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Changing the Game: A Sociological Perspective on Police Reform

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Chapter 2

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Abstract: This chapter examines the sociological roots of the current problems in contemporary policing. Employing Pierre Bourdieu's concepts of field, habitus, capital, and doxa the chapter begins by highlighting the cultural mechanisms that maintain and reproduce ineffective policing practices. In an example from Wilmington, Delaware in the United States, the authors show how the 'game' on the *field* of policing focusses primarily on law enforcement outputs. This game shapes the worldview and dispositions of officers (habitus). Police officers are recognised and rewarded (capital) for acting in ways that align with the game's logic. This process creates the condition *doxa,* in which the socially constructed and changeable field of policing is mistaken for natural way it should be. This chapter also considers why perspectives on police reform diverge and what this means for the future of policing in an age of reform.

Keywords: Pierre Bourdieu, police reform, organisational transformation

Introduction

From the rampant corruption and violent responses to riots between immigrant groups around the turn of the 20th century, to violent police actions during the civil rights movement, to controversies around stop and frisk and other forms of aggressive policing, to the spat of highly publicised officer-involved shootings in recent years, there is a long history of conflict between the police and the public in America (Kraska, 2018). In the current national crisis in American policing, some suggest that a few 'bad apples' are responsible for damaged relations between the police and community (Morris 2018). Others claim violence by the police is linked to individual and shared perceptions of legitimacy and procedural justice (Tyler 2004). Still others point to implicit bias as the source of police violence and the deeply engrained hostilities between the police and many minority communities (Price & Payton, 2017; Fridell, 2016).

Although these explanations give us a way to understand contemporary problems in policing, they fail to provide the clarity needed for collective action toward real reform. In short, past work has paid far too little attention to the sociological roots of aggressive policing. In this time of strained police-community relations there is need to renew thinking about why there has been a tendency toward weak implementations of major reforms like community-oriented policing and problem-oriented policing that sought to shift the goals of policing and to expand their toolbox beyond law enforcement actions (Weisburd & Braga, 2006). Conversely, the reforms that have gained the most traction are things like hot spots policing (Braga, Turchan, Papachristos & Hureau, 2019) and Compstat (Weisburd, Mastrofski, McNally, Greenspan, & Willis, 2003) which keep the police focus on making arrests and fit with the traditional mode of policing from the 20th century, i.e., centralised police commands while carrying out 'one-fits-all'

tactics citywide (Weisburd & Braga, 2006). This is troubling given what we know about the vast variation in crime, collective efficacy and social disorganisation, and police-community relationships from research on the criminology of place (Weisburd, Groff & Yang, 2012). Work from that area strongly supports the notion that different places will need different policing strategies if crime is to be controlled, collective efficacy enhanced and police-community relationships repaired.

To add clarity to the issue of police reform, we draw on insights from Pierre Bourdieu (1977, 2013) to explain how the structured field of policing, with its rules, resources, and rewards, promotes aggressive law enforcement and undermines police legitimacy and the collective support of citizens that is necessary to make places safe (Chan, 2007). In a case example from Wilmington, Delaware in the United States, we show the futility of change efforts aimed at police dispositions and biases, and how the 'game' of law enforcement, itself, gives rise to a logic of practice and a police disposition that works against reform.

A Sociological Perspective

When we hear reports of excessive violence by the police or against them, it is often difficult to know exactly where to focus our attention. Should we look first at the larger social structures that give rise to inequality and violence and create dangerous situations for the police and public? Or, should we fix our gaze on the human actors—police and citizens—who are committing the violent acts, presumably with some measure of reason and forethought (Morris, 2018)? Social scientists make competing claims about the preeminence of social structure over human agency, and vice versa, in explaining human behaviour (Sewell, 1992; Clifton, Repper, Banks & Remnant, 2013; Rigby, Woulfin & Marz, 2016). Stated broadly, social structure refers to rules, resources and underlying principles that *determine* patterns of interactions and

