported crime of the decent 19th century sort – burglary robbery, and violent crime and then add in any drug crime that suits the current political climate. 5) Claim that the current unchanged strategies (random patrol, investigating crime, answering 911 calls) with minor tactical variations are the direct cause of the short term fluctuations (only down, never upward swings) in officially recorded crime. 6) Claim that consequences that are seen as undemocratic are a product of media, 'rotten apples', or academic critics. 7) Measure only the things reflecting positively on the police, while ignoring those matters that might reflect negatively. 8) Define the aims of police research as ameliorative, avoid theory and elevate methods and statistical analyses. 9) Eschew research that reveals the practices that sustain the façade of rationality. This is the current framework, research for the police that dominates police studies.

This cul-de-sac – falling into the void of 'research for police' – was first noted by Michael Banton some years ago. There are, however, efforts to elevate the discussion beyond 'what works', and reliance on a mendicant operationalism (Manning 2010: ch. 6). Theorising in the field of police studies is outlined, defined dramatically, by the writings of Egon Bittner (Bittner 1990). Bittner's characterisation of policing is not of course a 'theory' if one conceives of theory as an abstract set of propositions that is interrelated, testable, empirically verifiable, and can be rejected or falsified. No such theory exists in social science. A useful theory is unlikely to take this shape in any case given the essential reflexivity; the mutually determinant of link between action and meaning that is the basis of social science. As E.C. Hughes (1971: 324) wrote poetically 'while each branch of social science … refines and purifies its theoretical core, its logic, it can never free itself from the human mess'. This raises the question: what do police do and what are they good for? In what follows, I want to comment on Bittner's accomplishments, first by introducing my connection to him, then summarising his views and making an effort to elaborate the framework.

THE QUESTION

Like the philosopher R.G. Collingwood, Bittner felt that the value of an inquiry was to be based on the questions asked, not the answers advanced. Bittner posed the questions for several generations of scholars to explore. It is difficult, if not impossible, to exaggerate his intellectual contributions. Although he continued to modestly deny any aim to theorise, this was based on his phenomenological orientation which oriented him to concrete practices, rather than to advance

presumptions. The problem he sought to illuminate was, as he states early in *Functions of Policing in Modern Society* (*FPMS*), how to sketch a conception of police as an organisation that was precisely and elegantly connected to their practices:[1]

> instead of attempting to divine the role of the police from programmatic idealiza-tions, we should seek to discern this role by looking to those reality conditions and practical circumstances to which the formulas presumably apply. Naturally, we cannot afford to forget the terms of the abstractly formulated mandate. We would not know what to look for if we did. But we will keep them in mind as something to be worked back to, rather than as a point of departure. In sum, the task we have set for ourselves is to elucidate the role of the police in modern society by reviewing the exigencies located in the practical reality which gives rise to police responses, *and* by attempting to relate the actual routines of response to the moral aspirations of a democratic polity.
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> (Bittner 1970: 4–5)

It is what the police do and why they do it that are core questions. He rests his case on a Heideggerian reading of the police role as the management of intense, situated authority based-phenomenologically defined encounters by negotiation, persuasion, and violence to achieve an immediate purpose. From this, one might establish, with detailed and carefully crafted fieldwork, what they could or should do. There was a reformer nested in these ideas.

Bittner's 1970 monograph is a stark, gripping, immediate rendition of the problem which brilliantly ties the occupation and organisation to changes in the political economy of the West, i.e., the decline in the legitimate use of violence by non-governmental agents, and the need for social control of the unexpected, the dangerous and the worrying.

A PERSONAL NOTE

Immodestly, I ask the reader to consider my connection to Egon and his work. Having written on the medical profession as a Ph.D. project, and then abandoning the survey method and all of its false and conniving conceits, I was in 1966–67 a young assistant professor trained in something he longer intended to practice; I learned to do fieldwork by trial and error. Once at Michigan State, I was given an extraordinary job which included support and research time. By traveling to and presenting at national meetings, such as the American Sociological Association and later the Society for the Study of Symbolic Interaction, I met many of the generation who were to shape sociology for the next twenty years – Jack Douglas,

John and Lyn Lofland, Stan Lyman, Marv Scott, Sherri Cavan and John Irwin. I was soon involved in a network of people who were influenced by Egon Bittner's mentor, Harold Garfinkel, and by Erving Goffman.

