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TOWARDS A SOCIOLOGY OF THE POLICE**

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ABSTRACT

This paper seeks to discuss the police as a social phenomenon. The plan is to begin with a brief and basic explanation of the relationships between the police and the social sciences, particularly sociology. Secondly, attention will be given to what the existence of the police as a policing system contributes within society, i.e., the emergence of the police and policing in both primitive and modern societies. Finally, the relationships between the state, citizens and police, together with policing will be discussed. The questions of 'are the police necessary?' and 'can the police be replaced by any alternative?' will also be posed. Briefly, in this section the police, the state and the citizen triangle will be the focus of discussion.

Key Words: Police, Primitive Policing, Modern Policing, Sociology, Citizen, State.

ÖZ

Bu makalenin amacı, 'polis'i bir sosyal olgu olarak tartışmaktır. Öncelikle polis ve sosyal bilimler, özellikle de polis ve sosyoloji ilişkisi irdelenmiştir. İkinci olarak, polis mesleğinin ilkel ve modern toplumlarda ortaya çıkışı, örgütlenişi, işlev ve uygulamaları açıklanmıştır. Son olarak da, devlet, vatandaş ve polis arasındaki ilişkiler analiz edilerek tartışılmıştır. Bu bölümde, ayrıca, 'polis gerekli midir? ile 'polisin kurum olarak bir alternatifi var mıdır; diğer bir deyişle, polis başka bir kurum tarafından ikame edilebilir mi?' soruları da yanıtlanmaya çalışılmıştır. Kısacası, bu bölümde devlet, vatandaş ve polis üçgeni tartışmanın odak noktasını oluşturmuştur.

Anahtar Kelimeler: Polis, İlkel Toplumlarda Polislik, Modern Toplumlarda Polislik, Sosyoloji, Vatandaş, Devlet.

I. THE POLICE AS A SOCIAL PHENOMENON

1. The Police and Sociology

Social sciences such as sociology, psychology, politics, economics, anthropology, and history contribute to developing a deeper understanding of the structure, function and social environment of policing[1]. The study of legal institu-

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tions, criminology, penology, social and public administration contribute to an understanding of deviance, crime and control. These developments led to new studies which concentrated on comparative police studies, police principles, ethics, discretion, autonomy, accountability, impartiality, police management and administration, education, training, socialisation, "the historical development, occupational culture, organizational framework, routine operations and constitutional status of the police" (Reiner, 1987:1). However, the relationship between the police and social scientists, particularly the sociologists, has been an uneasy one. As Pope and Weiner (1981:87) stated, police officers, with varying degrees of amusement and impatience, dismiss the social sciences as unrealistic, unhelpful, and contradictory. Social scientists complain that the police do not welcome them, understand their approach, or appreciate their ideas. Police and sociologists tend to view each other in a negative manner. Various writers such as Pope and Weiner (1981), Greenhill (1981) and Reiner (1985) have suggested explanations for these attitudes. The prime reason given is that sociologists have failed to communicate their findings effectively to the police force and thereby to demonstrate their practical value for police work. This may lead the police to see the sociologist's work as irrelevant. In addition sociologists fail to recognise the contribution that police officers may make in criticising and informing their research, by labelling police officers as incapable of conceptualising sociologically about their work.

How can this impasse be resolved? Greenhill (1981:91-107) suggests that sociologists must demonstrate "the potential improvements to be obtained by the organisation, the increased information and knowledge to be acquired". For example, sociological inquiry might lead to improved public understanding of and confidence in the police, based upon independent and objective studies. Modern sociology has its special contribution to make to the understanding of police and policing for two reasons. The first is that the sociologists, who have concentrated their studies on different societies with the police force, have been in a position to comprehend such societies each in their entirety and so to deal with the police as an integrated system. This has made possible the development of comprehensive theories of policing dynamics embracing law enforcement phenomena as one aspect of the socio-political structure. The second arises from the fact that sociology is also a comparative science. It draws its data from all orders of society - primitive and modern or pre-industrial, industrial and post-

industrial - and from all portions of the globe. It provides the data to check hypotheses as to the nature of human behaviour and society by finding variables somewhere in the sociological research of a related society. It thus makes it possible to move much closer to both an empirical and theoretical study of police and policing. Sociologists can also examine police problems from different perspectives and with different tools. They can bring a greater precision to bear on the measurement regarding those factors that are of concern to the police. As a result, they can correct distortions and improve the public picture of policing (Pope and Weiner, 1981:87).

From the other viewpoint as well, the police themselves can learn about alternative ideas and techniques. They will also be able to improve the quality of their services, to rectify their policies, strategies and work styles, and to strengthen their relationships with the people they officially serve. Police science and the sociology of the police, therefore, need academic knowledge, which is very important for understanding people's needs, beliefs, values, and attitudes. It should use the scientific method and sociological approach to determine the main principles of human behaviour, although the application of these principles to the understanding of human behaviour mostly depends upon our interpretation and judgement. For example, the police can learn from Banton (1964) that they can only have a marginal influence upon social control, which is a function of many other agencies and attributes of the social structure. From Cain (1973) they may begin to appreciate the variations in styles of policing which are found in different social environments and to understand the sometimes conflicting pressures which impinge upon the constable's role. From Reiner (1978; 1985) they may begin to develop an insight into the critical position of the police in the class structure and the relationships between the police and politics, and from Mawby (1979) the extraordinary extent to which the police depend upon all sections of the public for both information and results (Greenhill, 1981:97). From Balch (1972), Butler and Cochrane (1977), Adlam (1981), Colman and Gorman (1982) and Reiner (1991) they can learn the main personality characteristics of the police officers and police elites; from Wilson (1981) political awareness in policing; from Mawby (1990) the practice and application of different policing systems in different countries and from Fielding (1988; 1991) a detailed picture of the training of police recruits and the role of the police in social conflict, etc.

The gap, in fact, between social scientists, with sociologists in particular, and the police develops from a mutual misunderstanding and lack of knowledge about each other's aims and methods.

2. The Emergence of the Police

2.1. Early Formation of the Police and Policing

The first question that may be asked is 'have all societies, both primitive and modern, some form of policing?' If studies of Schwartz and Miller (1964), the study of Diamond (1971), and Hoebel's study (1976) are taken into account, the answer, without discussion, shall be a definitive 'No'. Schwartz and Miller (1964) have undertook research into three characteristics, these being counsel, mediation, and the police, of fifty-one primitive societies. They realised and defined the 'police' as a "specialised armed force used partially or wholly for norm enforcement". According to their findings, only twenty societies in the sample had police, that is a specialised armed force, available for enforcement of societal norms. Eighteen had only mediation, and some also had both mediator and police. The others had no form of policing. They determined some of the characteristics of primitive societies that had developed a police force. "Eighteen of the twenty in our sample are economically advanced enough to use money. They also have a substantial degree of specialisation" (1964:166). In other words, in many of these primitive societies property is more significant than in others and some mechanisms are required for dealing with disputes over ownership, inheritance, etc.

Hoebel (1976), studied law and anthropology and agreed that the procedure was first to develop a set of ideas and methods for the study of law in a primitive society. Having done this, Hoebel then analyzed seven primitive cultures with reference to their underlying jural postulates and the ways in which these were translated into legal forms and action. He stated that "every human society has some sort of territorial structure. The members of the group are usually closely related and they live separately from other groups; they move about in their own recognized territory and a sense of cohesion rests equally on kinship and territorial bonds. ... almost all peoples conceive of some acts which are believed to endanger the group as a whole and are treated as offences against society per se" (Hoebel, 1976:295). According to him 'the law of things begins

to rival the law of persons" (1976:316). Special threats to the economic security of the tribe may come under a tribal criminal jurisdiction but "the development of criminal law remains weak" (1976:311). The conflicts between tribes or kinship groups were handled through official mediators, the **monkalun**. A monkalun is, literally, an advisor, or functionally, a mediator. He is always the key figure in the adjustment of any problematic matter which may crop up. Hoebel accepts the existence of the monkalun as the first step in the development of juridical institutions (1976:114). However he does not mention evidence of any police system in these primitive societies.