individual behaviours (Sewell, 1992). The notion that we are products of our environment is an example of this view. Human agency, on the other hand, is the capacity of people to reason and exercise control over their lives (Bandura, 2001). The belief that we are able to rise above our circumstances to achieve great things fits this agentic perspective. Rather than picking a side and arguing for the primacy of structure or human agency, sociologist Pierre Bourdieu provides an integrated framework that links four interdependent concepts: field, habitus, capital, and doxa (Bourdieu, 1977|2013). According to Bourdieu, *social practice* is the outcome of the 'ontological complicity' of these concepts (Bourdieu & Wacquant, 1992, p. 128). Let us explain.

The concept 'field' refers to something like a sports field with rules of engagement, boundaries, positions of power and prestige, and a logic that everyone knows, i.e., something like a football field. Individually and collectively, the players understand what others expected of them. They know how to score points for the team and how to gain status as individuals. Success on the field requires players to internalise the logic of the game. Bourdieu refers to this as 'habitus' (Bourdieu and Wacquant, 1992, p.115). The habitus is a socialized *disposition* and *worldview* that helps players adapt to contingencies on the field. Habitus enables individual actors to develop a 'sense of the game' in order to reason quickly and effectively (Bourdieu & Wacquant, 1992, p. 128).

Bourdieu used the term *capital* to mean the variety of ways human agents on the social field are recognised and rewarded for doing the *right* things. Generally, there are two broad types of capital: economic and symbolic. Economic capital refers to things like wages and profits that reflect power and status on the field, whether it be in an organisation, profession, or community. Symbolic capital, too, denotes status, albeit not directly related to mercantile exchange but, nonetheless, having exchange value. For example, being recognised favourably as having special

knowledge or skills (cultural capital), or having close connections to people in power (social capital), may affect a person's position on the field and the logic of his or her specific behaviours (Moore, 2008).

The term *doxa* is used in Bourdieu's sociological framework to refer to a condition where the objective structures (field) and subjective structures (habitus) are so closely aligned that the arbitrariness of the *status quo* goes unnoticed. In other words, the way things are in practice is misrecognised as the natural way they should be. Therefore, the question of legitimacy of the social order is never questioned. This holds true even when the outcomes of the social order appear paradoxical, i.e., they go against doxic assumptions. For example, the assumptions underlying gun rights in the U.S. Constitution are never seriously questioned by anybody even though there are hundreds of mass shootings with multiple deaths each year.[1] Gun rights --as constructed in the U.S. Constitution-- appear to citizens as natural rights rather than something arbitrary that can be changed.

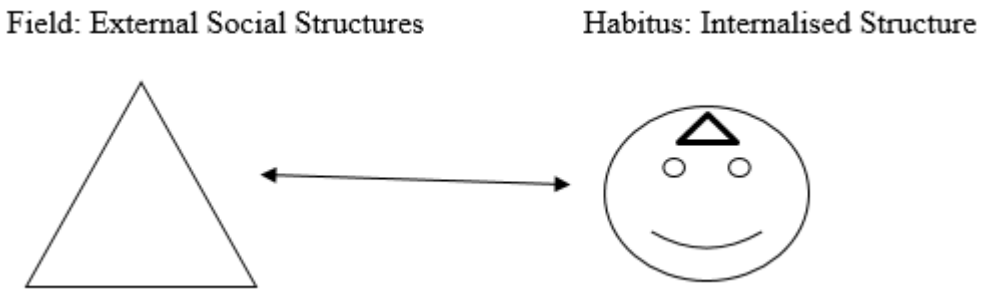
The Logic of Practice

For Bourdieu, behaviour emerges from the *logic of practice.* In any type of game on a field of play there are multiple ways to make good plays and bad plays, and there are corresponding rewards and sanctions that accompany these actions. Individuals with interest in success on the social field are likely to develop a disposition or way of seeing the world that conforms to the logic of the game. The value or morality of behavior, then, is assessed in accord with this logic. For example, a violent tackle on the field of American football is celebrated with spontaneous cheering. But that same play on the field of international football (soccer) is likely to get the player a red card, ejection from the game, and vigorous booing. Similarly, although we