The President's Crime Commission had been appointed by President Lyndon Johnson and the results were being published between 1966 and 1967. Jack Douglas, upon moving to the University of California San Diego from UCLA, where he had been a colleague in the sociology department with Garfinkel, organised and edited a collection of essays to address the findings and recommendations of the Commission. It was intended to be published fairly quickly to ride the expected wave of interest in the Commission's recommendations. Jack had a vision: to produce a kind of phenomenological critique of the mostly structural functional sociology that dominated criminology and the publications of the Commission. He asked a number of people, including Egon Bittner, to write chapters on courts, prisons, police and crime more generally. In due course, Egon declined: he could not complete the chapter as promised. He wrote, in a letter Jack shared with me, that he had imagined the idea of a police mandate as the core of his essay. In retrospect, I surmise that Bittner had discussed his project with the eminent former University of Chicago professor, E.C. Hughes, then at Brandeis where Bittner was teaching, and Hughes' idea of a mandate had resonated with Bittner. I was then asked to write the police chapter (Manning 1971). I wrote a long rambling essay centred on the idea of a police mandate that was impossible. I used a kind of modified dramaturgical view which saw the police organisation as a dramatic actor, presenting an 'organisational self'. This was an admixture of ideas from Durkheim (1961), Goffman (1959; 1961) and Abraham Blumberg (1967). My point was that on the one hand the police dramatised their power, weapons, 'professional status', and skill with statistics, among other things, to claim they could and did control crime. They used strategies, including rhetorical or presentational strategies to produce the illusion that they were controlling crime. They had created tactics, some overt and public such as types of patrol, and some covert, such as corruption, by which to carry out the strategies. This dramaturgical ensemble had been the source of validation of their occupational mandate in modern times. On the other hand, since the causes and patterns of crime are private, resistant to change, embedded in economic, social and cultural determinants, I argued this was a recipe for failure, and a deep contradiction. In earlier drafts, I called this 'police trouble' – a nagging source of potential public criticism. I did not argue, nor did other criminologists argue that the police could not manage, control or reduce crime. I focused on their absolutistic claims to control crime, and the contradictions that arose when crime rose precipitously.[2] In due course, through the 'eighties, crime did rise, the police were under heavy

criticism and were a target in presidential campaigns in 1968, 1972 and 1976 for their mishandling of riots as well as street crime.

Now, there is a sting at the end of this. At a conference held in a Dutch castle and hosted by Maurice Punch, many of us were gathered around a table presenting work and engaging in the usual academic cut and thrust that passes for thoughtful discussion. Later, at a social hour, Egon explained that he was leaving in the morning to return to Eastern Europe where he had been born. Once there, he intended to re-visit places he had known as a young man. He was wearing a patterned long sleeved dress shirt, and he slowly rolled up his sleeve to show us a tattoo, the number forced upon him when he was imprisoned in the Nazi death camp in Auschwitz (see Ostwald and Bittner 1968). His ability to calmly, dispassionately and deeply assess and recast the role of policing in a democratic society became even more remarkable in that moment. Situated interactions and memories thereof have power and endurance.