Diamond (1971) also studied primitive law. He stated that "among communities whose social structure is of the simplest there are no intermediate social, economic or political organs" (1971:178). However, when we turn to government and administration, according to his explanation, we find again variations from tribe to tribe, but with a degree of development from the Food Gatherers and from the simpler to the complex economies. For example, he stated that "in the less organized social structures, among the Eskimo, there is no government: there are no chiefs though there is in most settlements an especially prominent person whom the rest tacitly and almost unconsciously acknowledge as the first among equals. Among the Western Shoshoni, where the extended family is the only politico-economic unit, there is the influence of the head or elder of the family but little mention of chiefs" (1971:184). In regard to disputes and disorder arising from alleged wrongs, the chief's function and efforts were to preserve or restore peace. He may offer advice or moral persuasion but not judgement (1971:185). Power to administer punishment rather than persuasion varied from tribe to tribe, but everywhere it existed to enforce conformity rather than revenge (1971:186). The chiefs made the minor political decisions and discussed the major questions before bringing them to in front of the general assembly of freemen of the tribe for their approval or rejection. Priests maintained order in the assemblies and imposed capital sentences. The other forces supporting order must also be recognized: the power of the father as owner of the family property over wives and sons; after his death the influence of the eldest son over his brothers; the bonds with members of age-sets, agnatic kin, affines and maternal relatives; the personal relationships between individuals and groups with common interests, economic, social and ritual; the personal influence of a minority of rich men, successful warriors and sages, all of which cut across other group-

ings; the desire for public approval, the fear of violent reprisals by offended groups and individuals making for social control (1971:242-243). Diamond also does not mention any form of police systems in primitive societies that he had studied.

Mawby discusses both Schwartz-Miller's and Hoebel's studies, accepts their explanations and states that many primitive societies had minimal levels of organisation, with no form of money, little property and no specialisation. Many other societies had some degree of administrative structure, but still had no police (1990:16).

It is, in fact, very difficult to accept such a view of the police or policing in primitive societies, namely the idea that all primitive societies had no form of police. As is known, the police are accepted, in general, as a governmental agency that enforces law, protects individuals and their properties. If so, it is possible to say that all primitive societies, either more or less organized in the true sense, had a sort of policing, although not all primitive societies had an official-governmental form of administration. This sort of policing may not be as formal as we have today, but it might be accepted as informal. Since human beings had to live either in a group or in a community, there had to be interaction and communication with other members of the group or the community. For example, Mawby states that homicide only became a group responsibility where the offender was guilty of repeated killings and was thus seen as a threat to the group. In such situations the group might agree on united action, either exile or lynching. There was, however, no individual or group specifically designated with any responsibility for controlling even this extreme example of deviance (1990:16). This may be true. There might be no specifically designated individual or group with responsibility for controlling deviant behaviour. But it should be accepted that if there is, at least, a united action for exiling or lynching a person who threatens the group, there should also be some kinds of behaviour that are acceptable and unacceptable, namely behaviours which threaten and do not threaten the group. Additionally, Hoebel (1976) mentioned the official mediators who handled the conflict between groups and were responsible for determining damages, and he accepted norms and taboos in these primitive groups or societies that had no form of policing. These two simple examples, in fact, mean that the primitive groups or societies had both informal policing and judgement-punishment duties and services, although there were no specifically organized institutions for them.

Besides this, Schwartz and Miller (1964), Hoebel (1976), Diamond (1971) and Mawby (1990) also accept that many primitive societies had some degree of administrative structure, or some form of mediation. If there is an administrativ structure, there are also inevitably norms and rules. Also, the existence of medi ators means there were different forms of conflicts. If the group or communit had no such authority, the individual solved his/her problem him(her)self – this Diamond (1971:195) called a "private offence". That is, "there was hardly any where a trial" (1971:192). If the case is considered in the context of modern soci ety, it cannot be accepted or labelled as a policing system, but in a primitiv society context, it is obviously the first step towards a kind of policing system This might later lead to the policing by soldiers in more organized socio-politi cal structures. Mawby (1990:17) also mentioned the soldiers' societies that wer deployed when societal conflict reached an unacceptable level and the need fo some regulatory force was recognized. Hoebel (1976:155) explained the devel opment of this procedure in a very clear manner as well. Policing by the militar was more evident in the Roman Empire (Stead, 1985). It was used especially to maintain law and order, particularly in the provinces (Mawby, 1990:18).

The existence of an organised police system was not important or appropriate, because there were mostly norms and taboos which determined the daily social, political and economic life. These were replaced by law in modern societies. All explanations provide that there was a norm and taboo enforcement system which was carried out by either chiefs, priests, monkalun, teachers, soldiers, the kinship group, tribe, the elderly male of the family, the father or the eldest son of the family-namely by either the community or by the individual him(her)self. If the norm or taboo enforcement was at a community level, the practice should be labelled as 'informal primitive community policing'. If it was at an individual level, the practice should be labelled as 'informal individualistic policing'. Consequently the different policing practices, either at the community (group) level or at the individualistic level, can be identified in primitive societies, though these do not have the characteristics that the modern policing system has. These early forms of policing emerged as social structures and became more complex with the invention of writing, some form of money, property divisions, and other specialist roles, particularly where full time government officials were established based on non-kinship criteria. Equally clearly, though, these police systems themselves changed as societies became more complex (Mawby, 1990:19). The

elements of the police system emerged in a sequence, such that each constituted a necessary condition for the next. Lundman (1980:15-17) conceptualizes this period - transition from informal policing to modern-formal policing - as 'transitional policing'. According to him, 'transitional policing' was characteristic of the systems which emerged in response to the breakdown of informal police networks. These systems of policing anticipated modern police departments in office and procedure, but they lacked continuity and they were not accountable to a central governmental authority. For example, this applied to the policing system in New York City between 1697 and 1783 (see for detail Richardson, 1970:3-22), and the policing characteristic of eighteenth century London.

2.2. The Modern Police

The changes in social, political and economic structures that took place over thousands of years in primitive societies or pre-history took only a century or two in Western Europe in the eighteenth or nineteenth centuries and take only decades in societies today. However it is very difficult to say that changes in each step occurred from the same step on the scale. There are almost no human activities or socio-political arrangements that do not now stand under some form of governmental regulations. Moreover life now is economically, socially and politically more controlled than in earlier times.

The existence of modern policing and the nature of modern police authority may perhaps be tested by the answers to three questions: Is there an office or post in which the police are charged with policing? Has anyone a lawful and an official right to give an order that must be obeyed? Has anyone an official right to make an arrest and a detention to maintain or restore social order? When modern societies are considered, the answers to these three questions will be 'Yes'. In fact, the creation of the modern police is closely related to the extent to which that the law is to be found in societies. Although common law worked for centuries without an identifiable police force, the emergence of modern police became a necessity parallel to the increase of population and complication of social, economic and political life.

The modern police, as a regular and recognized part of the modern state, is a comparatively recent innovation. In 1763, the police were defined by Adam Smith as "the second general division of jurisprudence" (cited in Reiner,

1988:141). However, in the Western World, during the early part of the nineteenth century, a number of conditions developed that caused people to consider restructuring the law enforcement systems, though the roots of the police today came from the pre-historic period. For example, from the rule of C. Octavius in 27 B.C. the police emerged as a distinct and a separate arm of government in the Roman Empire. By the third century, Rome had a well-established police force with **vigiles**, based in police stations, regularly patrolling the streets (Mawby, 1990:18).

Lundman (1980:17) gives four distinctive characteristics for modern policing: persons generally recognized as having full-time police responsibilities, continuity in office, continuity in procedure, and accountability to a central governmental authority. According to Bayley (1985), modern policing incorporates three main characteristics; these being public, specialized and professional. Mawby (1990:19-20) considers Bayley's model in the context of the three key features of policing: legitimacy, structure and function. He means by the police an agency which can be distinguished in terms of its legitimacy, its structure, and its function. If careful attention is paid to these three conceptualizations, it can easily be seen that the meanings of the concepts more or less overlap each other, although their conceptualizations are different. Legitimacy, according to Mawby (1990:3), implies that the police are granted some degree of monopoly within society - that is, it has a public characteristic - by those with the power to so authorize. They be an elite within the society, an occupying power, or the community as a whole. The concept of structure implies that the police are an organised force, with some degree of **specialization** and with a code of practice within which, for example, legitimate use of force is specified. Although there might be considerable differences in terms of crime definitions, the balance between law and order, prevention and detection, and other duties which are service related, administrative or concerned with political control, are assigned to the police force. The term 'function' implies that the role of the police is concentrated on the maintenance of law and order and the prevention and detection of offences.

The modern police, as we know it today, is a product of English society in the second quarter of the nineteenth century (Bittner, 1980:15). The location of origin reflects the fact that England was, at that time, further advanced along the path of development as an urban - industrial society than other states. "The British model was adopted everywhere else, albeit with modifications required

by different traditions and different forms of political organisation" (Mawby, 1990; 1991). However, there are considerable differences in the ways in which modern police systems have been constructed in different societies.

Although it is always hazardous to formulate estimates of historical necessities, it would seem to be exceedingly unlikely that the idea of the modern police could have arisen in many of the social, economic and political contexts that are described below.

