HOW MIGHT HIGHER EDUCATION
ASSIST POLICE IN THEIR WORK OF
HELPING TO CREATE CIVIL COMMUNITIES?

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2007

A thesis submitted in partial fulfillment of the requirement
for the degree of Doctor of Education
in the Faculty of Education,
University of Technology, Sydney

FRONTISPIECE

Police management students, Victoria Police Academy, Glen Waverly, Victoria
Photograph by M.W. Wall

CANDIDATE'S CERTIFICATION

I certify that the thesis entitled *How might higher education assist police in their work of helping to create civil communities?* and submitted for the degree of Doctor of Education, is the result of my own work, except where otherwise acknowledged, and that this thesis in part or whole has not been submitted for a higher degree at any other university or institution.

Mark Weston Wall
Dhaka, Bangladesh

21 December 2007

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ACKNOWLEDGEMENTS

DEDICATION

This small work is dedicated to my mother, Mrs Margaret Diana Wall (nee Weston); to my wife, Ms Jonine Penrose-Wall (nee Penrose); and to my niece, Miss Teah Pip McNeal Linnegar.

ASSOCIATED PUBLICATIONS AND CONFERENCE PRESENTATIONS

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VAKA VUKU

(Navigating Knowledge – Alternative Epistemologies)

The law in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.

(Anatole France 1894 cited in Reiner 1992:3)

I decided Descartes was off by several degrees. 'I have a purpose, therefore I am' would have been more accurate. Your purpose orders phenomena around you.

(Hencht 2002:88)

A sound person is one who, by and large, makes distinctively human (ie thoughtful) responses to complex problems and refrains from elbowing or badgering other people into corners where they are forced to meet such problems with the weapons of fight or flight.

(Overstreet & Overstreet 1956:37)

The police are inherently and inescapably political: the civil police is a social organization created and sustained by political processes to enforce dominant conceptions of public order.

(Skolnick 1972:41)

It must be realised that education is not the same thing as information, nor does it deal with human knowledge as divided into so-called subjects. It is not the storing of compartments in the mind, but the development and training of facilities already existing. It proceeds not by the presentation of lifeless facts, but by teaching the student to follow the different lines on which life might be explored and proficiency in living may be obtained. It is, in a word, guidance in the acquiring of experience.

(Urwick in Newman & Sidney 1955:foreword)

The most important duty, incumbent on any police officer of a liberal democracy, is the duty to know why.

(Wall 2004b:8)

ABSTRACT

Policing is, everywhere, a precondition of a civil life. Food security and then human security mark the emergence of society from the chaos, or at least the uncertainty, of what went before. Since the late Industrial Revolution, policing has increasingly become specialized, bureaucratized, and public, and the trend, despite the rhetoric, has been towards technical rather than service or community policing. Service policing, the ultimate in bespoke, individually tailored policing, has been and is being used but it presents great difficulties for police in a pluralist society. Technical policing on the other hand has captured the imagination of police, and Hollywood. In its knowledge base and in its practice, it is marked by a crime fighting, law enforcement mentality and a fascination with tactics, technique, and technology itself. Technical policing has invariably led police into scandal and corruption as the great excuse, indeed the ideology, of the war against crime sweeps aside all other considerations and serves to increasingly isolate police from the public at the individual, community, and eventually societal level.

Technical police managers, more akin to engineers than social workers, become fixated on process and input issues and on using the most efficient means. They lose sight of questions relating to ends and legitimacy, as they manipulate structures and shed, gain, invent, or discover functions. The tendency, aided by politicians doing popularist law and order politics, is for more coercive forms of policing to emerge to fight what is less and less fundamentally and unconditionally beyond the pale. While the public police are the coercive arm of the state, policing itself is a matter of consensus, and even consent, if it is not to be oppressive, cripplingly expensive and eventually inflammatory. Using the logic of representative democracy, consent is best or at least first established at the community level – civil society being an association of civil communities – utilizing a civics of voice (Hirshman 1970).

Since the early 1900s, police and higher education have had an on again off again relationship, characterized more by active indifference than critical engagement. Yet higher education can significantly assist police in their great social work. In this research, which is normative and mostly conceptual in orientation and method, I use a heuristic principle of John Stuart Mill's (1925 [1843]), in an analytic framework of educational philosophy developed by William K. Frankena (1970), to propose, explore and test a scheme for systematically analysing and methodically building a full-fledged philosophy of police management education. With normative, conceptual and experiential premises made out, the scheme proposed is open to being falsified, verified and/or modified at any stage or step. It therefore allows police management education to be better 'joined up' with police management practice and professional policing.

The result of all this is above all a method of doing philosophy of police management education that allows for the articulation of related ends, means, methods and dispositions relevant to the enterprises of education and policing. As such it may be of some use to other police management educators and to police management practitioners. The proposal, developed as a result of my use of the method, may similarly be useful as it stands and even more useful on elaboration and customisation.

CHAPTER 1

The Search for a Teachable Point of View

In a democratic society, all share responsibility for the police service, and police educators have a special responsibility.

(Mahoney & Prenzler 1996:300)

Floodlighting the field

The public police, in the form in which they are known today, in countries enjoying or tending towards a liberal democratic political order, are less than 200 years old. While they were mostly preceded by folk or tribal policing some private and quasi-military police organisations did exist as early as the reign of Augustus in Rome in 7BC (Dempsey 1994; Meese & Ortmeier 2004; and Milte 1977). But, in 1829 the so-called 'new police' were, according to the orthodox functionalist account (Reiner 1992), a response to the demands of the Industrial Revolution in England, particularly the emergence of a large urban working class, and a new, affluent, but non-land owning middle class. Established against strong resistance, under the Metropolitan Police Act, the new police had as their primary object not the detection, investigation and prosecution of crime, but its prevention (Edwards 1999). The idea and ideals of the new police, articulated in the Enlightenment spirit by Sir Robert Peel (1788 - 1850) spread slowly across the colonies of the British Empire (Bradley & Cioccarelli in Chappell & Wilson, Eds 1989). Their success in dislodging earlier ideas of policing, based on the maintenance of order among defeated and colonised people, was mixed at best and more often marginal.

Nearly 100 years later it was scandal that first drove police and higher education together in any significant and formal way. By the start of the 20th Century, American policing was characterised by local political partisanship, brutality, corruption, ineptness, mismanagement, complacency, racism, confusion, criminality, sloth and partiality (Dempsey 1994). Amidst all of this, Augustus Vollmer, a reformist police chief and later a professor of research at the University of Chicago and the University of California,

established the first formal criminal justice higher education program at the University of California, Berkley in 1916 (Dempesy 1994; Mahoney & Prenzler 1996; and Sherman et al 1978). Vollmer, known as the patriarch of American policing and the founder of the 'college cop' movement, was concerned with professionalising the police, and was the first to propose recruiting police officers from outside the 'stout and likely lad' profile proposed under the tenets of the new police of England and Wales. In his contribution to the enquiries of the Wickersham Commission, established by President Hoover in 1929, Vollmer argued, partly in a paper titled Lawlessness in Law Enforcement, that higher education was central to professionalising the police (Sherman 1978). He also asserted that it would give police dignity, raise their social status, support the idea of a specialised body of knowledge in policing, assist in changing the police role and assist in efforts to attract a better class of candidate for police recruitment (Carte & Carte 1975 cited in Sherman 1978; and Dempsey 1994).