THE ETHNOGRAPHICALLY BASED WORK

Prior to the publication of *FPMS*, Bittner had published two very creative papers on policing on skid row (1967a) and police dealing with the mentally ill (1967b), both published in Bittner (1990). The growth of the fame of *The Functions of The Police* was slow, in part because scholarly interest in the police was only then emerging. Bittner's ideas steadily grew in popularity with the publication of 'Florence Nightingale in pursuit of Willie Sutton: a theory of the Police' (1974) (in Bittner 1990). Bittner published a series of important papers with Rumbaut (Rumbaut and Bittner 1979), Bayley (Bayley and Bittner 1989), and was elected subsequently president of the Society for the Study of Social Problems. He delivered an exciting and provocative presidential address, later published in *Social Problems* (1983), on technology and modern life drawing heavily on the philosopher, Martin Heidegger. This article influenced my own later work on police technology (2008). By the late 'eighties, his ideas became conventional wisdom – quoted in textbooks, often reprinted, reduced to single quote summaries, and totally misunderstood. Fortunately, a wise editor at Northeastern University Press decided to produce a volume of some of Bittner's essays (1990). These reflected his complex and philosophically grounded ideas that had been developed over a lifetime of intense scholarship.[3]

Consider his ethnographic skills. It is proper in this journal to point out that Bittner's work was ethnographic, sophisticated, nuanced and detailed. Ironically, he observes that the police officer's detailed local knowledge and approach is 'methodological in ways quite akin to the knowledge of sociologists and social anthropologists' (91). Consider in this regard several of examples of his work

found in *FPMS*. 1. Bittner discusses how police officers he observed managed a complaint made about a dog bite (95–98). He displayed the elements of this resolution in line with his understandings and observations. There was a real complainant, and although this appears as a civil complaint which may not require police attention, it may lead to violence. The police officers competently explained the limits of their powers to the complainant, and worked to obtain compliance from the parties by persuasion – pointing out the reasons for their decision and the limits of their powers to the complainant. They warned of the possible consequences of 'continued resistance'. They were prepared, after this persuasion, to use force if necessary and could arrest him. They tried in their approach to 'hear' the problem in a neutral fashion and shift attention to the options the officers offered rather than accepting the narrow request of the complainant to make an arrest. The practice here is based on the maxim, always 'give 'em a choice'. He explains later (98) that an officer tells him that the 'trick' in police work is not to make people obey, but to make it possible for them to obey. Bittner concludes that had this series of tactics failed, officers would have used the necessary force to arrest him. Here several processes of analysis are taking place before our eyes. The incident is re-framed as one of conflict resolution, not one of 'right or wrong' but of an incident that contains alternatives. Behind the formulation lurks violence as final mode of closure if the 'natural resistance' of the parties remains. Here, the proposition that the shadow of legitimate coercion is the core feature of the work is highlighted as what is possible once the incident is framed. The interventions considered are social, not legal – this is not law enforcement. Bittner sees how the intentionality of officers is manifested in their action, and he provides the layers of meaning necessary to judge the reasonableness of what was done to create compliance. 2. Bittner describes an example of police asking a group of youths to 'break it up and move' (100–101). An officer explains the tactics of requesting, explaining that if they do not move on he would say he'd be back in fifteen minutes; and then if they did not comply he would consider 'taking them in'. Bittner observes that it may be possible at some future point to avoid the use of violence, however, 'in the existing structure of communal life in our society, such force is not wholly avoidable. This being the case, not only its avoidance, but its employment must be methodologically normalised' (101). Here he elevates stylised and methodological use by police of the aura of violence to sustain compliance. Ethnographically, we see the force of patterned method in reducing uncertainty and the need for coercion, and how it is structured to favour outcomes the police prefer. This 'method', both the employment of method and the acknowledgement of coercion as an option, is the source of their power and their authority in the modern world. 3. He notes, almost in passing, the symbolic importance of the officer's pistol (101–102): '[any] discussion about the role of

firearms cannot refer to practical need or use'. This stark statement of course, connotes the dramaturgical role of weapons, the association of guns with the Wild West, cowboy heroism, folklore, media and now, video-games. He then argues that this dramaturgical salience leads to American police emphasising, as they still are required to do: shoot, if you shoot, to kill. In these examples, he shows how the handling the paradox of policing, their violent potential and awesome capacity for mayhem and their dramaturgical requirement to appear civilised, tranquil and restrained, is stylised, made manageable and acceptable to the public. Bittner reveals how they cast themselves dramaturgically as the enemy of our enemies, not as our enemies or as a threat. This is ethnography of a high order.