Before the organizational formation of the modern police force, the police served as nightwatchmen. With rapid social change new pressures and demands were generated for the police. In view of the changes in social, economic and political life, other duties were added, including lighting gas lamps, finding lost children, catching burglars and so on (Richardson, 1989:433-439). Over time many of these functions were transferred to other agencies, such as the municipality and other local organisations. For example, "before the nineteenth century no police existed in Britain" (Bowles, 1966:15). That is to say, no full-time, trained and paid enforcers of internal law and order. Police functions were fulfilled by other elements of the state, especially the military and various local volunteer forces (1966:15). By the 1820s, however, the challenge to the authority of the state and the property interests it protected, particularly from the rapidly growing working class of the industrial towns, was becoming unmanageable (1966:15). As a result, the modern police came into existence.

2.3. Approaches to the Creation of Modern Police

Historical research on the police has increased in quantity and quality in the past few decades. According to these studies it is, in general, possible to put in order a few different approaches to the creation of the modern police, although categorising theories on a world-wide basis is difficult, because the creation of police systems is very complex. In other words, there are currently four standard conceptual frameworks for examining the history of the police or to answer the questions: Why were earlier police systems inadequate? What problems were the new police designed to confront? and What determined the characteristics of the new police?

One explanation for the rise of the modern police, especially the urban police, is that crime rose to such unprecedented levels that the constable-watch

system collapsed and was incapable of adjusting to the pressures of industrialization and urbanization (Conley, 1989:439-446). Urbanism brought with it a need for explicitly formal regulation, because the lives of the people living in cities are replete with opportunities for infringing upon one another and virtually devoid of incentives to avoid it. The former is due to the sheer congestion of very large numbers of people, the latter to the social distance between them (Bittner, 1980:122). Towns were becoming larger and population density was increasing. "Many people felt that crime and disorder were rising to dangerous levels" (Weiner, 1981:70). In the face of these conditions the ineffectiveness of a part-time nightwatch became increasingly obvious. "A number of cities, therefore, also instituted a day-watch: Philadelphia in 1833, Boston in 1838, and New York in 1844" (1981:70). The Metropolitan Police of London served as a policing model which was adopted by larger cities (Monkkonen, 1981:55). This new model of policing spread from larger to smaller cities, although they did not have the same problems that the larger cities had.

A second explanation argues that the riots of the early nineteenth century created such fears among the populace that alternative means of riot suppression were sought (Conley, 1989:441). These conflicts caused the creation of many state police forces (Weiner, 1981:70). For example, the first state police, the Texas Rangers, had been formed in 1835 in the USA, to patrol the Mexican border. In 1905, Pennsylvania established a state police to deal with striking coal and iron workers (1981:72). After World War I, the state police were widely adopted, primarily to quell strikes, to handle increasing automobile traffic, and to bring a semi-balance of law enforcement to rural areas, where the previous policing system had become inadequate (1981:72).

The third explanation is that "the elites feared the rising number of and threat from the poor immigrants" (Conley, 1989:441). This fear came mostly from the possible destruction of their social values and fear for their property. In addition, the threat of losing control of the urban social order was another reason for fear which elites had at that time (1989:441). In other words, the argument is that the elites established the police to control the potentially dangerous classes. In this context, it is possible to give two different interpretations: The first one claims that the police served "a social-control function", while the second claims "a class-control function" (Harring, 1983), which is a Marxian approach.

The fourth, final, and most probably the newest explanation argues that "the police represented just one of many urban government agencies created to provide services to meet the changing demands of city governments ..." (Conley, 1989:441). In other words, city governments began to absorb many services such as health, fire, sewage, criminals, and so on. That is, parallel with the increase of population, the size of bureaucratisation of organisation also increased. This was coupled with the increasing and accelerating pace of technological, social, political and economic changes in the environment in which the police operate (Plumridge, 1981:175). In order to fulfil these duties, they established bureaucratic organizations. As a result, the urban uniformed police emerged as one of the governmental agencies.

In addition to these approaches, according to Bittner (1980:15) the most remarkable fact about the timing of the foundation of the modern police is that it is sequentially the last of the basic building blocks in the structure of modern executive government. The absolute monarchies of the seventeenth and eighteenth century had ample reasons for creating the kind of institution that would furnish them with means for the continuous and detailed surveillance of citizens. Yet they did not develop such means, but relied on inherited methods of crime control and met such peacekeeping problems as they confronted by contingently mobilized means (1980:15).

Although public concern for order, riots and crime played an important role in shaping the new police, these issues did not dominate the debate about the establishment of the police. In other words, in terms of the problems which gave rise to the emergence of the modern police, it is clear that arguments advocated at the time, that crime was out of control or that public disorder had reached new heights, were grossly exaggerated. At best we might accept that circumstances were considered unacceptable by the emerging urban elites. In some instances, rising crime or street violence was identified as the problem, and street protests by political activists have been specified; rather, the growth of cities has been associated with the threat posed by a more heterogeneous population - with more immigrants, emigrants etc. These issues may have served as a precipitating event in most cases, but they are not preconditions to the establishment of the modern-uniformed police alone. For example, "most cities did not experience these social problems, yet they also created uniformed police organizations during the

late nineteenth century" (Conley, 1989:441). Consequently, it can be said that there is no historical evidence to support any theory that assigns sole agency to urbanization in the creation of a uniformed police force. There is, briefly, no single reason for the creation of the modern police. Conversely, all the reasons that have already been mentioned have a contribution or a role to play in the emergence and development of the police today. The modern policing systems existed in many different societies and in many different time periods. Many countries were influenced by one another. For example, the U.S.A. adopted community-based policing practices from Britain, the Netherlands, France and other European countries (Mawby, 1990:10). However, it should be realized that elements of one policing system cannot necessarily be transferred, because the practices of one society may or may not be applicable in other societies. However, the essential feature of the new, modern policing systems are that they are public (legal), professionally organised, and specialised.

If a comparison is made between primitive and modern policing in terms of their legitimacies, structures and functions, the explanation below can be given (Mawby, 1990:20): The role of a non-state police was more common in terms of primitive policing. Any formation that can be called the police was mostly community based. There was no restricted legitimacy. The structures of the policing systems were less formal and prescribed. They might functionally be characterized by a lack of specialisation. Policing could be accepted as only one aspect of an individual's occupational responsibilities.

Within the modern police, legitimacy is accorded a public characteristic. Although local, private, voluntary or informal policing forms may exist, the police force has a national mandate. It is structurally located in an organization whose mandate is clearly prescribed and which is bound by legal rules. They are structured to a large extent, though the form of structure varies considerably. Police organizations have centralization, specialization, rank-structure and authority, expressed through laws or codes defining what is an acceptable level of force. Functionally, modern policing is characterised by both external and internal specialisation. Specialization is a main feature of modern police systems, although the basis for specialisation varies considerably. Police officers are legally expected to work in law enforcement to the virtual exclusion of other jobs, and internally less emphasis is placed on non-crime administrative respon-

sibilities and more specialization on specific aspects of crime (Mawby, 1990:20). However, in practice, the police make service demands more than crime control demands (Punch, 1979:103-117; Bittner, 1980:14; Crisp, 1990:16).

The problems the modern police were designed to confront can generally be classified as follows[2]:

1- Problems related to work life: Industrial disputes, strikes, demonstrations and counter-demonstrations, and the like.

2- Socio-political order related problems: Terrorism, anarchism, crimes - arson, bombing, kidnapping, etc. -, demonstrations and protests against the political system, the state and the maintenance of the social peace, etc.

3- Economic structure and property related problems: Tax crimes, smuggling, gambling, theft, burglary, robbery, etc.

4- Problems arising from individuals: Murder, kidnapping, stabbing, mugging, assault or attack, rape, sexual harassment, child abuse, discrimination, suppression of vice, and such.

5- Problems arising during social gatherings and which are entertainment related: Sport matches and activities, discord or fights breaking out in discotheques, at celebrations, and such.

6- Arrest, detention and prosecution duties: To make a search or inquiry, to arrest law violators, to collect evidence, to take criminals to court, etc.

7- Prevention duties: Prevention for possible crimes, disorder and delinquency, etc.

8- Other duties: These are mostly service oriented duties. For example, controlling and directing traffic, provision of public services, crowd control, supervision of licensed establishments, arbitrating fights and mediation, emergency health aids, ceremonial functions, taking care of lost children, evicting a drunken person from a bar, etc.

In sum, the role of the modern police is to address a very wide range of human problems.

II. THE POLICE, THE STATE AND THE CITIZEN: A DISCUSSION

In terms of modern policing today, it is possible to find private, voluntary or informal policing in parallel to the legitimated public police force in some societies. Security firms, with uniformed officers, perform a policing duty in both public and private places. In this section, however, they will be excluded because of their not having a universal character, as they are either subordinate to the public police or have restricted legitimacy. They are normally under the control of the public police force, which has a national rather than a local mandate. Therefore the public police will only be assessed in terms of the state, citizen and police relationships; police or the policing idea; its characteristics, structure and function; and its challenge.