[1] See the Gun Violence Archive at https://www.gunviolencearchive.org/

generally accept the morality of telling the truth, even when it hurts, the logic of a card game or criminal trial makes it a *good* play to conceal the truth within the established rules and logic of the field. Those who master the games on particular *fields* are those whose *habitus* (socially-produced dispositions and mental habits) align with the structure of the game (see Figure 2.1).

Figure 2.1 Bourdieu's Concepts "Field" and "Habitus"



The triangle in Figure 2.1 is a symbol representing the structure of the field. It stands for the rules of engagement, policies, practices and positions of status and power attained through the accumulation of various forms of capital. Presented here, it is simply a symbol that stands for *the way things are*. The triangle on the forehead of the person represents the internalised structure—or *habitus*—, which influences the decisions and actions of individuals, engaged with each other on the field. The structured field determines—and is determined by—the actions of human agents. In Figure 2.1 the arrow pointing in both directions depicts this bi-directional interaction between the structured field and habitus. When internal structures (habitus) align with external structures (field), participants on the field act intuitively and decisively in accord with the *common sense* of the field. As we have described earlier, the term *doxa* describes the taken-for-granted aspects of our social world that result from the close alignment of field and habitus. Like a 'fish in water,' social actors on the field develop an intuitive feel for the game and never question the game itself (Maton, 2008, p. 59). Doing the 'right thing' is less about a general

moral reasoning or rational calculation and more about how closely the observed behaviour aligns with the logic of the field. As Bourdieu would say: The "logic of practice is logical up to the point where to be logical would cease to be practical" (Bourdieu & Wacquant, 1992, pp. 22-23).

This perspective is particularly useful for understanding how organisations and institutions like the police reproduce themselves even when they become ineffective and harmful (Chan, 1997). Those with the power to transform the field are likely to mistake the status quo for the *natural* way things should be and work hard to maintain and reproduce it (Weisburd et al., 2003). Below, we demonstrate the interaction of field, habitus, capital, and doxa in a case study from Wilmington, Delaware USA.

The Logic of Police Practice: An example from Wilmington, Delaware

From August 2013 through August 2014, the first author conducted a year-long study of police practices in Wilmington, Delaware. Using a variety of methods, including surveys, interviews, and structured observations, he clearly established that the "game" being played at the Wilmington Police Department was street-level law enforcement (Nolan, 2016). Status and power in the department (forms of capital) were tied closely to street arrests and gun and drug seizures. Officers often spoke enthusiastically of the heroics of 'running and gunning,' a phrase meaning to chase down armed criminal suspects. Inside the department, the idea of providing service to a community meant 'locking people up.' For example, when robberies and burglaries increased in particular neighbourhoods, a team of police officers would be dispatched into the community to enforce laws. The team of officers, known officially as Operation Disrupt, would not attempt to help the residents being plagued by crime or to actually solve the robberies and burglaries and arrest the perpetrators. Instead, the team would focus on enforcing minor

violations of the law such as possessing open containers of alcohol or loitering. The game of policing, as it was being played in Wilmington, created a habitus (disposition and worldview) in officers that made them 'hyper vigilant of danger, fixated on sorting the good people from bad and uninterested in the long-term harms to individuals and communities that result from their law enforcement efforts' (Nolan, 2016).