THEORISING POLICING AS A PRACTICE

Let us also consider the larger project, theorising policing as a practice. There are five main points of this framework. First, Bittner begins by outlining the limits of the law as a constraint on policing. Legal rules and procedures are open-ended or as he writes, 'defeasible', and thus cannot guide police interventions. 'Discretion', the idea of a choice between options, has no referent in the police world because it disappears into the original authority of the officer – the officer's definition of what is needed is adequate for all practical purposes. It is the position of the courts. As Bittner writes, 'The legalisation and pacification of the criminal process was achieved by, among other things, expelling from its purview those processes that set it in motion' (45). He writes, 'police activities cannot be brought fully under the rule of law' (34). And an echo, 'Arrest is incidental to their authority to use force' (38). Because the police are obligated as officers of the court to prepare cases in which arrest is involved for court, the law becomes a source of accounts for what was done. In this sense the law is a resource once constraint is applied, and law is a flexible tool providing a repertoire of available 'resource charges' for actions taken (Chatterton 1983). Second, Bittner argued that it was the capacity to apply violence that constituted the unique competence of a democratic police. It was a *capacity to apply violence*, the actual use of which varies, an aspect of their mandate, which created a demand condition that in turn shaped their practices. Role and organisation, police and policing, are consistently confused by scholars; mingled such that one stands for the other. This is in part because Bittner's definition of the *role* of the police 'a mechanism for the distribution of non-negotiable coercive force employed in accordance with the dictates of an intuitive grasp of situational exigencies' (Bittner 1990: 131), applies on the one hand to the *social role*, the expectations of officers performing the job, and on the other to the societally defined *institutional role*, that of the police organisation in society. His conception of organisation, brilliantly executed in an earlier publica-

tion (Bittner 1965), has not been fully appreciated nor connected to his concept of policing. In his analysis, there is a *police mandate* – an on-going negotiated bargain made tacitly between society and the police organisation – that exists as a background to policing's practices. The mandate reflects the bargain between the claims police make for respect and legitimacy and the publics' reactions to these claims. It is a kind of symbolic dance. But, the role of the officer is defined by Bittner as dealing with or intervening in *situations*. These are the kinds of situations in which '*something-that-ought-not-be-to-happening-and-about-which-someone-had-better-do-something-now*' (Bittner 1990: 249). This implies several practical tenets of intervention for democratic policing – most such conflicts will get worse; citizens fail to grasp the exigencies of their own situation and it is necessary act quickly decisively, and to simplify complexity in order to control the event. It is profoundly *reactive* and based on behaviour, not categorical enforcement, e.g., race profiling, and authoritarian policing more generally. (The question begged in this formulation is of course whether most patrol officers are in fact 'competent' given a close examination.) The capacity to use force competently, Bittner says, resembles the priest's administration of the sacrament – a central defining and unique capacity denied others. Elsewhere ('Florence Nightingale...' in Bittner 1990), Bittner further explores his focus on competence, shown how it is to be applied generally, argued that law provides only an *ex post facto* justification for actions taken, and explained the historic basis for the devolution of applying officially sanctioned violence to the police. This is of course is denied other citizens except under precisely defined conditions of self-defence, but the police use of such a capacity is in no way a 'monopoly' as is often claimed. In some sense, this is an almost mystical or sacred power to intervene, a kind of *secular magic* (Durkheim 1961: 58ff), because as Bittner observes 'under the circumstances', the police officer cannot be wrong unless he acted with 'malice or wanton frivolity' (Bittner 1990: 255). Many organisations can apply force under specified conditions, but the open-ended aspect and the use of fatal force is distinctive. Note that the police officer cannot be wrong in the event: this is an urgent plea to see that 'law enforcement' does not drive police interventions. Third, Bittner quite firmly states that the problem of such a role-definition is that it is virtually impossible to guide the officer in some rule-bound fashion about deciding. The first question is whether to act at all, but as Bittner argues having been called it is likely that the definition of the situation, that which leads people to 'call the cops', is one that contains the potential for the use of force to resolve it. If an intervention is deemed necessary in the event, other questions cascade out: when, where, how and to what extent the officer should intervene. The potential for force to escalate is always present and if known widely is the primary source of public distrust of policing. Fourth, combining the above features of the work –