Vollmer's vision – he often referred to it as his 'fancy' – of the educated social worker as police practitioner (Peak & Glensor 1999), remained starkly and categorically unrealised, and it was not until the 1960s, and the crisis in modern policing (Dempsey 1994; Mahoney & Prenzler 1996; and Sherman 1978), that the issue was seriously raised again. In the 60s, students, minorities and liberals across the West essentially withdrew their consent to being policed (Goldstein 1990). The drama of the period is starkly addressed in Mark Kurlansky's (2004) book *1968: The Year that Rocked the World*, the index of which records a staggering 23 entries on worldwide incidents of serious police brutality. During this era, police were misemployed by administrators, but it was their own fixation with law enforcement, over the maintenance of public order and tranquillity (see Mayne 1829 cited in Edwards 2005:147), that contributed to their crisis of legitimation. Over-policing of minorities and strict enforcement of petty laws, such as seen in Brixton in 1981 for example, always has this potential. In one notorious 1968 case the Chicago Police, in a violent attempt to enforce the law, were criticised for rioting against their own citizens (Dempsey 1994). Kurlansky notes that the period was marked by 'a spontaneous combustion of rebellious spirits around the world' (2004:xvii). The often violent response to this rebellion, coupled with soaring crime rates as the first of the male baby boomers

reached peak crime age (15 to 25 years of age), marked the beginning of the end to the myth of police as omnipotent and omniscient crime fighters (Fyfe in Dunham & Alpert, Eds 2001).

By the 1970s, in-service and pre-service education for American police was a matter of public policy. The President's Commission on Law Enforcement and the Administration of Justice, formed by President Johnson, was even echoing Vollmer's earlier words that the police officer, like all skilled professionals, requires a comparable education (Mahoney & Prenzler 1996; and Sherman 1978). This highly critical commission was only one of a number of bodies calling for police higher education, but it was one of the few advocating the separation of training, in vocational skills, from education, based on a liberal arts curriculum (Sherman 1978). As a measure of how seriously central government saw the requirement to reform state police through higher education, funding at about US$40 million per year, for what was eventually called the Law Enforcement Education Program, was quickly approved (Sherman 1978; and Meese & Ortmeier 2004). This expenditure, and $8 billion more on research and development, and police hardware and equipment, was administered under the Law Enforcement Assistance Administration, at one stage the largest federal bureaucracy (Dempsey 1994).

As is often remarked to be the case with innovation in policing, Australia lagged the United States by at least 10 years in attempting to link higher education with the police. Unfortunately, scandal, not the contagion of a good idea was again the main driver. Reports on police corruption, failure to prevent crime and protect citizens, police criminality, political partisanship, and process abuse began to increase alarmingly in the late 70s and early 80s (Mahoney & Prenzler 1996; and Bradley in Moir & Eijkman, Eds 1992). Casting around for a clear starting point for the formal move to higher education, the Lusher inquiry into the administration of the New South Wales Police (1981) emerges as a reasonable marker for the purposes of this study (but see Bradley & Cioccarelli in Chappell & Wilson, Eds 1989). Justice Lusher took his critique of police down the relatively well trodden rational-empirical path of enquiry, by looking at questions of what police do and how that could be improved. But he also examined the philosophical-moral basis of their

work in asking why certain duties were carried out by police and why certain actions and procedures were preferred over others (Mahoney & Prenzler 1996; and Bradley & Cioccarelli in Chappell & Wilson, Eds 1989). The link between the why of policing itself and the how and what of education for police in its practice, was proposed as 'the most basic consideration and the starting point' for reform (Lusher 1981:393). Lusher unfortunately takes the 'nature' of policing as the starting point of reform and this is what Popper might refer to as an essentialist turn (nd in Magee 1973:106). The attempt to capture a timeless and unchanging essence of policing, as if it is to be found under a rock, belies its complexity as a socially constructed intervention with a social purpose. Clarification of the purpose of policing, and not the discovery of its nature, must precede reform because, at heart, policing can only be a constructionist and not an essentialist phenomenon.

Spotlighting the problem

Lusher made a number of important distinctions in his report. He separated training from education, and doing police work from managing it. As unremarkable as these seem, they were apparently not at all clear to police of the time. Commenting on the fact that in 1979, only four of the 300 commissioned officers of the New South Wales police held university degrees, Lusher also noted that the overriding claim to merit in relation to selection for promotion was time served (1981). Indeed, 12 months service would trump a three-year university degree in selection for promotion to inspector. Things were in such a state that you effectively had to be 50 if you were an inspector. When Lusher surfaced these 'rules', they were quickly identified as absurd, despite the fact that they had served as ironclad laws for decades.

Lusher went on to ask 'why?' in relation to all manner of education, training, administration and management issues, and he continually stressed the practicality and utility of formal, recognised, external, tertiary education in management and leadership (Lusher 1981:68).

The management skills expected of leaders in the private sector and increasingly in the public sector are substantial. The trend is away from short duration internal training towards the more formal tertiary qualifications available from under-graduate and graduate courses in our colleges and universities... These studies embrace the principles of management and also equip the graduate to apply the many sophisticated techniques available to the manager... An assumption that management skills, such as those mentioned above, can be disregarded or can be acquired and applied through intuition [or through long service] is an unfortunate simplification which overlooks the value of education.

The inquiry concluded that management in the New South Wales Police Force was authoritarian in style, and that promotion was based on merit, as it always is, but that the measure of merit was solely seniority. Further, in relation to education, managers in the agency were only modestly equipped, lacked recent exposure, and were even hostile to the idea (Lusher 1981).

Lusher's ideas alone did not easily permeate the granite of the policing establishment. Justice Wood (1997:269), in his much later report into New South Wales police corruption, even remarked that some of them had become 'lost in translation'. Lusher (1981) did however plant a seed that subsequent inquiries and reports, and the desire of the police themselves for professional status, nurtured and encouraged to fruition (Rohl & Barnsley in Etter & Palmer, Eds 1995). By the late 80s, it was accepted, by all but the seriously recalcitrant and misguided, that police work and police management were too complex, and too important to be best done by those unencumbered by higher education (following Tamm 1962 cited in Sherman et al 1978).

Background to the study

In the early 1990s two small but significant steps were taken to close the gap between police management and police management higher education. On the campus of the Australian Police Staff College, soon to be renamed the Australian Institute of Police Management, the Australian Graduate School of Police Management, a joint initiative between Charles Sturt University and the Commonwealth, was established (Rohl & Barnsley in Etter & Palmer, Eds 1995). By 1993 the first police management students had

joined the graduate certificate program and work was underway on the articulated graduate diploma. Rohl, Barnsley, Newnham, Westerink, Wallace, and a few others had completed the design and development of the bare eight courses of the Graduate Diploma in Police Management by early 1996, when I joined the small group at Manly in Sydney, after retiring as a military police officer. Within days I began writing distance education materials for the Masters in Public Policy (Policing), and coordinating formal, accredited, supervisory, management and executive development courses that we designed for specific police jurisdictions, developed using a problem orientation, and jointly delivered within the student's workplace. In the first five years I worked extensively with the Australian Federal Police, the Victoria Police, and the Hong Kong Police in their workplaces.

Since then I have been extensively involved in the education and development of those managing police work. I have worked as a police academic and consultant in Australia, New Zealand, Papua New Guinea, Cambodia, Malaysia, Hong Kong, Fiji, Tonga, Vanuatu, Samoa, the Solomon Islands, and Bangladesh and with students from many more countries. My aim has been largely pragmatic at the level of the individual student and essentially based on assisting them to learn, to be critical, and to examine and offer reasons. This research is my attempt as a practitioner to better understand and articulate my own, largely unexpressed, but obviously implied, philosophy of police management education while simultaneously meeting the institutional requirements of a professional research degree. More importantly, from any reader's perspective, the study is an attempt at building a defensible but defeasible philosophy of police management education, and the subsequent report and proposal is therefore mostly normative and conceptual, rather than experimental or empirical.