While crime rates nationwide declined and remained lower from the mid-1990s into recent years, Wilmington experienced large increases in crime. In fact, according to the FBI, the violent crime rate in Wilmington is more than three times higher than the violent crime rate for the state of Delaware and more than four times higher than that of the United States as a whole.[2] It is in places like Wilmington that many of the controversies about policing practices are taking place. In these places, due in part to a current trend of aggressive street-level enforcement, the police are often viewed as occupying forces by the people who live there. The broken relationships between the police and community can have deep implications for public safety. For example, between 2010 and 2015 there were about 150 homicides in Wilmington and about 6,000 burglaries.[3] During this time, the Wilmington Police Department (WPD) solved 33% of the murders and 9% of the burglaries, both well below the national average. WPD officers claimed that 'stop snitching' campaigns, resident apathy, and lack of trust in the criminal justice system were responsible for these low clearance rates. Although WPD made relatively few arrests for the serious crimes that were occurring, officers were very busy enforcing the law. The most frequent charge for people arrested by WPD during this time was 'resisting arrest' (2,002 incidents), next was 'loitering' (1,921 incidents), and 'offensive touching' (1,811 incidents).

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[2] Source: Federal Bureau of Investigation, UCR Datatool.[Online]. Accessed at https://ucrdatatool.gov/

[3] Source: State of Delaware, City of Wilmington incident-level reports 2010-2015.

Other high arrest counts were observed for the crimes 'possession of an open container of alcohol' (888 incidents) and 'disorderly conduct' (909 incidents).

Modeling the "broken windows" tactics of cities like New York and Toronto in the 1990s, the aggressive enforcement of relatively low-level offenses has become the *raison d'etre* of many departments, including WPD (Wilson & Kelling, 1982; Bratton & Knobler, 1998; Guiliani & Kurson, 2002; DeKeseredy et al., 2003). On the policing field, progress is assessed almost solely on police outputs, such as the number of arrests or the quantity of drugs and guns seized, rather than community outcomes. In many ways, policing is still plagued by the same 'means over ends' problem Herman Goldstein (1979) lamented over in developing problem-oriented policing. Based on Bourdieu's ideas reviewed above, this is unsurprising. The term *police* is now used interchangeably with the term *law enforcement*. This is particularly evident in police management innovations such as Compstat, data-driven deployment of officers, and real-time crime centres that reward and reinforce traditional law enforcement tactics as the main ways to earn praise, promotion, and status in the eyes of peers (Weisburd et al., 2003).

The law enforcement game has rendered the police helpless in mobilising sustained support from residents in preventing and solving serious crimes. Indeed, some have argued that aggressive enforcement, especially for low-level offences, may undermine police legitimacy as residents begin to feel like targets rather than partners of the police (Rosenbaum, 2006). Moreover, aggressive law enforcement practices aimed at low-level offenses have been found to generate negative consequences in communities. For instance, one study found that despite reducing disorder, aggressive policing in Jersey City, NJ actually made people more fearful and isolated thus likely preventing them from being engaged in collaborative activities to prevent or solve crimes (Hinkle & Weisburd, 2008).

In an essay for the online publication *The Conversation*, Nolan (2016) described how the current policing field produces a logic of practice and disposition in officers that is counterproductive. He wrote the following:

> In this hardcore version of the law enforcement game, well-intentioned and highly competent officers seemed blind to the consequences of their actions and indifferent to harm it caused. It didn't seem to matter to them whether a neighbourhood was ultimately safer following police action, or whether convictions were won in court. It also didn't seem to matter whether serious crimes like robbery or burglary were ever solved, or whether families and communities would suffer from widespread police sweeps and the disruption of mass arrests. Worse, nobody worried that the broken trust in the police would contribute indirectly to more killings. These things were not part of the logic. The only thing that mattered was that 'lockups' were made and that guns and drugs were seized. 'Community policing' meant placating the community with a few friendly faces so that real police work – arresting criminals – could go on unimpeded. (Nolan, 2016)