work that is largely situated, judgmental, and responsive to exigencies, the organisation can little guide the exercise of the officers' core skills. Police cannot work to rule. Bittner states quite clearly that the organisation in effect falls back on that which it can regulate by paramilitary façade of punitive regulations and rules that deal with matters external to the core function (52–55). Here the problem of police accountability is salient and is normally resolved by the courts in favour of the police and lodged in the notion of 'best practices'. Fifth, as a result of the punitive character of the organisational rules and their enforcement, officers share little information with each other; act as entrepreneurs guarding their information and cases (in detective work); are secretive and furtive; cooperate only in rare events and do not share information with higher ranking officers – management and top command (64–68). Communication flows down but rarely flows up. Ironically, this punitive atmosphere is the source of the code of silence that binds officers together *vis-à-vis* the supervisory cadre. And furthermore, Bittner adds that it is only against the threat of supervision that leads to the powerful combination of 'occupational individualism and defensive occupational solidarity (65). Bittner offers here a penetrating insight ignored by other students of the occupational culture: the solidarity is tenuous and situational based on a reaction to the punitive paramilitary model of control. The defensiveness leads to the treatment of information as property, secrecy about the case being worked in the investigative units, and collusive husbanding of what one knows 'no one tells anyone more than he absolutely has to' (64). He adds 'the front of unity is only outward' (65). As a result, the collusion and segmental politics, by rank and by orientation – community oriented or crime oriented – to the work, are defensive rather than based on shared values, norms or beliefs. The 'occupational culture' is more a shield than a comfort; more network of secret-sharing than of collaboration (64), and a kind of web of entrepreneurs 'independent practitioners who merely credit the department with products of their work. (65). This is the basis, often noted by ethnographers, for yet another paradox in policing: officers say they love the job, enjoy doing it, find it rewarding for the most part, yet distance themselves and often disdain their particular police department.

These five features of the work make abundantly clear why scholars and others have focused on the powerful shaping force that lies with the patrol officer's segment or culture, one aspect of the organisational culture. That is, since the job cannot be guided by formal rules, the training is minimal, the organisation punitive yet assumes the centrality of the core competence, the necessary skills can only be learned by doing things. The oral culture, stories of famous successes and failures, cautionary tales, a toolkit or set of maxims, and epigrams peopled with larger than life legendary figures, icons if you will, is both the source of guidance

from officer to officer, generation to generation. This lore is passed from the experienced to the cadet, and serves as a mirror.

SOME REFLECTIONS ON THE SOURCES OF BITTNER'S FRAMEWORK

How did this imaginative and unique conception of policing arise? How can we understand it at some distance now – more than 40 years on? One might consider that Bittner's early experiences in Europe during the Holocaust, and recognition of the features of non-democratic policing. Nazi policing, like all totalitarian policing, was a systematic attempt to produce disorder in marginalised groups, to simulate terrorism-as-policing, to attack categories of people, designated places of business and worship, and to equate 'disorder' and 'broken windows' with 'crime'. Life styles were criminalised. Democratic policing, on the other hand, is an attempt to gear practices to the behaviours and actions of people as and when in the interest of order. But it is not a single order that is to be produced by such police responses. It is the order suggested by the 'demand' side of policing – what Bittner calls 'calling the cops'. Non-democratic policing is proactive, virulent, violent and unrelated to citizen requests or 'demands'. It polices appearances. In authoritarian states, there is a tight connection between the state, its enemies, and policing. In this case, law is the means by which the state justifies its almost exhaustive power and authority and it does so by violence. Bittner's nuanced argument about democratic policing is that it is by minimising violence that police legitimacy is maintained. As noted above, he does not claim that the general or original authority to use force is found in the law. Excessive police violence, such as that seen in the civil disorders in the 1960s, he cites as damaging the mandate. This is the basis for his view that the army, and by implication paramilitary or private police, should not be called in to quell domestic uprisings. Bittner also rejects the argument (Brodeur 2007) that the defining feature of the state is its stance towards its enemies, or 'the presence of its enemies'. Bittner's view is not legalistic. Rules cannot determine that which the police do, are expected to do, or how they are meant to accomplish it. Even when legal grounds are referred to they are symbolic and an ideological cover to sustain the trust the state and its powerful agents must maintain. Bittner's premise is not that the state possesses a monopoly of force but that police have an almost open-ended and defeasible capacity to employ force and that citizens can exercise it only under precisely defined conditions.