Philosophical, theoretical or conceptual research is usually contrasted, sometimes unfavourably but mostly in passing, with a more rigorous and realistic sounding empirical or scientific research, based on observation of one sort or another, that attempts to understand phenomena in order to predict and control them (Kellehear 1993). Empirical research itself bifurcates into the two main schools of hypothetico-deductive and ethnographic-inductive research. Researchers can therefore propose that 'all swans are

white', and design experiments or exercises in counting to prove that hypothesis; or they can go and live with the swans and subsequently conclude, among other things, that 'all swans are indeed white'. But in both cases, and in all serious research, some philosophising has taken place beforehand. That is not to say that philosophising is just a preliminary activity. Philosophy is different from research based solely on observation in that it is the attempt to raise the questions and the answers – empirical, evaluative, essayistic and emotional – that can and do constitute a field of inquiry, thought, practice, art or science and to systematise those. What I am attempting here is to more or less draw out the mental scenery of an educational practice, aimed at good police management in support of good policing. Like all philosophy of education (Blake et al, Eds 2003:xv), this is mostly a question of learning – how might police managers reliably learn their trade? What methods can and ought to be used to assist? What dispositions can and ought to be encouraged? This is new ground for police management education so my effort here represents both a work in progress and a stage in my practice. It also serves as an exercise in pattern breaking.

To take Rescher's (1994) perspective, doing philosophical research does not require the services of a non-human intelligence with perfect instruments. Philosophy, and the language it relies on for its work are primarily built for the workaday world, and both allow us to orientate ourselves to our experience. This cuts both ways, as the questions and issues of philosophy are mostly purposive – they are rooted in the everyday and the prosaic. My research is not an abstract logic of concepts, it is a philosophy of practice that coheres with, articulates, and fills out a practice built on an empiricism of observation, conceptualisation and conviction. Practice requires certain full person dispositions – combining knowledge, will, and emotion – and an attempt to systematise it, by a practitioner, will be based in and on practice. As Mill notes, 'life is experienced by the whole man, thinking and feeling' (nd cited in August 1975:71).

Research objectives

Scandal and reform (Roubinette 1991 and see Neyroud & Beckley 2001), the latter in a strictly remedial sense, may have established the relationship between police management

and higher education, but neither is required to justify, reinforce, or cement it, and both may serve to obscure the best it has to offer. The ultimate end or consequence of the relationship is the ongoing justification. This is arguably not always the case, but it is the case here because, and this is sometimes forgotten, public policing is already a public policy intervention, drawing its legitimacy from its contribution to the alleviation of a set of public problems. I appreciate that legitimacy varies both in degree, higher here lower there, and in its seat. Practically, following a neo-Marxist train of thought, police may serve the propertied class, they may over-police the underclass, or they may simply keep the order of those who set and sustain them, but that is not the idea of public police in a liberal democracy, and it is not the ideal. Nor is it ideal that there is no policing, although it is open to question whether police should do this work. Police though, as a uniformed, disciplined service, are a standard response to the problems of policing – keeping order, maintaining the rule of law, assisting in the criminal justice system – in all societies included within the parameters of this research. That is, those practising liberal, humanist democracy in its thick or thin guise.

Police educators don't need to be reactionary or revolutionary, nor do they need to support the status quo. They also don't need to wait for an ideal police agency to emerge before they can feel comfortable contributing to policing. Instead, what is required is that educators have an open idea of the ideal, celebrate and communicate their idea, and make contributions to its realisation. The ongoing relationship between higher education and police can be based on the ongoing improvement of policing for its constituents, and arguably it should be. This is the light on the hill that is required by even the most vulgar pragmatist. After all, talk of policing may be rhetoric but it need not be empty rhetoric.

The title of my research is 'How might higher education assist police in their work of helping to create civil communities?' Essentially, the question is what can higher education do for police and, in this study particularly, what can it do for police management? In a public policy sense, the outcome required is a positive discernable difference in society. Higher education, like policing, is itself an intervention (means) with its own set of possible justifications (ends). The idea is that the educated individual has certain

knowledge, skills and attitudes, dispositions in other words. In as far as these are based on ideals that contribute to an overall art of practice, and they have been inculcated, reinforced or revised as a result of higher education, then they constitute part of the justification for that education. Taken together, the ideal ends, matched outcome dispositions, and appropriate teaching methods join up to form a complete philosophy of education. When the education being discussed is police management education, then the philosophy requires similar analytic, rational-empirical, and normative dimensions. The education, to be defendable, is not just to inculcate certain dispositions, but the dispositions are to contribute to a certain justifiable art of practice.

Accordingly, the objectives of my research are answers to the questions of:

1) What are the ideal ends of policing in a liberal, humanist democracy and what idea of policing best supports, and therefore should be used in, their achievement?

2) What collection of knowledge, skills and attitude best equips, and therefore should be used, to educate a police management practitioner to assist in realising the desired ends of policing?

3) What teaching techniques and methods best facilitates, and therefore should be used, in inculcating the dispositions required of good practice, ethically and technically, as a police manager?

These questions, it will be seen, form an extension and an interpretation of Frankena's (1970) analytic philosophy of education. Each question, as articulated above, forms a classic syllogism comprising a normative and an analytic premise and a normative conclusion. The unexpressed foundation syllogism, relating to the ideal ends of human life, the social arrangements that best suit that, and therefore the social arrangements that should be employed, is not discussed here. The assumption inherent is acknowledged and perhaps understandable. Where such an enquiry might go, given time and space, is probably best previewed in the work of John Stuart Mill, and may rest with Karl Popper's political principle and heuristic: 'Maximise the freedom of individuals to live as they wish' (Magee 1973:86; and see Russell 2004 [1935]).

Thesis outline

'After just now' is more than an enigmatic definition of the post-modern, it is also a good starting point for the reform of the public police in Australia. The reform envisaged is not a knee jerk response to the latest scandal, it is a root and branch reform of the idea of public police and their place and practice in policing society. The requirement for such reform is not widely recognised, and may even be aggressively denied by those who must first accept it, and then practise it, that is, the police themselves and their managers in particular. The news that everything is fine in public policing is, or so it seems, at least implied by the lack of any news to the contrary. In the absence of a scandal, there is little evidence of any striving to radically, seriously or even marginally improve on current practice in anything other than a technical and process sense. Calls for more police powers, more police, more surveillance, and longer prison terms for offenders are akin to the quest for more powerful leeches in early medical science.

Police reform is an act, not a product or outcome, and while the idea of an ongoing relationship between police and higher education is not new, the nature of the relationship proposed here is. Higher education does not 'shift and set' police in a remedial sense or through some one-off transaction. What it can do is give police the supported means to continually reflect on and critique their own practice, in light of an always-open ideal of the social art of policing.

This thesis is organised around eight chapters, with this first chapter serving as an outline justification and introduction. The next chapter, Chapter 2, looks at the problem of higher education as reflexive remedy. The idea that higher education can 'cure' policing has had unfortunate and unintended consequences, including a growing disillusionment in all quarters but particularly among police. Looking for certainty and the one true way in the halls of the academy was always going to be disappointing. Chapter 3 continues this theme by examining the work of police management and its resistance to higher education. The apparent concreteness of police work is inimical to higher education for some commentators and practitioners.

Chapter 4 leaves behind the problems of contemporary police management and the relationship between police and higher education, and looks at the ideal and idea of education generally. It follows Frankena's (1970) work and proposes his analytic philosophy of education as an appropriate framework for a fully articulated, normative and analytic philosophy of police management education. The framework is essentially the methodology and the method of my research, and it is used to step through the logic of building a defensible, and defeasible, model of police management education.

In Chapter 5, I take on the work of articulating the idea of police management and an ideal or acme of policing. The concepts are developed in a context of a liberal, humanist democratic society. This is fairly sweeping work, but it is made out sufficiently to support the argument that this normative position, within the framework, is both the starting point for a philosophy of education and an end point for practice. The framework, in other words, can be read left to right and right to left such that the ideal has practical consequences and practice implies an ideal. The chapter does not belie or trivialise the existence of police states as opposed to policed societies. Rather, it is premised on the idea that in a police state there is inevitably much more to criticise and reform than the police themselves. This fact has led some commentators to conclude, wrongly I might add, that a society gets the police it deserves.