If an assessment or a discussion is made about the police, it is inevitably necessary to take the arguments from the three different dimensions into account: State, Citizen and Police. In other words, the nature of police work clearly needs to concentrate on the relationships between the state and individuals as citizens, and the role and place of the police in these relationships. This is because current policing philosophy identifies the public as customer, and public opinion is increasingly likely to influence the choice of policing strategies (Mirrless-Black, 1991:21-25). In other words, up to twenty years ago, most people, including most academicians and politicians, were content to leave policing to the police. More recently, however, developments and changes in socio-political and economic life have led widely divergent groups to ask questions about the purposes of policing and about the effectiveness of the police in achieving these purposes, whatever these may be (Morgan and Smith, 1989:1).

In this section, greatest attention is paid to the Western model - the capitalist formation of the state. In general, a composite definition of the state includes three elements (Hall and Ikenbery, 1989:1-2; Barbalet, 1988:109). First, the state is accepted as a set of institutions, or it can be described as a network of power relations between the distinct organizations involved in the promulgation, interpretation, application and enforcement of law. These institutions or organizations are manned by the state's own personnel. Second, these institutions are at the centre of geographically bounded territory, usually referred to as a society. Crucially, the state looks inwards to its national society and outwards to other societies in which it must make its way. Third, the state monopolises rule mak-

ing within its territory. In creating and enforcing the rules or laws to which all social entities are subject, it constitutes the principal expression of political power in national societies. This tends towards the creation of a common political culture shared by all citizens.

A stronger state presence is required for security reasons to establish order. The search for security by a state means that it will seek to play balance-of-power politics. "The power of a state is very closely related to its wealth, and state strategies often seek to maximize wealth to gain power" (Hall and Ikenberry, 1989:11). Security, which is generally regarded as the first responsibility of the state, has a dual aspect (Beetham, 1984:214). Internally, the state claims to protect people under its authority from violence at the hands of each other, though they also need a guarantee of protection against the violence of the state. Externally, the state claims to defend them against the threat from other states. Of these two, the state obviously has more control over the internal than the external aspects. Each state has an authority which means "the ability to declare, and to enforce the 'law of the land'" (Bauman, 1990:162). The people under the authority are forced to obey, whether they like to or not. In fact the state claims the sole right to apply coercive force: to deprive the law-breaker of freedom through imprisonment. The other side of the state monopoly of physical coercion is that any use of force which has not been authorized by the state, or committed by anyone other than its authorized agents, is condemned as an act of violence and hence invites prosecution and punishment. The laws announced and guarded by the state determine the rights and duties - responsibilities - of the state citizens.

The combination of rights and duties, which are determined and legitimized by the power, namely the state, make the individual a citizen of the state or of society. Citizenship is as old as settled human community, and it can be described as participation or membership in a community or a society. "Different types of political community give rise to different forms of citizenship" (Barbalet, 1988:2). In its own terms, the practice of citizenship contributes to the 'common good'. But the structures in which citizens participate in their collective affairs have wider implications for the organization of society as a whole. The practice of citizenship concerns the consequences of advances in citizenship rights (1988:1), especially for the relationships of citizens and for the social and economic institutions in which they live and work.

The relationships between the state and its citizens, as Bauman stated (1990:167), look like the relationships between a doctor and its patient. Even if the patient is allowed to choose his/her doctor, s/he is expected to listen and obey. The doctor tells the patient what to do, and s/he generally expects approval, not discussion. The doctor explains that s/he does it for the patient's own good. Similarly, the state justifies its own call for the uncontested implementation of its instructions. The state puts forward that it is there to guide citizens towards a peaceful social order and protect them against insecure conditions (1990:167). However, there is a converse relationship between the state and its citizens. For example, the citizens can complain to the authorities and seek their assistance if their bodies or properties have been assaulted on the one hand; on the other hand, they often resent the obtrusive interference of the state into their private lives and upon their rights. They may feel that the state constrains their freedom. They mostly blame the state organs, such as government, parliament, social institutions, bureaucratic organizations, etc., if some of their paramount needs or values are in danger, because "the state always tends to strengthen its demand for more discipline and authority" (1990:167). Therefore, even under the best circumstances, there is always at least a residue of tension and distrust between the state and its citizens.

The fact that being a citizen of a state is a combination of rights and duties makes the citizens feel simultaneously protected and oppressed. Their experience of the state is therefore inherently ambiguous. It may happen that they like it and dislike it at the same time. Which one prevails depends on circumstances, because they know they are indebted to the awesome force always waiting somewhere in the wings to be deployed against the breakers of peace. They believe that if the state withdraws its punishing first, universal violence and the law of the jungle would rule instead. Therefore it is generally believed that the citizens owe their security to the power of the state, and that there would be no security without it. Briefly, they confront the controversy between the demanding and opposing aspects of the state activities. The relationships between the state and its citizens are often strained, as the citizens find themselves obliged to struggle to protect their citizen status threatened by the growing ambitions of the state. From the state's point of view, the citizens are first and foremost objects of state regulation. Their conduct is seen as something that ought to be strictly defined by the rights and duties determined by the state. If the state neglects being so

defined, the citizens will determine their actions themselves - very often to their own and their fellow's disadvantage, as they pursue selfish ends, making living together uncomfortable. Therefore the citizens demand a peaceful security from the state and the state organs, specifically from the police.

In order to provide a peaceful social order for its citizens, "the state needs legitimation" (Bauman, 1990:169). In other words, the state needs to convince the citizens that there are valid reasons why they should obey the authority of the state. "Legitimation is meant to secure the citizen's trust that whatever comes from the state and bears the stamp of the appropriate authorities deserves to be obeyed; and the conviction that it also must be obeyed" (1990:169). Everybody should follow the law just because legitimate authority, the state, demands it. In other words, the formation of the general system requires everyone to respect the law and legitimate authority if s/he does not wish to be punished in some way. "Legitimation aims at securing obedience through reasoning and calculation" (1990:169) because the state directly or indirectly, via education, mass media or briefly via socialization processes, asserts that it is better for everybody if everyone is obedient. Consensus and discipline make society better, and a concerted action is more beneficial to everybody. Wherever industrialization has occurred, it has been associated with important changes in the relationship between the state and the citizens, namely the governor and the governed. It has been related to the emergence of social classes and the changing distribution of power between them.

The relationship between citizenship and social class is the focus of Marxist critique of bourgeoisie citizenship, although "the rulers of industrial societies do not regard the state as their own property" (Hurd, 1978:35). In addition, it is expected that all groups and all strata of society are involved with the affairs of the state. Major political decisions are therefore made not only in terms of the interests of the rulers but also have to take into account the interests of other sections of the population (1978:35). Marxist theory, however, suggests that inequalities under capitalism signify modes of domination and exploitation; claims about mutual advantage and the impartiality of the principles of justice look very slim. Capitalist entrepreneurs, in this view, are not a means to the general advantage; they are a ruling class with their own particular interests, which are privileged and protected by the capitalist state (Walton, 1984:116). The ruling group, the bourgeoisie, tries to maintain their privileges and their domination

over others. They manage to organize military, police, and administrative and religious affairs in a way, which acts to their advantages (Hurd, 1978:28). Althusser (1971), even, terms them as 'repressive state apparatuses'. Therefore citizens do not have an equal distribution of welfare, education, health, income, etc. Especially in the less developed Third World States, the law tends to protect the interests of the ruling group. The governmental agencies or institutions are charged by the strong at the expense of the weak. There is always an ideology or propaganda that it is right that the ruling group should rule, that the power (state) is legitimate and every single member of society must obey. This ideology or propaganda is also a created mechanism of social, cultural (moral-ethic) values that serve to prevent and to maintain the existing social order.

The ruling group also tends to have a monopoly on knowledge and so is able to control the flow of information to the rest of the population (Hurd, 1978:30). This helps to secure legitimacy for the state and its major function of concentrating power and so supporting the social, political and economic superiority of some groups at the expense of the others. This imbalance of power inevitably creates inequalities among the members of society. For example, the history of modern-industrial societies is full of struggles which consistently pursued better wages and better work conditions. In other words, "the collectivism of the struggle conducted by trade unions was the natural response of the workers to the imbalance of power on two sides of the great divide, a necessity dictated by the need to restore the balance of power warped by the employers' monopoly on work resources" (Bauman, 1988:73). This is because the state power, as discussed above, means monopoly over the instruments of coercion. It is only capable of enforcing legitimated rules of conduct and promulgating laws that all citizens must obey.