The sociological argument here is that the practice of policing is a function of the interplay of field, habitus, capital, and doxa. On the field of play, officers are engaged in a game of 'law enforcement' where citizen/residents are viewed as objects (criminals or potential criminals) that can be converted to capital via arrest. It is an exciting contest of good versus evil, in which stories of heroism abound and the model police officer is an aggressive, no nonsense law enforcer. Status and positions of power (i.e., capital) in the police organisation and 'law enforcement' profession are aligned with the expectations of the game. Promotions, desirable

assignments, titles, and awards are given for heroism and aggressive law enforcement. This game, along with forms of capital for playing a certain way, produces a logic that becomes the 'common sense' of policing. It also fosters in officers a worldview and disposition (habitus) that keeps them at war. The battle lines are the boundary lines they draw between good and evil, order and disorder, us and them. In this environment, relationships between the police and community have become extremely strained, especially in places like Wilmington where crime and violence thrive. The assumptions underlying law enforcement practice as a means to keep neighbourhoods safe are never seriously examined because law enforcement as the mission and purpose of policing is accepted as natural rather than arbitrary and changeable.

Bourdieu's framework helps us see the value and limitations of doxa created by the close alignment of field and habitus. On one hand the policing field presents a logic for collaborative action. By internalising this logic and embracing a disposition (habitus) that promises success on the field, police officials develop a "feel for the game" that guides decisions and coordinates activities in helpful and efficient ways (Maton, 2008, p. 54). On the other hand, doxa creates the false view that the police field (i.e., the law enforcement mandate) is the natural way it should be rather than socially constructed, arbitrary, and changeable. This keeps the social field exempt from serious inquiry, and all but guarantees it will continue *as is* into the future. Doxa keeps the false underlying beliefs of the status quo sacred and unquestioned.

Our use of the word *sacred* extends beyond the world of religion to include secular laws, institutions, and customs that are considered worthy of reverence and respect. Many of the things we consider sacred are linked to doxa because they appear natural and beyond question. Challenging the sacred has always been a dangerous thing to do. In the 16th Century Copernicus and Galileo were shunned or persecuted for challenging the doxa of the church and holy

scriptures by placing the sun, rather than the Earth, at the center of the universe (Leveillee, 2011). It may be less risky today in the physical sciences to challenge the authority of the Bible on things like the age of the Earth, the origins of the universe, and the evolution of humans from the sea (Glanz, 1999). But, it is still taboo in many places to question the existence of God, the reality of heaven and hell, or the essence of a soul.

The problems in challenging sacred institutions is even more dangerous today in the social sciences than it is in the physical sciences. Social facts often have ramifications that touch the interests of groups and individuals whose very existence is rooted in a world that diverges from these facts (Wirth, 1936). For this reason, the *truth* of an idea is often determined by the degree to which it corresponds with one's own world view and interests. Ideas that challenge the sacred are viewed as "dangerous thought." According to Wirth (1936) the things that are dangerous to think about may differ from society to society and from age to age, but what makes them dangerous is that they challenge the beliefs held most sacred in society. A thought can be dangerous and subversive, Wirth writes "(f)or thought is a catalytic agent that is capable of unsettling routines, disorganizing habits, breaking up customs, undermining faiths, and generating skepticism" (p. xvii).

Thought as a Struggle for Power

It may be true that individuals are the only ones who can formulate a thought, but, it is wrong to think that individuals alone are the originators of that thought (Mannheim, 1936). We inherit ideas in the same way we inherit language. Beliefs and ideas are embedded in a social context. They are also a product of the times and the social circumstances of the person doing the thinking. A thought may be triggered by an observation that appears to an observer as objective reality. But, this is actually a subjective interpretation based on unconscious forces rooted in a

particular social context. Individuals in a society see things differently which alone may not be an insurmountable problem. Because we can communicate with others through language, our divergent thoughts can be pulled together into a unified view, a more truthful view. Getting the whole picture from divergent views is complicated because of special interests. This is why sociologists like Karl Mannheim and Pierre Bourdieu have considered the search for knowledge not as a cooperative endeavor to find truth and share power, but as the struggle for power on a battlefield of special interests. The police too are a special interest group on this battlefield for distinction and power and where it is more important to be "in the right," legally, politically, and in alignment with the interests of the group, than it is to be right (Wirth, 1936, p. xxvi).