Chapter 6 switches from the normative to the analytic. In the chapter I propose that allowing for, listening to, and reacting in accordance with 'voice' is a disposition most suitable to police managers in their dealings with citizens and staff. My argument follows Hirshman's (1970) conceptualisation of voice-exit-loyalty, counters criticism raised earlier in Chapter 3 on police management, and follows from the argument on community policing in Chapter 5. Police are a monopoly service provider; in the absence of alternatives, police managers are well advised to encourage voice in order to identify, provide and improve services, avoid scandal, and engage in informed participation in the public policy process.

In Chapter 7, I outline why the case study method is the method most suitable to police practitioners, and most suitable to police managers learning to value, encourage, and utilise voice. An informal version of the case study method, basically non-critical storytelling (Rauch 1992), is the practicing police officer's implicit and intuitive response to the relative complexity and contestability of their work. Formalising, making explicit what it is that police do, improving it, and even legitimating it in their own eyes, is a particularly powerful educative technique. Philosophical standardism (Rescher 1994) is introduced in this chapter as the method most appropriate, and almost instinctive, in good police management.

Finally, I make some conclusions based on my research and my professional practice in Chapter 8. Police work and police education are important. One is a great social work that has been criticised for being deaf to those with dissenting views, and the other is a relatively marginal field, criticised by those it attempts to assist for being unable to provide the certainty they expect. The two need to negotiate a new deal that admits of the value pluralism inherent in policing. The clash of desert, equity, liberty and safety are not solved by recourse to instrumental, technical rationality. The contestability of ends, as well as means, requires a new navigation of knowledge. Knowledge about what should be done, and how, can only be made universal and propositional, if at all, in light of agreement on why something should be done at all. The dilemma of individual liberty vs collective security, the paradox of police coercive power, and the double bind of the requirement for the ongoing and significant exercise of informed discretion at the lowest levels of the police organisation, mark out higher education in police management as an exercise in complexity and doubt rather than certainty. By designing, developing, delivering and evaluating fully developed and joined up philosophies of police management education, higher education can assist police in their work of helping to create civil communities.

Two asides

Before embarking on the discussion proper, I would like to briefly raise two matters that impinge on my research. The first of these is the question of the supposed collapse of the

fact/value dichotomy possibly best identified in the work of Hilary Putnam (2002). The second aside centres on the question of postmodernism which is more difficult to pin down. To deal with these in order: the divide between fact and value, between what is and what ought to be, between descriptive and evaluative statements, and between objective and subjective utterances is probably best thought of as existing on a continuum rather than nailed to a dichotomy. While there are some clear-cut cases of values and facts, there are some that are more confused or intractable. Human life as an end in itself and as a fact might be a case in point. Perhaps the idea of a moral slippery slope in police corruption research gives a better example of the interrelationship. Corrupt officers typically move from infrequent and minor acts of omission, down the slope to more frequent and gross acts of commission. In logic this is an argument from a heap whereby isolated facts, of a minor nature, somehow aggregate into a change in evaluation – the police officer becomes corrupt, the man becomes bald, the absolute poor become comparatively poor.

The fact is, facts and values do interrelate and the dichotomy is over inflated, and eventually false, although, arguably, it once did good work. There is no absolute apartheid between facts and values though and maintaining it is more about hegemony than heuristic. Consider this from Russell (1961 [1946]:529): 'some hypothesis is a necessary preliminary to the collection of facts, without something of this kind, the mere multiplicity of facts is baffling'. The hypothesis privileges certain facts, they become somehow more important than others. This doesn't mean that water isn't H^2O to the thirsty soldier, but it does mean he mightn't recognise it as such at the time. As Rorty (1999:134-135) has said 'all anybody ever does with anything is use it'.

The fact/value question also runs over into the matter of postmodernism whereby absolute truth and good are rejected as grand narratives or ideologies. Facts now become just more subjective values, contingent claims in local, contextual and plural narratives. Within the general, and confusing, ethos of postmodernism, Beckett and Hager (2002:155) identify seven trends relating to professional practice that can be summarised as:
  a) change and crisis,
  b) incredulity,

c) pluralism,

d) particularity,

e) partial (partisan) knowledge,

f) fuzzy logic, and

g) discursive power.

'Postmodern accounts of organisational and community life … view people as enmeshed in webs of practices, discourses and interactions which can be understood only through analysing … particular situations' (Field in Foley, Ed 2004:209). It is important to note that postmodernism is both an outlook, and an emerging reality in the West (Peters & Wain in Blake et al, Eds 2003:69). If I understand this correctly, the multiple trends and the enmeshment of postmodernism can be unpacked much as Russian dolls might be, but the politics and the total perspective aren't mandatory.

Postmodernism presents educators, researchers and practitioners in policing with opportunities and licence to reconceptualise responses to change and crisis, deconstruct grand narratives, work with pluralism, delay credulity, and usefully explore the nesting (of the Russian dolls) of context, particularity, partiality and identity. But as Beckett and Hager (2002) note, there are few paid up postmodernists at a serious traffic accident. Police need to act in the world and police managers need to exercise judgement and make decisions. In Beckett's (2004:499) apt phrase, police need to 'know how to go on'. Beckett and Hager (2002:170) claim to be strategic in their postmodernism, for reasons that will become clearer in the next few chapters, I make a guarded claim to be pragmatic in mine.

Calls – Muffled, Clarion and Confused – for Higher Education and Professionalism

Our ship is sinking. Our police station is in desperate need of leadership, direction, management, intelligence, technology, communication, encouragement, education and training.

(Anonymous NSW police officer cited in Connolly 2000)

Introduction

Based primarily on a review of the literature, this chapter picks up on the imperatives for police management education resulting from some of the numerous reviews, inquiries and commissions conducted into policing. It traces the relatively recent move to higher education and it points to a number of difficulties in the relationship, as currently conceived and practiced, between policing and higher education. The main difficulty identified is the lack of a fully articulated framework for police management education based on an expressed philosophy for police management practice.

Higher education has been treated, even by police reformers, more as advanced training, or as remedial development than as a means of critically revisiting policing generally and police management particularly. Higher education can and does deliver technical and propositional knowledge, but police management practice is not just the liberal application of learnt theory. Higher education cannot create the certainty that many police students look for, in a field that rests in the grip of plural values, the balance of an essential dilemma, and the fog of paradox. The value pluralism inherent in democratic policing; the dilemma of looking to police by consent while retaining coercion as a means; and the paradox of an orientation to action, in sometimes dangerous and often complex contexts, problematise higher education in policing. At the same time, scandal driven and incompetence fuelled moves to 'fix' policing through higher education create expectations that are not easily satisfied. As will be argued below, the typical methods and pedagogy of university lecturers, the cognitive orientation of curriculum, and the teaching as opposed to

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learning focus do not fit well with the problems of practice for police managers or with their preferred learning style.

The confusion of police management

The promise of police management education is best made out in its contribution to the ends of policing. Change short of this, say a change in internal process or procedure, is more easily identified but can only be considered an advance when it frees up staff or resources for application elsewhere or allows for the better, more targeted, allocation of staff to public problems in the community. This is also the case when management style is improved to become less adversarial and therefore less costly in terms of morale, grievances and complaints. A fixation with means characterises police management and this is so to the extent that ends are obscure. In calling for 'the production of human security' as a suitable aim, for example, Brodeur (in Brodeur, Ed 1998:220) argues that ends should be broadly defined and that they should be well clear of means. The confusion is perhaps made more explicit, when it is noted that many commentators refer to law enforcement or crime control as ends in policing (see Marenin 2004). That always doing the former can lead to unjust outcomes, and that controlling crime is beyond police anyway point to some problems here.