As a result, the distance between those who govern and those who are governed has grown and the gap has been filled with bureaucratically symbolised communication. Weber identified bureaucratization as one of the dominant motifs of the modern age (Walton, 1984:128-129). Because the tasks of the modern state have become specialized, and the exercise of the state control is assigned to specifically authorized bureaucracies, therefore a more bureaucratic administration is needed. One aspect of the further development of the state is the emergence of a specialized central or local administration, and a more specialized army and police that is directly responsible to the holder of power (the governor).

The tasks of the modern state and the relationships between the state and individuals as citizens show that the state needs to have a force to exercise its power. It is almost impossible to imagine a state without this kind of power. The state internally exercises its power through a legitimate organization, namely the police force. In other words, governors have historically striven to protect the public safety by enacting laws and organising police agencies to enforce them. The police force clearly assumes considerable and critical duties and crucial administrative tasks in order to exercise state power in the relationships between the state and its citizens. In this context, the police have more direct and closer relations with the individuals as the citizens of the state. The police are often viewed as an enforcement organization whose domain of competence is determined by penal codes and other statutory delegations of the state.

When the literature is reviewed, it can easily be seen that much of the history of police development is a story of learning from the experiences of police systems elsewhere. Thus the legality, structure and function of the police forces today -more or less- have similarity. For example, the Romans bequeathed a legal system and the concept of centralized bureaucratic control on much of Continental Europe and later the French imposed policing systems in their own territories (Mawby, 1990:10). In addition "emigrants to the U.S. and Canada took with them an awareness of policing in Europe, which then shaped early developments in North America. Conquerors attempted to impose police systems of their own on subjugated populations, in the colonies. We also see US influence on postwar Japan, Japanese influences in China and Hong Kong" (1990:190). The translation of neighbourhood watch from the U.S. to England and Wales (1990:10) can be given as a recent example. Briefly, borrowing occurs when police systems adopt practices from other countries. This mutual characteristic of modern policing systems allows a broad assessment on the general idea of police or policing, although the structure of organization might be, as Bayley (1982) stated, the authoritarian, the oriental or the Anglo-Saxon model; or as Mawby (1990) stated, the continental or the colonial police system; or as Wilson (1968) pointed out, the watchman, the legalistic or the service style policing.

The police force occupies a position of special interest among the institutions of modern government in every state. It has emerged as having the advantage over any other governmental or social institution in dealing with public dis-

order. The police are authorized to establish an effective response to some sorts of problems in social, political and economic daily life and to evolve operational practices. The police are the agents of the system whatever it is. This gives them a unique and, admittedly, uncomfortable position within society. In other words, it should be recognised that the need for order, via the formal - legitimated institutions of government, established the police force. Police, in one sense, are an expression of the desire of society to regulate itself, although they are not separated from the public. However the police are different from other segments of society in many ways because it is clearly obvious that policing society is essentially an authoritative activity that requires it to enforce rules in society. Therefore the police's role in occupation is accepted as an atypical social experience (Adlam, 1981:161). In addition, some persons advocate authoritarian policing as a sort of reward to the police, in that clear, strong police powers would make their job easier and greater authority would enhance their status in society (Wilson, 1981:129). Such kinds of interpretations lead to a belief that police officers tend to be authoritarian, dogmatic, and mostly conservative.

Balch (1972:154-156) examines evidence that bears upon one or another of two main theories advanced to account for the apparent police authoritarianism. The first one is upon role and demands of police work; that is, the fulfillment of a social role induces certain psychological characteristics. The second one suggests that authoritarian individuals who mostly think they are right and other people should obey them are, in some way, attracted to police work. Balch gives three kinds of recruitment or selection procedures. First, authoritarian individuals may deliberately choose police work because it is compatible with their needs. Second, any liberals may avoid police work. Third, the police may recruit their members from persons who are relatively authoritarian. Another reason may be that police work is a low-paid occupation, the requirements for which can be met by individuals who are poorly educated.

Furthermore, Adlam (1981:158), by reviewing an evaluation made by police officers about themselves, gives the main characteristics of police officers as follows:

(a) the police are authoritarian and do attract authoritarian personalities;

(b) the police are alienated;

(c) the police are racially prejudiced although they do not often translate this into discriminating behaviour;

(d) the police are specifically sensitive to criticism, real or imagined; (the implication is that the police are overly sensitive);

(e) the police have a preference for a traditional male role; particularly in their conception of, approach to and treatment of women;

(f) the police do not have a sufficient awareness of relevant developments in technology and social science;

(g) the police perceive the world as a rather threatening and dangerous place, in consequence, they are particularly concerned about their children and are often highly –and even overly-protective towards them;

(h) the police secretly admire the 'intellectual' and those well-educated; they therefore want the best possible education for their children.

This self-criticism or evaluation of police officers shows that the police are different from the other segments of the population in certain ways (see also Butler and Cochrane, 1977; Colman and Gorman, 1982). Here a question can easily arise as to why they are different. Such a question requires a sociological and psychological analysis at both the levels of theory and practice.

The relationships between the police and individuals, and the internal organisation of the police are both of considerable complexity and variety, and are not readily understandable by common sense alone. This is because policing represents an extremely important and relatively little known aspect of society, vitally related to government, to criminal justice and to social welfare (Greenhill, 1981:105). In other words, the police force, as Bittner (1980:119) stated, is at once the best known and the least understood. It is best known, because every individual or member of society is aware of its existence and s/he can contact the police at any time and in any way. It is at least possible to see a police officer who directs and regulates the traffic on a corner or to see a police car with siren passing in the street. The police force is least understood, because since its establishment, there has been sedulously built up around it an image of general perfection. Politicians, government commissions and committees, the judiciary and magistrate, most of the press and mass media, and many educational establishments constantly foster the belief that the police serve the common good. They also believe that any bad behaviour on their part is exceptional, not a reflection of either the nature of the police officer or the role s/he performs (1980:119). The critics of the police are mostly seen as 'anti-police', 'anti-law', 'anti-order', even

sometimes as 'unpatriotic'. In addition, when people are called upon to explai on what terms and to what ends the police service is furnished, they are mostl unable to go beyond the most superficial and misleading commonplace. The base their images of police or policing on personal experiences. Police force have mostly not succeeded in formulating a justification for their existence tha would recognizably relate to what they actually do (1980:119).

First and foremost, the police as an organization have a hierarchical anc semi-militaristic structure which causes its members to see themselves as 'disciplined'. Hence it is different from other organizations in society (Plumridge, 1981:177). It is also a highly complex system that has many sub-departments, which aim to serve a different aspect of the general policing system. The quest for a peaceful social order at a maximum level is one of the main political targets of contemporary governing agencies. To provide this, power and authority are granted to police organizations so that an orderly society can be brought about. Naturally this has brought a complex set of relationships between the police, central and local authorities (government), and individuals as members of society. The police both as individuals and as an occupational group have wide influence over how the way of life in society is conducted and, thus, indirectly play a role in shaping the way society will develop in the future. As a profession, the police aim to consider the matter of how society should be policed. In this context, the police are seen and accepted as the public servants and accountable to the same public. But the entire history of police obviously shows that they were, first and foremost, designed to protect property, and therefore the wealth and privilege of the minority who control the major part of industry, trade, finance and land by their influences and dominations on the government (Bittner, 1980; Bowles, 1966; Mawby, 1990; Monkkonen, 1981; Conley, 1989; Hurd, 1978). This minority is to be protected not only from robbers and criminal individuals, but also from popular movements that might threaten their position and power. Therefore, when there is a strike, the police act on behalf of employers; when there is opposition to war preparations, they act on behalf of those who gain from preparing for war. When the police spy, they spy on those whose views and activities are considered subversive by the establishment (Bowles, 1966:15). Thus, there is an important gap between public expectations of the police and their actual ability to deliver services, particularly in relation to

solving or controlling crime. The gap may occur from a possible contrast between police and public priorities in relation to police work. These considerations raise a point that although the police are seen as public servants in theory (and this varies in different societies), they are the police of political power. Therefore the balance between police, power and the public as customers should be well organized. The police may have to spend a lot of their time in order to explain their actions and to ensure that they do not alienate their communities in democratic societies because the police can only operate effectively with the consent of the public at large. Therefore, we should pay attention to the nature and direction of social change and the extent of sympathy and support the police have from the majority of people. The police should desire public support for job-related issues (law and order issues), and they should have consciousness that they are in charge of the service today.