    One might also consider the content and source of his graduate education. Bittner was a graduate student at UCLA working with Harold Garfinkel, one of the most inventive and creative sociologists of the last half of the previous century. Garfinkel, a student of Talcott Parsons at Harvard, was deeply indebted to the

work of Edmund Husserl and Husserl's student Martin Heidegger. Garfinkel also studied informally with Aron Gurwitsch and Alfred Schütz, émigré German philosophers.

While it is difficult to summarise such subtle and often very complex ideas, it is necessary insofar as they underlie the Bittnerian view of policing. The view is deeply phenomenological in the sense that the subject/object distinction is minimal and that the recognition and framing of objects comes about socially and interactionally. Subject and object no longer exist independently; they are mutually co-dependent. Because most epistemologies, even pragmatism, begin with the existence of the biological and natural world, phenomenology as a frame of reference stands apart because of its radical assumption that understanding the constitutive process is essential to knowing. Thus, such assumed to be central matters such as 'crime', 'disorder', 'arrest', are socially constructed and processed by trusted institutions. Knowing and doing are linked. Only by focusing on the concrete particulars, by grasping the world as presented and acted upon, responded to and confirmed over the course of interactions, is it known.[4] Thus, the questions posed by the investigator will shape the resultant dialogue. The question of the social sciences is: how do we know the world and its constitutive parts? This cannot be done fully with resort to formal procedures, natural sciences, mathematics or philosophy alone. The knowing itself is thus transactional and collective. In policing as in other occupations, the practices are central to the accomplishment of the role. How does 'knowing' and 'competence' become manifest in interactions such that order is sustained? This obviously is critical in the sense that the police are order-minders and order definers. This is their authority. In approaching a social issue or problematic – what to the police do and why, abstract concepts defined and used out of contextual and non-situationally are misleading and misdirecting. The higher the level of abstraction and formalisation the more misleading they will be to invigilator. The world is not a verbally constituted one. What is done may not be expressed well in advance nor later. Much proceeds on tacit knowledge. For example, Bittner notes that police may have difficulty in articulating their use of force and its consequences. Past, present, and future are present in the deciding. There is no formal written program for doing good policing (56), nor can any set of objectives, goals, performance measures or accountability procedures shape the actual deciding on the ground. Life and policing involve intimately and continuously dealing with the unforeseen. Life is lived forward and understood backwards. This points us to how order is assumed in context and revealed in the breach. The definition of order, what and how to intervene, are seen in the practices of police, their interpersonal tactics. Police practices constitute the social reality of police work.

ELABORATING THE FRAMEWORK

In order to elaborate this framework, recall that Bittner is a phenomenologist who sees the police as demonstrating the natural attitude – they see things as they are (and are as they see them!). However, Bittner reverses the usual sociological pattern of initially positing values, beliefs, norms or even a habitus and then inferring the effect of these on already known patterns of behaviour. Bittner begins with a *phenomenological conceit* that focuses on what is done and how it is understood. How do officers do what they do repeatedly and what do they know about this? While officers may not verbalise their knowledge of the practice, their practices mirror the natural attitude of the citizen who expects intervention when something goes wrong and should not be happening. They will 'call the cops', and police will act on their definitions of 'what is wrong'. This is the 'demand side' of policing. This response in turn may require coercion of a most complex sort and its use must in some sense be calibrated to situational requirements. If and when police intervene, they act on their assessment of what is needed. This is the 'supply' side elegantly outlined in Bittner's classic articles on 'skid row' policing and policing the mentally ill (included in Bittner 1990). In effect, police work that does not require coercion is less than central to their sense of what constitutes 'good police work'. Thus, for example, community policing, problem solving and the rest are 'intellectual' exercises well removed from the job as they see it. They involve no coercion. As Brodeur (2010) has argued, policing in the present era involves as a core skill persuasion as much as coercion. Here one might ask if the reduced level of violence and reliance on communication and persuasion will alter police training and action.