Police management must contribute to better police practice, in terms of its essential orientation to public problem solving, and police management itself is, or at least should be, a disposition to the thoughtful and innovative facilitation of police service delivery (Moore 1995; Moir 2000; and Marenin 2004). As actual service delivery is largely the function of the managed in policing, police managers should have the knowledge, skills and attitudes to plan, lead, organize and control their organisation and assist their staff in their complex work. While the dispositions required are made out later, they are not the ones enjoyed by current senior Australian law enforcement officers who have been found by Densten (1999:45) to be less likely than other industry leaders to:
    a) negotiate with staff,
    b) act as a role model or coach,

c) create and use new visions, images or understanding,

d) allow staff to experiment and learn through experience, and

e) encourage innovation and invention.

The overarching philosophy, or even ideology, of policing and police management is unexpressed in most related policy decisions and debates particularly in relation to police education. Instead, courses, programs, reforms and prescriptions begin with the knowledge, skills and attitudes required of police managers as if they were fixed or given. As if there were no alternatives. This obscures the fact that policing is itself an answer to a series of questions, a solution in progress to a number of public problems, and an enterprise capable of improvement. Suppression of the reasoning behind any prescriptive list of knowledge, and occasionally skills and attitudes, has the effect of making the evaluation of any educational intervention difficult, if not impossible. Not knowing what training actually does also allows it to continue to be reflexively deployed as the solution to all police management problems, and remain a 'mainstay of both reactive and proactive police reform' (Buerger 1998:27). Training is used here in its classic and fairly laboured sense, and in the context of what has been referred to as 'straining training' or 'training as Pentecost' (Buerger 1998:27; and Marion 1998). This concept of training as panacea, or even miracle, encourages current senior police to pontificate on what their subordinates supposedly do not know – the training gap – and to direct training-based solutions to what are often non-training problems. The result is usually not much more than a reinforced status quo. The one day seminar on gender equity, for example, was never going to do the trick anyway, and as a token effort it signals management's lack of interest in the underlying problem of discrimination and harassment.

Essentially, the misdirected and atomistic approach to the training needs analysis, whereby the last policing scandal or management mishap is treated as an unequivocal indicator of what those involved and their peers do not know, quickly fills the curriculum with a disjointed collection of training topics (Buerger 1998). A typical grab bag would include project management, output budgeting, human resource management and strategic planning. Lacking curriculum integration, and used as favourite propositional prescriptions,

these topics preference the cognitive domain of learning, and misstate, undervalue or ignore the broader conative and affective dimensions of doing good work – technical and ethical – as a police manager (Gardner 2002). The almost ubiquitous two-day-workshop approach to any new rent in the mid-career fabric of a mostly on-the-job tailored suit of knowledge, skills and attitudes is typical of the atomic approach to training (see Beckett 2004). The small amount of cognitive information generated at such a workshop, cannot patch over the 'attitudes, values and motivations' built over a lifetime of practice (Hager 2004:52).

For police managers themselves, what they need to know is one thing but how they get to know it is largely not an issue. Knowledge based on personal practice has more utility than any other (Cervero 1992:91) and knowledge derived from the personal practice of another (senior experienced practitioner or 'guild' member) is only marginally less useful (Buerger 1998:39). On-the-job informal learning (see Hager & Halliday 2007) is, rightly or wrongly, the major learning strategy and it provides by far the largest portion of the learnt content in policing. There are of course two major problems here and the first relates to the fact that policing is not currently a rich field of experiential learning. The profession is risk adverse and has been characterized as 'resistant to change, intolerant of organizational dissent … and about as flexible as granite' (Tafoya 1990 cited in Hawley 1998:53). Dale even goes as far as to argue that policing organizations are 'antithetical to professional practice' (1994 cited in Hawley 1998:43). Bryett (1999:30) is slightly more generous in noting that police organizations 'are not routinely regarded as being at the cutting edge'.

The second problem is more complex in both concept and consequence and may even be unique as a paradox. In policing, the largest scope for professional discretion rests with the lowest ranked and least experienced staff members (Clegg, Hunt & Whetton 2000; Peak, Stitt & Glensor 1998; and Ciocarrelli & Ireland 1997). These officers are usually employed as patrol or beat officers, working alongside a slightly more experienced partner, with, due to the demands of the job, little direct supervision. It is here that the very powerful whole person effects of learning on-the-job begin to be felt. While the resulting lessons learnt have the potential to overwhelm knowledge based on front-end academy studies, this is not

an issue if, but only if, subsequent practice is good technically and morally. What is an issue though is the hegemony of learning from practice and from stories of practice as a method. Given the preponderance of single entry point police hierarchies, police officers often have 15 to 20 years of this type of learning before becoming managers and students of management. Many are subsequently disillusioned when all higher education apparently caters to are formal teaching and individual learning processes, giving preference to the cognitive domain, and leading to the acquisition of propositional product (Hager 2005).

Some of the most powerful learning experiences of police managers relate to what they used to do as patrol officers, and not what they now need to know and do. Leaving behind learning like this is enormously difficult and new managers, perhaps nostalgic for lost discretion but certainly wary of its consequences, often waste valuable time attempting to control patrol officers rather than facilitating good practice. Findlay (2004) provides a basic exploration of the tension between discretion and accountability but Finnane (1994) points to the powerful effects of informal rules on 'cop culture'. Control efforts by managers feedback into a culture based on the intolerance of mistakes and encourage defensive behaviour (Meese & Ortmeier 2004). New police quickly learn that, discretion should first be used to protect themselves and their partner from management, before it is used for any other purpose.

So with personal practice tightly constrained by a fear of failure, experimentation seen as risky, and a model of learning from practice dominating, policing can only reproduce itself (Cervero 1992). There is something of this and even more in the method of learning from senior experienced practitioners. These are obviously people that have thrived in the controlled learning environment of policing and their stories and cases tend almost universally to support the status quo. Still this is a powerful learning method and rather than being discarded, if that actually was a viable choice, what is required is that such case studies are utilised in a more critical and rigorous manner.

Effectively the case study method, in a rough storytelling form (Rauch 1992), is one that has wide acceptance in policing and it is one that can be enhanced. A related and more

powerful approach to learning from personal experience and from the experience of senior practitioners, taking these two as case study opportunities, can form the basis of a methodological premise for police management education. Practice in police management education needs to tolerate and capitalize on the practitioner's preference for holistic and (re)integrated learning (see Hager 2005:663) from both personal and vicarious experience. What is required though is a set of teaching and learning strategies that overcome the limitations inherent in this approach, and assist police managers in their work with staff and citizens.

Early role model choices

When Sir Robert Peel, the then home secretary, first established the new London Metropolitan Police in 1829, little could he have imagined that it would eventually become the paradigm example of policing by consent (Reiner in Brodeur, Ed 1998). Exported in some form or another to all corners of the Empire and beyond (Bradley in Moir & Eijkman, Eds 1992), Peel's prescription for crime prevention was not without critics. Some of these were wary of the militaristic, secretive and inquisitorial, European model of policing with its network of spies and informers, in the service of a central government interested in increasing regulation of social life (Finnane 1994). Others saw the emergence of professional policing as serving the interests of the newly rich industrialists who, without the protection afforded by broad acres and a loyal servant class, were all too vulnerable to the newly urbanised poor (Reiner 1992). At the time even the Parliamentary Committee on Policing noted that it was difficult 'to reconcile an effective system of police, with that perfect freedom of action and exemption from interference, which are the great privileges and blessings of society in this country' (1822 cited in Edwards 1999:26). There appears to have been no criticism, though, of Peel's preference for recruiting modestly educated, working class men who 'knew their place' to fill the ranks of the new constabulary (Edwards 1999:28).