Secondly, we often read or are told that the role of the police is to centre on law enforcement (Reiner, 1987:2), crime control and internal-social peace keeping. This is a true but an insufficient explanation of reality, or at least an over-simplified definition of reality, although "the repressive state apparatus myth depicts the police as an essentially oppressive political force creating crime and criminals through its labelling activities" (Reiner, 1985:111). This is because "according to available estimates, approximately one-third of available man-power resources of the police are at any time committed to dealing with crimes and criminals" (Bittner, 1980:41), and the police have a limited capacity for controlling crime. In other words, policing is obviously more than simple law enforcement or crime control, although law enforcement is a government service with which the citizens have frequent contact. The police, firstly, have considerable powers of discretion in enforcing (invoking) the law, and, therefore, the police's role in society goes deeper than just blindly enforcing the law in a particular way. Policing cannot be understood without reference to the criminal justice system in total, or the wider legal tradition as well. It may also be shaped by the political system of the country, or public administrative structures such as the balance between central and local government or the role of a professional civil service, the military or a political party in administrative affairs (Mawby, 1990:15). The part the police play in the administration of justice is very specific and indispensable because they are charged with the responsibility of conducting investigations leading to the identification of suspects and with securing

the evidence required for a successful prosecution. That is why they are always on the side of prosecution.

It is also possible to see some desire from political party representatives who are in power to exercise direct control over the police for their own privileges. They may try to strengthen linkages between the party machine and police organization, especially by appointing high level bureaucrats and directors (e.g., see for the Turkish case, Gultekin and Ozcan, 1999). It is difficult to reduce the interference of politicians within the policing system of countries which are politically unstable.

In addition, because the policing of society is an authoritative activity, the police sometimes use force to achieve their objectives. The authorization and obligation to use force on the basis of no more than reasonable belief that the undertaken action is justified is the exclusive monopoly of the police (Bittner, 1980:34). In other words, the mandate of the police is organized around their capacity and authority to use force. No other official in any branch of civil government has this right or this duty. Contrary to the cases of self-defence and the limited authorization of custodial functionaries, according to Bittner (1980:37), police authorization is essentially unrestricted because the lawful use of force by the police is practically meaningless, and no one knows the minimum level of use of force when the police are on duty. It is not clear enough. To say, however, that the police have a monopoly on force means that this is their unique role in society, with which, on the basis of practical considerations, neither the government nor the citizens can presumably do without (1980:34). To institute or organize a police force is to legitimize the use of responsive force, and neither the police nor the public is entirely in the dark about the justifiable use of force by the officers. When a police officer is at work s/he generally does something for somebody by proceeding against someone else. Therefore, in some cases, the police can need to exert force, e.g., to bring dangerous criminals, killers, etc., to the bar of justice. Police officers may use the needed force only in the performance of their duties and not to advance their own personal interest or the private interests of other persons. The police officers should also not use force in a deadly, malicious or frivolous way.

Besides this, because the police occupation is mostly preventive and service-oriented, many activities that they deal with are, in fact, unrelated to law enforcement. They lie in the field of various societal institutions, such as educa-

tional, psychiatric and social welfare institutions (Bittner, 1980:40). Each of these fields has its own trained specialists who are respectively more competent than the police, although none of them, except police, are available twenty-four hours a day. It would seem preferable, therefore, to take all those matters that belong properly to other specialists out of the hands of the police and turn them over to those to whom they belong. Though police officers often do what psychologists, lawyers, teachers, physicians, psychiatrists, social workers, etc., might expect to do, their involvement in cases is never that of surrogate of these specialists. Police officers, their interests, objectives and duties have a radically distinct nature. Therefore, saying that the police profession is dealing with people in trouble and in danger should not mean that police officers are good at playing the role of other occupations or professions. The police profession involves matters of extraordinary seriousness, importance and necessity. It has bodies of technical-professional knowledge and elaborate schemes of norms to guide individuals in their respective tasks (1980:142).

Thirdly, the terms 'impartiality' and 'autonomy' gain importance in a discussion of police, citizens and state interrelationships. These terms are not precisely defined in practical ways. Both impartiality and autonomy are, within limits, desirable and that is essential, in the interests of achieving a service that is correct, lawful and effective. Police organizations have, since their inception, exercised a considerable degree of self-regulation. Police see themselves mostly as highly accountable to the law, to the government, to the local police authorities, to public opinion via the media and to the individual citizens via the complaints systems. The freedom of a police officer from central or local government is not absolute in practice. They have to accept central or local regulations and conditions of service, they have to explain their actions if required to do so, and finally they may face the possibility of being dismissed.

Besides this, they may feel that they are beset by bodies exerting pressure upon them. In other words, there is a common police perception that they are answerable only to the law by both the state and the police organization. However, the degree of independence practised by the police is greater than in other governmental departments or institutions. They are remarkably autonomous, able to manipulate the law, neutralise the Local Police Authority, ignore public opinion and discredit complainants (Greenhill, 1981b:101). How can one be truly independent of something that one is charged with? Police offi-

cers are first and foremost humans. They are characterised by processing and capacity limitations like any other humans. Furthermore, many studies (Bittner 1980; Fielding, 1988; Ozcan and Caglar, 1994) show that police officers are mostly from middle, lower middle and lower class origin, and are mostly unemployed, particularly in the Turkish case, before having joined the police force (Icelli, 1977; 1987; Icelli and Unal, 1989; Ozcan and Caglar, 1994). As state before, they are more authoritarian and different from the non-police population in many ways. Therefore, "because of their own social origins, many tend to express social prejudices more emphatically than other members of society (Bittner, 1980:11). For example, as is well known, the preferred targets of special police concern are certain ethnic and racial minorities, the poor living in urban slums, and young people in general (1980:11). However they may sometimes have special reasons for this because the preponderant majority of police interventions are based on mere suspicion or on merely tentative indications o risk, and police officers would have to be expected to judge matters prejudicially even if they were personally entirely free of prejudice (1980:11).

Moreover, for a police officer, rushing to the scene of a crime is an opportunity to do something remarkable that will bring him/her to the attention of his/her superiors in a way that might advance his/her career. Therefore, although police departments are highly bureaucratized and police officers are surrounded by strict internal regulations, a police officer is mostly by themselves and independent in his/her dealings with citizens. S/he receives very little guidance and almost no supervision, and s/he is on his/her own. S/he gets advice when s/he asks for it, but since police officers do not share information, asking for and giving advice is not built into their relations; his/her decisions are reviewed only when there are special reasons for review, and records are kept of what s/he does only when s/he makes arrests (Bittner, 1980:135-136). Briefly, like everybody else, a police officer wants to succeed in what s/he undertakes. But unlike everybody else, s/he does not retreat, if s/he defines a situation as properly his/her business, and s/he has to learn on his/her own most of what a police officer needs to know to do his/her work. Thus, what ultimately gets done depends primarily on the individual officer's perspicacity, judiciousness, and initiative (1980:142).

The fact is that each police officer is vested with power in order to do his/her job. Law is passed by parliament. Although Police Acts and police superiors tell a police officer how s/he should act in upholding the law in theory, no one can

tell any police officer how s/he should act in practice. He/she uses his/her own discretion when carrying out his/her duty, like a vigilante (Reiner, 1985:155-156; see also Pike, 1985:63-91 and Lustgarten, 1986:10-24). In this context s/he is in exactly the same position as any other citizen. Sociologically s/he mostly has freedom of action when s/he is alone on duty and on the street. This raises the question whether police carry out their duties properly and lawfully. In addition, when a police officer breaks or violates a law, his/her colleagues may lead him/her to be arrested. In other words, if a police officer behaves criminally, s/he is arrested by another police officer. The impartiality of a police officer towards his/her own colleague is worth discussion. Can police really be entirely independent and objective in a criminal case involving a police officer? It is difficult to say a police officer always behaves objectively towards his/her colleagues. This, then, means the violation of law by the law enforcers and protectors. Constitutionally or according to law, police are not the servants of anyone. They enforce the law itself. The responsibility for law enforcement lies on their shoulders; they are answerable to the law and the law alone. However, it is very difficult to say that this always exists in practice because there is no direct control over the police officer on the street. S/he most probably makes subjective and personal judgements. As an individual s/he may not feel an agent of any system or anyone. S/he thus makes a personal assessment of invalidity, based on his/her own perceptions and experiences rather than on any concrete evidence (Wilson, 1981:126). The cases of the Birmingham six, Guildford four, Tottenham three[3] and Stephen Kickov[4] in the U.K., and the explanation of the Istanbul Security Director[5] are good examples of the asserted idea that the police cannot be entirely objective and independent, that all the jobs done by the police may not be entirely lawful, and that the police have 'more autonomy in their job than any other governmental officers.