The terms ideology and utopia relate to the socially situated roots of thought and the struggle for distinction and power described briefly above. Ideological thinking is most likely to occur in the group whose interests are most served by the status quo. Their thoughts tend to block or ignore facts that might undermine their power or destabilize the current conditions. In our four perspective model of police reform (chapter 1) ideological thinking would align with the perspectives "maintaining" or "retrofitting" because *if* anything needs to be reformed it is only the methods and *not* the police mandate. On the other hand, utopian thinking generally pertains to the thoughts of those seeking power or a redistribution of power. They tend to focus too narrowly on the conditions that negate the status quo because their aim is to transform it. The utopian mentality tends to block or ignore facts that support the existing order because their focus is primarily fixed on its destruction and transformation. Utopian thinking is most closely aligned with the "transforming" and "coopting" perspectives on police reform because their aim is to change the police mandate (chapter 1).

It is important to note that *both* ideological and utopian thinking are equally problematic for reformers looking for solutions, albeit in different ways. Each offers important insights about the true nature of social problems but blocks others. Recognizing this fact and opening oneself to the ideas and concerns of the other side is necessary for successful police reform to become possible.

Summary and Conclusion

In this chapter we began by looking at the *status quo* and the mechanisms by which it is continually reproduced even when it produces harmful outcomes. By using the conceptual tools of Pierre Bourdieu, we show the interplay of field, habitus, capital and doxa and how they work together to ensure the status quo remains intact. On the field of policing there is a game being played, one that every police officer knows. It is a game that gives priority to law enforcement outputs over the more complex and ambiguous community outcomes. To the police, the causes of crime and violence may appear to be out of their control. Officers surely recognise the impact of poverty, unemployment, and drug abuse as key contributors to crime. But, they rarely question the assumptions behind law enforcement as a solution to crime or recognise that what the police are doing actually makes things worse in many places. The game on the field shapes the outlook and disposition of officers. They know what to do without much rational calculation because the rules of the game have been internalised. The logic of the game becomes "common sense" to officers, which enables them to act quickly and decisively to *do the right* things in the myriad of chaotic situations they face each day.

This close relation between the objective field of policing and the subjective habitus of officers creates doxa, a condition in which the game of policing appears natural and unquestionable. The logic of the game and the assumptions about crime and community safety

are never questioned. They simply never come up, because no one thinks to bring them up. This is why many reformers only aim at the methods of policing, but not the mandate.

There is one example in recent years of a national police agency, rethinking its mandate in the throes of chaos following the terror attacks of September 11, 2001. At this time the Hungarian Crime Prevention Academy (Academy) was established. Its police mission was to combat terrorism by building strong communities (Conti, Nolan & Molnar, 2011). At a time when the Department of Homeland Security in the United States was being instituted to protect citizens from terrorism, the opposite was happening in Hungary. The Ministry of the Interior was attempting to promote a "…crime prevention attitude in the daily activity and way of thinking of state organisations, local authorities, civilian organisations, businesses and private individuals" (p. 17). Because the focus was to create a "prevention mindset" in everyone, the Academy's strategies included employing wide circles of participation from community groups throughout the country. Once the game shifted from "a few protecting the many" to building relationships so that the "many could protect each other," a different logic emerged. The new game required officers to think about sharing power and responsibility with local residents. A total shift in thinking about the purpose of policing is necessary before transformational change can take place. In later chapters we describe in some detail how this can be accomplished.

Policing in this age of reform will require collaboration from many individuals and groups who have competing views. Placing the roots of our thoughts in social contexts and special interests, we are better able to see the limits of ideological and utopian thinking. When they are in direct opposition to each other, as in the battlefield metaphor, each serves equally to preserve the war for power and distinction. But, in the end, this does not need to be the case. The battlefield is a metaphor and not a natural law, even though it appears that way. A construction

metaphor may be more appropriate for describing the work ahead for the police in an age of reform.

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