A recognizable Australian practice and interpretation of the new civil policing did not really start to emerge until the mid 1800s when a number of the colonies formed single

police organizations from the independent, often regional and sometimes functionally organized forces serving within their borders (Edwards 1999; and Finnane 1994). By this time and due largely to geography, convicts, Aboriginals, and gold, police in Australia were embarked on a significantly different course to their counterparts in England and Ireland (Edwards 1999; and Finnane 1994). As the forces centralized and moved out from under judicial control, recruitment continued to be a problem so much so that nearly any applicant was selected for service. In Sydney this resulted in an editorial noting that the police 'taken as a body … are about as ignorant a class of individuals as can possibly be found within the limits of the colony' (Sturma 1981 cited in Bryett, Harrison & Shaw 1994:75). Later humiliation at the hands of the 'mythical' bushrangers might well have been a legacy (Finnane 1994).

By the beginning of the 20th Century and with Federation, the independent colonial police forces became state based jurisdictions with seemingly little thought given to national police legislation or a national police force (Bryett, Harrison & Shaw 1994). Another matter that had not yet attracted attention was the long term consequences of Peel's earlier decision to deliberately peg police wages at a level that would exclude the educated (Bryett, Harrison & Shaw 1994:29). Peel always intended that the new police should recruit the 'common man' and as such policing was embarked on a course that would see it develop as a 'rough but respectable craft' (Hawley 1998:41; and Bradley & Cioccarelli 1989:5). The stigma of policing as a working class, physical occupation best learnt through experience is still to be completely overcome (Bryett, Harrison & Shaw 1994; Finnane 1994; and Bradley & Cioccarelli 1989).

The gradual loss of legitimation

While Peel's ideal recruit was the common man, for August Vollmer, a reformist police chief and later an academic, the perfect police officer was a man of superior intellect with a tertiary education (Hawley 1998:40; Kakar 1998; and Mahoney & Prenzler 1996). Firmly of the opinion that police should 'recruit the educated', Vollmer established 'the first police school in higher education' in 1916 at the University of California-Berkley (Ciocarrelli &

Ireland 1997:8; and Roberg, Crank & Kuykendall 2000:400). Over the next decade or so a number of other schools were established and most ran subjects based on police administration, supervision and police science aimed at addressing remedial training needs, supposedly a shortage of propositional knowledge, and not a body of practice based on learning in the cognitive, conative and affective domains (Roberg, Crank & Kuykendall 2000; and Hager 2005). The first full policing degree program seems to have been delivered in 1930 at San Jose State University (Hawley 1998:37).

Although originally proposed in the early 1900s (Baro & Burlingame 1999; and Dantzker 1992), the role of higher education in policing did not begin to become accepted even in the United States until the 1960s and the 'crisis in modern policing' (Mahoney & Prenzler 1996:283). This crisis, comes to a head in 1968 (see Kurlansky 2004) and is typified in the United States by an increasing crime rate and a growing gap between the people and the police, that leads directly to a presidential commission recommending that the quality of police personnel be improved through higher education (Roberg, Crank & Kuykendall 2000; and Krimmel 1996). Considerable debate continued after this period however and studies have not produced the direct cause-effect correlation between education and crime control that seems to be required by police administrators to put the matter to rest (Moir 2000; and Buckley, McGinnis & Petrunik 1992).

While the civil rights movement and the protests against the Vietnam war marked a turning point in the relationship between the police and the public in the United States, it was not until the 1980s that policing by consent was called into question in Britain (Bradley & Cioccarelli 1989). Until this time Peel's new police appear to have occupied a place of affection in the hearts of the people and particularly the middle classes (Edwards 1999; and Reiner 1992). Admittedly, there were some symptoms of trouble in the 50s and 60s, but by 1981 the benign constable plod was better known as a 'pig' (Reiner 1992).

Operation Swamp was an ill conceived zero tolerance, crack down approach to drug dealing in Brixton, South London that, along with other operations, was largely racist in conception (Edwards 1999; 2005). The result was inner city rioting on an unprecedented

scale that, according to Lord Scarman, was attributable to poor police training and education, the growing gap between the community and the police, and the police preference for the hot action and hard numbers of law enforcement over the difficult work of community policing (Reiner in Brodeur, Ed 1998; and Brewer 1996). For Australia the same police preference was about to return its dividend.

Education and legitimation

'Often the history of policing appears characterized by nothing more than periodic crises of corruption or malpractice, followed by halting moves toward reform' (Finnane 1994:131). In many countries the cycle has been scandal-reform-decay as new initiatives fall off, training decays and management reverts to type (Prenzler, Harrison & Ede 1996). For Australia the late 70s and early 80s marked the beginning of a series of rolling critiques with 'profound implications for, among other things, police education and training' (Bradley in Moir & Eijkman, Eds 1992:135). In New South Wales what prompted reform was the Lusher report (1981) now long buried in the familiar array of Australia wide enquiries and commissions including St Johnson (Victoria) 1971, Beach (Victoria) 1976, Lucas (Queensland) 1977, Stewart (aka Nugen Hand/Commonwealth) 1983, Costigan (Commonwealth) 1984, Neesham (Victoria) 1986, Fitzgerald (Queensland) 1989, Muirhead (Aboriginal deaths in custody) 1991, Bingham (Queensland) 1996 and Wood (New South Wales) 1997. 'The commission of inquiry and the royal commission have become in this country almost an institution in themselves' (Moffitt 1985:176) and specific and generic commentary on cause, process and effect is voluminous if not exhaustive (Prasser 2006; Karp 2005; Gilligan 2002; Longbottom & van Kernbeek 1999; Ciocarrelli & Ireland 1997; Mahoney & Prenzler 1996; Finnane 1994 and 1990; and Chappell & Wilson 1989).

In 1979 Justice Lusher was given his terms of reference to look into the 'structure, organization and management policies of the Police Force, including … training and development'. Two years later, after noting that the 'subject of training attracted more comment in submissions to the inquiry than any other aspect of the Terms of Reference',

he went on to argue for a broadening of police training (Lusher 1981:350). Generally the argument centred on the themes of:

      a) police work had become more complex and demanding,

      b) the general standard of education in the community had increased, and

      c) unfavourable comparison is often made between the quantity of formal training for policing and other occupations.

This latter theme was picked up in relation to pre-service training and management and supervisory preparation. Although an unusual, even unfortunate, argument at first blush, the comparison between policing – three months initial recruit training – and hairdressing – four-year apprenticeship – was often made (Lusher 1981:354).

Generally, Lusher noted that the efficacy of a police organization must depend on the calibre and skills of its personnel. Accordingly, while recruitment and selection are important, education, training and development require very careful attention. Regarding recruit and other training he commented that 'emphasis is on the drilling of facts and learning of standard procedures or proofs. There appears to be little recognition of the need to develop … an understanding of the social or philosophical factors which precipitated the legislation they must enforce or reasons for the procedure prescribed for police to follow in a particular circumstance' (Lusher 1981:359). 'Lusher eventually criticized both recruit and management in-service training in the New South Wales Police in the most forceful of terms' (Bradley & Cioccarelli 1989:9).

Interestingly, Lusher comes to the conclusion that training and education processes, practices and indeed learning outcomes and evaluation can only be determined in light of an identified role of policing. While he does not press this to any moral-political prescription and quickly goes into an empirical-rational analysis of training needs using existing job specifications, his thinking is nicely compassed by Frankena's (1970) requirement for a philosophy of education, the questions and answers supporting an educative intervention; in other words, to begin with a prescription for artful practice. Essentially Lusher (1981:393) recognizes the argument but skips over it. This seems to support my earlier point on the lack of a clearly defined ideal for policing in most policy

debates on the topic. Even the great reformer himself appears to miss the opportunity to press home the idea that 'some assumptions that now operate as axioms in the field of policing are not timeless truths, but rather choices made by former police leaders and strategists' (Kelling & Moore 1988:2). Importantly, the critique of these can only reasonably be made in their presence.