One can say that the decision of imprisonment belongs to the law courts. But the courts make their decision based on the evidence collected by the police. As is known, the police are charged with the responsibility of conducting investigations leading to the identification of suspects and with securing the evidence required for a successful and lawful prosecution. The setting up of an independent Police Complaints Board in the U.K. is a sign of citizens' understanding of the potential for police subjectivity and prejudice. Therefore, some institution or someone who is outside the Police Organization must be given the authority to

question police actions. If there are not enough control mechanisms, this often leads to danger, because by using the name of law, the law is mostly being violated. For example, police racism in the U.K. (The Times, 18/2/1992:3), and the ransomer - gun fighter police officers in Istanbul, Turkey (Cumhuriyet 7/11/1991:1-4) are good examples of police officers violating the law.

In the Third World and non-democratic countries, this danger is clearly seen. The annual reports of Amnesty International and International Human Rights Organizations can be accepted as evidence of the situation. There are no influential human rights' organizations, occupational or professional associations, organized or unorganized pressure groups and public associations which have a direct or an indirect duty of control over the power of the police. Briefly, there is no mechanism for controlling the police force and police officers directly, especially in the non-democratic underdeveloped countries where they may sometimes have the duties of law enforcer, criminal catcher, prosecutor and judge (Caglar, 1993). This situation leads to people who the police try to protect through their social order not liking the police. On the contrary, they are against the police in many aspects.

Furthermore, the bureaucratic organizations like the military and the police never do their duties completely as stated in the related laws and regulations. This is because it is contrary to the nature of the bureaucratic structure of both organizations. As is known, a police organization needs new technological vehicles, apparatus, buildings, clothes, new personnel and other kinds of equipment that are required for policing purposes and in order to provide and maintain its policing fabric. It most thus be able to get as big a budget as possible from the national income, at least much more than the previous year's. If the police or military do their duties completely, they cannot demand a new increased budget and privileges from the government when it comes to making up budgets and to acting on new laws for them. Therefore propaganda is often strongly used to fuel prejudice and encourage stereotypes, thus enabling the concept of an enemy to be perpetuated. An essential feature of both police and militaristic organizations is the concept of an enemy from whom we must, at all times, be ready to defend ourselves. This attitude may be conceptualized as **'threat or enemy complex'**. Therefore, it is obvious that more of the national income in every single country is always spent more on defence than on health or education. For such a balance of priorities to be sustained, a great deal of effort is put into building up the idea

of the threat from an outside enemy (Fell, 1988:76). For example, apart from Switzerland, the army of every single country in the world has at least one potential enemy. The Pakistani Army has an Indian threat, the Turkish Army has a Greek threat, the Arabs have an Israeli threat, etc. The intensity and density of enmity, and the name and number of the enemy country, can be changed according to time and space. But each army has at least one potential enemy. Both the police and the army as special organizations spend and make an effort to have such a situation. They introduce themselves as **'sine qua non'** to both state and society.

This procedure is always kept fresh. For example, the Turkish Government in 1990 wanted to make an 8 % decrease in the budget of the National Defence. One day later, the Head of the Turkish Army, the Chief of the General Staff, issued a statement that "if a border of the country is violated by one of our enemies and if the Army cannot resist it, the responsibility of this situation does not belong to the Army. On the contrary, the people who want to decrease the budget of the Army will be responsible" (Hurriyet, 25/10/1990:1). As a result of this reaction the government gave up its decision, and the budget which the Army wanted was approved. Therefore such kinds of organizations never do their duties completely, but they also consciously never decrease the level of service they provide under a certain degree. In fact this is valid for all kinds of bureaucratic organizations but it is more clearly seen in army and police organizations. If they decrease the level of service they provide under a certain degree, society may be suspicious about their existence and their success, and may look for an alternative organization. They regulate the balance so as to always appear that they are indispensable. This can be accepted as a special characteristic of both police and militaristic organizations. In fact the maintenance of an adequate and efficient police organization is definitely dependent on their occupational knowledge, professional skills and their work-related technical opportunities.

2.1. The Necessity of the Police

An important characteristic of the modern state is the growth of bureaucratic organizations because as the size of the state increases, the organs of administration expand and become more bureaucratic. In other words, the institutions and practices of the community are dominated by the bureaucracy and subject to

bureaucratic criteria of control, although bureaucratic organizations mostly elude democratic control and accountability (Walton, 1984:128-129) because of their hierarchical and centralized structure. The initial growth of the specialized political bureaucratic organizations of the state is probably closely linked to the emergence of social stratification. When states face pressures for change in social, economic and political life, they generally have three options, as Barbalet (1988:10) states: They may ignore them, they may accede to them, or they may repress the groups demanding them, all depending on the balance of social forces. The state, as the Marxist approach states (Tucker, 1972), is not at any time a neutral force, representing the general interest. On the contrary, it embodies the interests of the dominant class. The rules serve the interests of some, rather than all of the people, although every citizen of the state has constitutionally the same right; and the generalization of modern citizenship across the social structure means that all persons as citizens are equal before the law and therefore no person or group is legally privileged. Those disadvantaged by the class system are unable to practically participate in the community of citizenship in which they have legal membership (Barbalet, 1988:2). However, some groups manage to organize military, administrative and religious affairs in a way which acts to their advantage. The establishment of further state offices of law and taxation furthers this process (Hurd, 1978:28). Thus the law mostly tends to protect the interests of the ruling group. In this context, the state may not be able to control all social groups which exist in its own territory, although the state power has gained other sources of power, notably ideological, ethical and nationalistic ones. Therefore policing society is one of the main political targets of contemporary governing agencies. In addition, policing is a belief system which is based on the assumption that human beings are by nature violent, aggressive, and competitive, and that the social order needs to be maintained by a force like the police.

Although the formation of the modern police occurred in the 19th century, the yearning for peace and order is, of course, not a 19th-century invention (Bittner, 1980:17). More importantly, perhaps, is that during the nineteenth century, the structure of everyday life changed more rapidly, especially in cities, in ways indicating that people relied on the efficacy of the means that were available to secure freedom from violence. In other words, the obstacles to peace and order in society are many and varied: Social structures are mostly constructed on

a model where 'one winning' automatically means that 'another one loses', because of living in a world organized in a competitive and hierarchical way. That is, having a peaceful order mostly needs a state of peace in which there is no conflict. But a moment's thought makes it clear that a social life without conflict is virtually impossible because when a power aims to do good it also does harm, and something that should be saved can also be destroyed. This can be accepted as the paradox of the nature of policing.

Fear is another obstacle to peace and order that requires the police in society (Fell, 1988:75). The people in a society all experience fear it to varying degrees at times, especially in situations of conflict. They may be afraid of their adversary because of the possibility of physical harm that may be inflicted on them, or it may be fear of differences between them that leads to conflict. Such differences may be of character, race, religion, class, sex, and may arise from prejudice because of the stereotypes we receive through the media, the socialization process and other sources. In general, this is because, as members of society, citizens are socialized to act initially with suspicion towards those they know to be different from themselves in some way.

Besides this, if we are to be interested in peace and order, we also have to be interested in violence. Broadly, violence within a society falls into two main categories: direct and indirect. The direct violence is directed by one person toward another, as in the case of assault, torture, terrorism, etc., looking more at conflict than at peace. Indirect or structural violence is the way in which people may also suffer as a result of social, political and economic systems (Hicks, 1988:6). Such structural violence may also lead to death and disfigurement or a diminishing of human well-being and potential, as a result of racism and sexism, poverty, denial of human rights, etc.

Briefly, what makes the police available and inevitable in society is the need to live together in a community that creates social contracts between the members of society, and the authorization of the state for this need. Under conditions of complexity and anonymity prevailing in modern-and in particular in urban-life, order in public life can be maintained only by formal means of control that the majority of society's members have come to consensus about. Therefore one of the important risks in defining the role of the police in society is to oversimplify their significance. Although order and security depend on other factors, such as economic, social and political ones, the availability of the police does

make life safer and more orderly. The simple fact is that both society and state are dependent on the availability of a professional police force, which shall expect continually to improve its work methods, to be more democra[t] and to become more powerful for a safer and more orderly life. All citizens society inevitably need the help of the police when their life or paramount v ues are in danger. Most people will agree that life today is complex enough a is replete with situations in which the need for such service is not in doubt, a in which, accordingly, the service of the police is indispensable. No matter wh the socio-political and economic structure of society is, an organized poli force is inevitably needed, except in a utopian society model or religiou abstract living systems.

Consequently, to say the police are not necessary within social life is difl cult. In addition, to look for another alternative which will be able to take tl place of the police force is also difficult because society appears as a who behind each concrete social institution (Adorno, 1989:268), and it remains product of human activity. All individuals more or less depend on the totalit which they themselves form. In such a totality or living together, everyone i also dependent on everyone else. The whole survives only through the unity c the functions which its members fulfil (1989:268). Therefore policing society i one of the main and inevitable necessities of social life. The main and importan problem is to make the police force very accountable. In other words, the ques tions, "what constitutional limits should be set on police powers and autonomy and how should these work in practice? What political structures and processe: are involved in setting goals for policing and monitoring the means of thei achievement?" (Reiner, 1987:3) should be carefully answered.