Clearly, not all police work requires coercion and in fact most does not and should not even in the eyes of practitioners. A background of unexamined expectations, a tissue of trust (Garfinkel 1967), routinely produces compliance and makes policing possible. When police intervene, they confirm things that go awry need rectifying. *They deal with failures; they do not produce order and they may increase disorder*. The justification of such actions, whether written or verbal, is secondary in every respect to seeing what needs doing, and doing it. Official records, justifications and rationalisations that are the signature products of policing, are always in some sense partial, stylised renditions of unfolding complex matters. This should put to rest as patently irrelevant any analysis of policing based exclusively on what is stated in writing concerning the event. What is done, the 'it', can only be defined when it has happened and the practices employed are revealed. Consider for example Bittner's definition of 'demand'. It is not based on known motives such as fear, helplessness, 'need' or the like: what is demanded is that about which a call is made! 'What is called about' in turn is taken by the

police as notable but held as something they alone can shape in a fairly open-ended manner.

The police are violent, Bittner argues, but citizens are restricted in this regard except in self-defence. Citizens in modern states in turn rely on police to deal with fissures of ordering, even those involving intimates. Police often say, 'You never know what might come next'. Uncertainty shadows the work. Whatever is done as a result of the notable or recognised is not predictable in the usual statistical sense. Distributions of time spent, tables of types of calls for service, arrests or clearances cannot be the basis for predicting the nature of the situated response to an event coming to police attention. Any response or none could not be provided by law, police rules and regulations, or even the attitude of the observer. 'You had to be there', police would argue. Thus we observe the weakness and paucity of 'policy' in police departments. The decision to intervene and how to intervene cannot be fully specified nor made less than defeasible. Furthermore, what the police seek out and shape, whether on patrol or in investigative work, is a projection of their views of the world about what needs fixing, not entirely in any case what the citizenry regards, or even given in the formal rules of the organisation, e.g., traffic stops, clearance rates and arrests, might reward. This makes 'policing by objectives' and other current fads a very weak indication of policing, because it measures neither the quantity nor quality of actual policing. Because the police on patrol focus on the visible, what might be called 'decent 19th century crimes' such as burglary, robbery and interpersonal violence, the supply and the demand sides of policing are elided to some degree. Investigative work concerns many of the same people, places, and skills as does patrol work. This core competence and its evaluation by officers in regard to who is a good officer or 'bobby' explain why *non-coercive* activities, talk, listening, community policing, partnerships and other current fashionable programmatic approaches are disdained, sabotaged, avoided, and assigned to low status officers in large departments in the Anglo-American police world.

Bittner is arguing that the everyday observer does not grasp the essence of things, only their surfaces. Taking the surface of events as meaningful is like measuring life experiences by clock time; it distracts from reflection. Bittner began his fieldwork by *observing what the police did* and what they said about what they did. He did not begin with a theory of the state; a socio-legal perspective on policing: extra-legal, paralegal, or legal; a textbook handful of clichés – the police are there to protect and serve, enforce the law, keep the peace, repair broken windows, or develop 'partnerships'. The many vague attempts to sketch policing using Bittner's definitions and spinning out positivistic, pseudo-legalistic and catch-all narratives suggest that the epistemological and philosophical bases for his work are not understood. His concern is how the doing creates what is done.