Scandal and reform

The next important inquiry for policing in Australia was the Fitzgerald Inquiry, which received its terms of reference in May 1987, and reported in July 1989. Looking into 'the whole character of police administration and priorities in law enforcement' Fitzgerald found 'that law enforcement activities comprise at most only 20% of police time' (Finnane 1990:159; and Fitzgerald 1989:249). He also found that police are isolated from the values of the community and that this 'is exacerbated by a long tradition of highly discriminatory recruitment in favour of young, impressionable, poorly educated males' (Fitzgerald 1989 cited in Prenzler, Harrison & Ede 1996:6). Taken together, the complexity of policing and the failure of what he called the 'military model of training' led the commissioner into recommending integrated higher education for the Queensland Police Force. Unlike Lusher, Fitzgerald appears to support the idea that a good generalist experience in policing is essential for a police manager. Lusher, on the other hand, is in favour of specialization and a two tiered entry system. This is a good example of an evergreen argument in policing that has no 'right' answer. Either choice has advantages and disadvantages, like most such choices, and an argument for one over the other is often more purposive than persuasive.

In his final analysis, Fitzgerald spends little time on education and training preferring instead to go for 'big-picture restructuring' (Dempster 1989:33). He does roundly criticize education and training, but treats it broadly by implication and recommends a thorough independent review. It is possible that as a number of his more sweeping proposals would have a significant effect on education, Fitzgerald was avoiding the trap of multiple interacting recommendations that numerous inquiries in policing seem to fall into. For some the sheer number of recommendations appears to point to the rigor of an inquiry,

although how anyone could track the downstream consequences of 200 or so separate recommendations, not an exaggerated number in my experience, is problematic.

In 1994 the Wood Royal Commission into the New South Wales Police Service began investigations into, among other things, 'a vice and drugs protection racket centered in Kings Cross called the laugh' (Prenzler, Harrison & Ede 1996:4). Reporting in 1997 the Commission found that the police in New South Wales were the 'best money could buy' and their focus on crime control came at the expense of due process and crime prevention. In effect Wood (1997) built on the work of previous inquiries and found that Lusher (1981) had reported the same kind of management, leadership and supervisory failures 15 years earlier. Wood noted that education, such as it was, was insular – by police and for police – and that Lusher's recommendations for improvement had 'become lost in translation' (Wood 1997:269). Again Wood received a significant number of submissions relating to training and education the majority of which were critical.

Wood saw management education as best 'delivered externally by those with expertise in the principles of management and leadership' (1997:280). His prescription does not go much further but after noting that 'this is an area for the specialized educationalist', he goes on to state that education and training need to contribute to changing police culture and broadening its vision and that 'the ideals encompassed by the concept of professionalism are … central to the reform process' (1997:278, 213). Of course, just as Lusher's recommendations for practice were 'lost', Wood's were liable to the same fate if left entirely in the hands of the police.

The most recent enquiry into police in Australia (despite ongoing calls for one in Victoria) was the Kennedy Commission into the West Australian Police (2004). Kennedy found that police receive limited formal management education, dedicate few resources to research and development, don't experience the stimulus of market competition, and generally operate in a vacuum. Further, their reliance on a command and control style inhibits internal criticism. Kennedy follows the three wise men – Lusher, Fitzgerald, Wood – but in his final report raises some interesting new points.

First, he proposed that management education should aim at 'reflective practitioners' rather than 'skilled technicians'. These are not seen as existing in a dichotomy but Kennedy argued that the emphasis on the technical and instrumental has obscured the importance of reflection on practice and the bigger questions of policing. Second, he criticises the near monopoly provision of higher education, by Edith Cowan University, and the university's practice of lumping police students into one class, where officers are surrounded by colleagues and all receive the same education. The value of diversity, Kennedy implies, extends to a diversity of experience, ideas and knowledge. This is not something that rests easily on the minds of some few police management practitioners. This is so much so that I have heard police executives question the wisdom of allowing police students to complete elective subjects in a university course. The drive to standardisation is compelling and eventually antithetical to community policing. Policing is generally resistant to change, conservative in outlook, and intolerant of dissent (Bellingham 2000; and Sham-Ho 2001). While the culture isn't monolithic, it is strong and coupled with the strong enculturation associated with a single entry point hierarchy, long periods of recruit training and employment in a uniformed, disciplined service, standardisation is logically inevitable. Unfortunately, standardisation of thinking also follows and it is this that contributes to a 'shallower gene pool' of ideas. In research by Roberg, Crank and Kuykendall (2000:415) police executives reported that the disadvantages of college-educated police were that they were more likely to leave police, question orders, and request reassignment. While the research also listed a number of advantages, there was none corresponding to an ability to challenge the status quo, create innovative policy or contribute to critical thinking.

Professional practice

As various of our inquiries or commissions deliver their findings and retire from their deliberations into policing, the reform process begins and almost simultaneously so too does the decay. No longer in the public eye the incredible momentum of the police, their culture, solidarity and isolation, begins to 'correct' the balance temporarily upset by the exaggerations based on the identification of a few 'rotten apples'. Wood's dismay at

finding what Lusher and even Fitzgerald had found is charitably couched in terms of translation, however, it is no less felt. In some sense there is an absence of vicarious learning here that is unsettling. It is as if something, say corruption or bullying by management, has to happen to you before you can learn and react. Commissions and inquiries may even contribute to this through a lack of follow-up. Similarly, inquiries ask open, discursive, even iterative questions that require ongoing consideration, yet the end of the inquiry seems to signal the death of the question. Bingham, in reviewing Queensland Police training and education, asks 'what role are police being educated for – what is it that our society is asking police to do?' (1996:131). This is a question that is 'on foot', it is enduring and open ended, just as Wood's concept of professionalism and development is.

To some extent the recommendations of Lusher, Fitzgerald and Wood in relation to education and professionalism are neither revolutionary nor exhaustive (see Finnane 1990 for example). Accordingly, something can be lost in the translation and therefore it is appropriate to look at alternative and complementary prescriptions for practice that are more fleshed out. A reasonable starting place is in the directions to the various services from their ministers and in 1993 the Australasian Police Ministers' Council (APMC) issued just such a document. Entitled *Directions in Australasian Policing* (July 1994 - June 1996) it called on all jurisdictions to 'enhance confidence in and respect for the police' (APMC 1993:7). This is an unfortunate goal, and may be better suited as a performance indicator, but key directions and guidelines included enhanced education, development of a body of knowledge, and achievement of full professional status. None of these are elaborated on to any extent and by 2000, with little evidence of change in the intervening years, the APMC (2000:10) had issued the next directions (July 1999 - June 2002) which included the following:

> *Professionalism should be evident in the behaviour of individual police employees and in all aspects of the functioning of police organizations. Individual police employees and police organizations must be, and must be seen to be, open and accountable in all aspects of their operations. Both professionalism and accountability impact on partner and stakeholder confidence in policing. They should also be integral to the selection, recruitment, training, development, reward, and promotion of sworn and unsworn employees.*

The document goes to few lengths to identify any methods or techniques on how this might be achieved, still, it does call upon policing to 'commit to an educational framework for the continuing development of police employees' (APMC 2000: Objective 2.3.1). At the next level of analysis and direction, that is the respective police commissioners, we could be forgiven for expecting an elaborate set of objectives that are mapped, matched and allocated across the separate organizations. This unfortunately is not the case and Ryan's paper, *NSW Police Service Future Directions* (2001 - 2005), serves as an example. Effectively the document picks up where the police ministers' directive left off and goes back over the same ground. There is no sense of refinement, elaboration or even of any division of labour. The question of what do we do now to achieve 'employee job satisfaction and motivation through education, training, emphasis on ethics, employee management, and succession planning' is unanswered (Ryan 2000:26). More importantly, the work is again not allocated to anyone and perhaps this is why, despite rhetoric to the contrary dating back to Lusher (1981), we can still have an inquiry into NSW policing and find 'the Police Service irrespective of its rhetoric, is managed in a command and control manner. Decision-making and planning is not collegial. Fear remains the overriding atmosphere, fear of mistake, fear of punishment for being different. Creativity, initiative and vision is not promoted and when found is treated with suspicion' (Sham-Ho 2001:68).