In order to make the police force more accountable, special interest should be paid to the recruitment process, occupational knowledge, skills and consciousness, and the level of professionalism with which the police perform when they are at work. There is also a need to have a concerted view and to publicise the true nature of policing. Without the confidence and approval of the public, the police machine as we know it today would become powerless and incapable of fulfilling its function. The history of the police clearly shows that loss of public approval would make them helpless and unable to function (Bowles, 1966:228). A relatively small number of police can be effective if they have the

co-operation of the majority of the population. The police therefore have constantly to be aware of public opinion and react to it. The public should have confidence in the police and think more highly of their police than of other institutions. In order to succeed in this, there is a need to democratise the police by increasing its visibility, accountability and sensitivity to the public's needs as expressed via media, pressure groups and associations or through legitimate political processes. In addition, a notion of the common good and shared values, ideals associated with the idea of the society, should be created. These can be linked with an idea of participatory democracy. From this standpoint an increased participation and democratic accountability beyond the formalities of representative democracy are essential. In this way democracy supplies a persistent challenge to concentrated administrative power. This is because both the state and the police cannot rule and cannot be effective in the absence of support from significant social classes and groups, namely the public.

Notes

1. The concept of the police is actually derived from the Greek Politeia and then the Latin Polita (Whitaker, 1979:35; Reiner, 1988:141; Mawby, 1990:2). However the origins of the modern police may be traced more directly to the emergence of the state police forces in Western Europe. The growth of the idea of nation states, combined with the development of 'modern' bureaucratic systems and increasing urbanisation created both the machinery and the need for civilian forces to maintain law and order. The Collins Dictionary of Sociology (1991) defines the concept of police as "the organized civil force and agency of social control, which, in the service of the state, is charged with preserving law and order. It does this by protecting persons and property and bringing wrongdoers to justice, and acting as a deterrent to crime". The police is seen as an agency of social control in the service of the state and is charged with preserving law and order. The sociology of the police or police science has emerged as a subject of scientific study "with connotations far broader than the present meaning of the term" (Reiner, 1988:138), particularly in American and Western European Universities. Sociology is a subject of vast potential but the sociology of the police is one of its less prominent and most recent branches. It is also neglected in all histories of criminological thought, with the sole exception of Radzinowicz's Encyclopaedic History of English Criminal Law (Reiner, 1988:139-140). Although there has been a relatively rapid growth of research and writing on the police particularly in the U.K.(see for detail Reiner, 1985:Ch.4), the U.S.A. and in Canada, the subject remains in little more than embryonic form in many other countries.

2. For different descriptions of problems the modern police are designed to confront see Bittner, 1975; Johnson, 1978; Regoli and Poole, 1980; Folley, 1989; Morgan, 1990 Cotterrell, 1992.

3. These people were accused of killing people in acts of terrorism. The Birmingham Six stayed in prison 16 years, the Guildford Four 14 years, the Tottenham Three 4 years. Later, the Appeals Court found them innocent and they were released (ITN, "Judge on Trial", 23/4/92).

4. S. Kickov was also accused of killing an 11 year-old girl. He was cleared of murder after 16 years in jail (Horsnell, 1992:3; Campbell, 1992:1-3-18).

5. The Security Director of Istanbul, Turkey, stated to the press that "we catch criminals but courts release them" (Eksi, 1992:1-11).

ÖZET

Bu makalenin amacı, 'polis'i bir sosyal olgu olarak tartışmaktır. Öncelikle polis ve sosyal bilimler, özellikle de polis ve sosyoloji ilişkisi irdelenmiştir. Çünkü bilindiği üzere polis, günümüz devletlerinin kamu düzenini korumak ve sürdürmek amacıyla oluşturdukları ve kullandıkları birimlerin başında gelmektedir. Toplumsal yapı içerisinde, kendi mantığı gereği, son derece önemli bir fonksiyona sahiptir. İkinci olarak, polis mesleğinin ilkel ve modern toplumlarda ortaya çıkışı, örgütlenişi, işlev ve uygulamaları açıklanmıştır. Diğer bir deyişle, konu üzerinde çalışan bazı bilim insanları 'polis'in teşkilat olarak günümüz modern devletlerin bir ürünü olduğunu ileri sürmektedirler. Oysa insanlar, toplu olarak bir arada yaşamaya başladıkları andan itibaren, sözel veya geleneklerle de olsa, uyulması gerekli kurallar ortaya koymuş ve insanların bu kurallara uymaları; uymayanların ise cezalandırılmaları öngörülmüştür. Bir anlamda ilkel düzeyde de olsa polislik mesleğinin tohumları, insanların topluluk halinde bir arada yaşamaları ile atılmıştır denebilir. Günümüz modern toplumlardaki biçiminden farklı da olsa bu fonksiyon, kimi zaman kabile şefi, öğretmen, din adamı veya büyücü tarafından yerine getirilmiştir. Ancak nüfus yoğunlaşması, yerleşik yaşama geçiş ve kentlerin ortaya çıkışı bu fonksiyonu daha kurumsal bir düzeyde örgütlenmiş birimlere yüklemiş ve sonuç olarak günümüz modern polis örgütlenmelerine ulaşılmıştır. Makalede son olarak da, devlet, vatandaş ve polis arasındaki ilişkiler analiz edilerek tartışılmıştır. Bu bölümde, ayrıca, 'polis gerekli midir? ile 'polisin kurum olarak bir alternatifi var mıdır; diğer bir deyişle, polis başka bir kurum tarafından ikame edilebilir mi?' soruları da yanıtlanmaya çalışılmıştır. Toplum yapıları var olduğu ve bu yapıları yönetmek üzere iktidarlar olduğu sürece polisin hem bir birim ve hem de bir fonksiyon olarak varolacağı sonucuna ulaşılmıştır. Önemli olan bu birimlerin örgütlenme ve işlevlerinin toplumun üyelerince kabul edilebilirliği ve denetlenebilirliğidir.

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BARAJ GÖL AYNASINDA KALACAK YÖRELERDE İSTİHDAM VE YENİDEN YERLEŞİM SORUNLARI: GÜNEYDOĞU ANADOLU ÖRNEĞİ*

ÖZ

GAP, yedisi Fırat havzasında, altısı Dicle havzasında olmak üzere gerçekleştirilecek onüç alt proje paketi çerçevesinde, ondokuzu çift amaçlı (sulama-enerji) olmak üzere 22 baraj, 19 hidroelektrik santralı ve bunlara bağlı sulama tesislerinin yapımını öngörmekte, su ve toprak gibi doğal kaynakların optimum değerlendirilmesine öncelik tanımaktadır. GAP, bugün kendi evrimi içerisinde, eğitim, sağlık, ulaştırma, iletişim, kentleşme gibi altyapı yatırım ve/veya hizmetleri ve sanayi, tarım ve hizmetler gibi ekonominin temel kesimlerindeki olası gelişmeleri kapsayan, sosyo-ekonomik boyutları da içeren bir "bölgesel kalkınma programı"na dönüşmüştür. Arzulanan olumlu gelişmeler yanında, uygulama süreçlerinde bazı istenmedik durumlar ve sorunlarla da karşılaşılacaktır. Örneğin, üzerine baraj ve yol gibi fiziksel yatırımların yapılacağı tarım alanları yitirilecek, bazı köy ve kasabalar baraj suları altında kalırken, uzun süreden beri bu topraklar üzerinde yaşayan haneler yerlerini - yurtlarını terk etmek zorunda kalacaklardır. İnsanların gönülsüz olarak yerlerini terketmelerinin yarattığı ya da yaratacağı bu türden toplumsal ve ekonomik sorunlara, ayrıca doğal çevrede de farklı boyutlarda yeni sorunlar eklenecektir. Yeniden yerleştirme ile ilgili bu işlemlerin toplumsal ve ekonomik maliyeti, hem etkilenen halk hem de ülke açısından oldukça yüksektir. Ancak kalkınma uğruna katlanılan bu maliyet, bu tip projelerin ödemek zorunda oldukları bir bedeldir.

Anahtar Kelimeler: *Güneydoğu Anadolu Projesi (GAP), Kalkınma Projeleri, Yeniden Yerleştirme.*

ABSTRACT

There are 336 settlements and 181 210 persons who have been or will be affected by GAP through dams which have been completed by 1993 and others which are presently under construction. It is the responsibility of the government to make timely pay for the expropriated properties of these people, resettle them in other parts of the country and also to create new employment opportunities in their new areas of settlement. The social and economic cost of all these tasks is quite high