While both violence and restraint are relevant to the practice of policing, it would appear that the use of force is best legitimated by its minimalist features, restraint by the police and limitations on the citizen's use of force. However, in the event, there is a natural dynamic that tends toward escalation rather than to de-escalation. It is this that demands limitations – personal, social, interactional and cultural. They may well be historic. Behind the constraint is the need to regulate stranger to stranger relations in cities. This is detailed in his essay, 'Florence Nightingale in Pursuit of Willie Sutton: A Theory of the Police' (Bittner 1990: 233–68). Modernity requires reducing and civilising violence so that in the absence of other ties, strangers might interact. How can the police fashion a kind of redemptive control of violence – it would appear that this unfolds as and when control reduces the spread and intensity of violence in a relevant population.

There are counterintuitive aspects of the role of violence. The aim is not violence *qua* violence, although police both enjoy and frequently seek it in modern context, but according to Bittner, it is used to maximise incapacitation or to reduce the capacity of the citizen to create additional or more serious havoc, to flee or resist. Coercion, like the law, is a tool and a resource. It can generate new problems. The natural habitat of the citizen is unacceptable, i.e., their solutions, however creative, to the matter at hand. Evidence does suggest that class and gender do shape the 'solutions' that result. Bittner might be asked: is police violence 'value free' in modern states? Is it open-ended and in police hands almost unrestricted in the interests of order? The potential for escalation and excess always lurks in policing; thus, the application of violence as a central competence is somewhat independent of the level and intensity of the coercive violence applied. That is to say that the police apply force is but one aspect of the equation – they apply force with an acute awareness of its time-bound limitations. It is one thing to operate with force, another to apply it in a manner appropriate to the situation and manage unwieldy citizens' expectations.

The on-going theme in Bittner is that theorising policing must begin with the basic or core competence, the use of coercion. Yet this implies constraint and use does not circumscribe all the relevant matters. Bittner's synecdoche, coercion applied as and when, goes to the heart of the question of theorising policing in the sense that it aligns the capacity of restrained, even well calculated, levels of force with the characteristic métier of the occupation and the mandate of the organisation.

CONCLUSION

The question of the role of policing in American society arose in the late Sixties when the nation questioned the assumptions held about itself, its devotion to

equality, racial tolerance, 'professional policing' and non-violence. The field of police studies morphed into a mirror of the practical concern of the police in spite of and in direct contradiction to the important ethnographic work done by Bittner in the late 'sixties. The fundamental data, insights and analysis of policing arose directly from Bittner's close and carefully study of his field data. Bittner argued on the basis of his fieldwork that while violence was an essential aspect of policing, it was in fact restrained, competently applied for the most part, and reasonable if not entirely legally guided. The work was not 'law enforcement' except after the fact; it was carried out competently in spite of the paramilitary structure; and the occupational was held together by fragile and complex networks rather than a tight 'occupational culture'. The work was revealed best in the practices that it displayed in the interest of order and ordering. Bittner's life experiences and philosophic penchant, certainly amplified by his relationship to Harold Garfinkel at UCLA, shaped his brilliant conception of police work. Some elaborations and reflections on the work concluded the paper.

NOTES

1. I cite the original 1970 publication rather than the text found in Bittner 1990 (89–232) because my marginal notes and that which I underlined are in my copy of the 1970 edition.
2. There are two rather ironic aspects of my chapter which was to be reprinted some 15 times in readers and often cited. It was trimmed and re-written radically and in great style by an editor at Bobbs-Merrill (I often look at it and do not recognise 'my own writing'); and, although I had read Bittner's work, I did not cite it in my chapter. I had read *FPMS* quickly and thought I understood the core ideas, but wanted to cast the net broadly and organisationally to make my points. The ideas of Bittner, Durkheim and Goffman were foundational for *Police Work* (1977), which was written in 1974–75.
3. I reviewed this book in *Contemporary Sociology* (Manning 1991).
4. I am indebted to Anne Rawls' formulation of these matters in her introductory essays written to accompany Garfinkel's work. These are cited as Garfinkel, *Seeing Sociologically* (2005) and Garfinkel, *Ethnomethology's Program* (2002).

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