In the final analysis, 'as Aristotle said, it is ethics and politics that determine what is to be studied, by whom, and to what extent – not epistemology' (Frankena 1970:20). What is valued, what is important and what is desired, determines what is important instrumentally and technically. This works in a positive and in a negative sense. If what is valued around here, what is rewarded and encouraged, is bullying and corruption then what is instrumental to that will be learnt and replicated. In a positive sense though, what is considered to be good ethically will dictate what is good technically. If values shift, mature, wax and wane then technical and instrumental processes, both learnt and operationalised, must keep up. 'As society and its demands change, police must have the flexibility and skills to meet new demands and challenges. A rigid, vocationally-based training is inadequate for this purpose. This proposition that police education needs to be broad and flexible, rather than simply based on teaching operational skills is not new or

particularly difficult to understand, but it needs to be [constantly] stated' (Bingham 1996:132). 'What is it that our society is asking police to do?' (Bingham 1996:131) is a question for today. Yesterday's answer may well be wrong.

Conclusion

For New South Wales Police, and they are not alone, rhetoric and review have served very little purpose. The police role, professional management practice and management education, remain separate areas of concern and inquiry with no articulated interdependencies or crosschecks. What is required is the development of a full framework of police management. The arguments for certain knowledge, skills and attitudes, and for certain recommendations for educational practice, need to be soundly made out in accordance with an overarching clearly articulated philosophy of police management. Essentially police management education needs to address the 'why' of policing (Lusher 1981 cited in Mahoney & Prenzler 1996; and Hermitage 1999). Thin, sterile prescriptions of training cannot host such an inquiry because they are silent on their own value premises and cut off from any contextual and social change.

Kennedy (2004) argues that police management education must be directed at developing and sustaining reflective practitioners and not skilled technicians. Value pluralism inherent in policing a liberal humanist democratic society does not lie down easily with an instrumentalist approach to police management and police management education. The treadmill of scandal-reform points to something being seriously wrong with police management and the preparation of its practitioners that is addressed more fully in the next chapter.

CHAPTER 3

Police Management Learning

The over-arching criticism of police leadership is its perceived failure to lead and adapt to change.

Introduction

In the last two decades in Australia, a number of inquiries into policing matters – Kennedy, 2004 Western Australia; Wood, 1997 New South Wales; Fitzgerald, 1989 Queensland; Johnson, 1988 Commonwealth; Neesham, 1985 Victoria – have found serious fault with police practice in Australia. Against this background, and the landmark international cases – 1972 NYPD Knapp enquiry, triggered by Frank Serpico (Edwards 2005); the 1981 Scarman Report into the Brixton riots (Edwards 2005); the 1991 Christopher Commission, following the Rodney King incident; the 1994 Mollen Commission again into NYPD corruption (Buerger 1998); and the 1999 Macpherson Report into the 1993 murder of Stephen Lawrence (O'Donoghue 2000) – it is more than apparent that policing is locked tight inside a vicious 'scandal-reform cycle' (Roubinette 1991:42). The characteristics of this cycle are such that the latest inquiry into police malpractice is no sooner convened than the need for the 'professionalisation' of policing and an 'increased participation in higher education' is identified (Mahoney & Prenzler 1996:284; Buerger 1998; and Ciocarrelli & Ireland 1997). Unfortunately for all concerned the fact that such a response is nearly reflexive points to some major difficulties in the conceptualisation and operationalisation of the prescription.

This chapter explores some aspects of the move to reform policing through education and professionalisation. Throughout, I attempt to draw out the concepts of police management, higher education and police professionalism and begin the process of drafting my formula for the relationship between higher education and police professionalism. At this stage it is appropriate to remind the reader that I currently work in police higher education. My interest in the field is therefore informed by the twin 'responsibilities of police educators …

as university teachers and as researchers … [looking] to focus on making more tangible contributions to police work' (Mahoney & Prenzler 1996:299). The chapter is set against a background of the return to community policing as part of the new orthodoxy of policing that speaks of partnerships, consultation and context and carries with it a structural imperative that has not properly been recognized (Barnsley & Cole 1998). Throughout, I remain alert to the powerful constraints of policing structure on learning, the de-skilling aspects of police culture and the somewhat related concept of workplace learning.

Police management

In part or whole, 'to study … police has been to study line resistance to the dictates of management' (Buerger 1998:31). In light of the proliferation of inquiries into corrupt, defensive, violent, brutal, abusive, criminal, substandard and secretive police practices in the United Kingdom, the United States and Australia, not many would disagree with the notion that policing and hence police management could be better. That bad practice can be made better is of course axiomatic to the very notion of management education; however, the critical perspective, employed by most who work in police education, allocates the task of continual improvement regardless of the absence of scandal (Hawley 1998:38; Bradley 1996:103; and Mahoney & Prenzler 1996:283). There are two interrelated notions in this idea that even if something isn't broken, you can make it better. First, is the idea that even best practice in policing can only be 'the best so far' (Popper 1963 cited in Flew 1975:35). To overcome the paradox of solutionism (Popper nd cited in Magee 1973), managers should be mindful that best practice can be improved, and any argument resting on it in policing and police management cannot be conclusive. The second notion relates to Popper's idea of falsification (Magee 1973) and it may even touch on the concept of delayed, or at least sceptical, credulity. Most, if not all, of our knowledge is provisional. Decisions and judgements needs must be based on 'the best of our knowledge … but we shall never lose sight of the fact that at any time experience may show it to be wrong and require us to revise it' (Magee 1973:27). The work of improving management is therefore ongoing, and made even more complicated given that policing goals are multiple, contested and inevitably political.

In casting about for models of excellence and methodologies for improving police management, various commentators have identified the requirement for university involvement. Emphasis has been placed on higher education and the achievement of 'the status and accompanying prestige of a profession similar to medicine, law or engineering' (Hawley 1998:36). Indeed, 'the idea that police officers should be college educated has become a cornerstone of the movement to professionalise police since it was first suggested by August Vollmer' (Sherman 1978 cited in Krimmel 1996:86). Vollmer, 'the reformist police chief and professor' (Sherman 1978 cited in Mahoney & Prenzler 1996:283; and see Krimmel 1996), wrote of his image of an educated, professionalised police service more than 100 years after Sir Robert Peel had established the craft guild model of policing (Chappell & Wilson 1989:5-6). Unfortunately, nearly 70 years later Hawley (1998:34) concludes that the call to higher education has been little more than a 'noble experiment' resulting only in marginally higher levels of academic qualifications for police officers. This finding is made more surprising in light of the polemic on police education and training following the US civil rights clashes of the late 1960s and the riots of the early 1980s in the UK (Krimmel 1996:85-86; and Chappell & Wilson 1989:3-4). In both these cases education and professionalisation were again prescribed as synonymous strategies to close the yawning gap between police and society.

The move to attempt a serious engagement with higher education in Australia was probably triggered by the Lusher Report (1981) into the New South Wales Police. Inquiring into the administration of the police, Justice Lusher proposes a cooperative approach to police initial preparation (Chappell & Wilson 1989:10-11) and 'recommended that no police officer be appointed to the [middle management] rank of inspector … who did not possess a degree' (Ciocarrelli & Ireland 1997:8). Lusher notably follows, or at least clearly articulates the very strong divide in policing between doing the job and managing the process, between the front line and the headquarters (Bradley & Cioccarelli 1987). The binary, like most, is both destructive and revealing on a number of different fronts but, it seems to particularly mitigate against simple prescriptive professionalism. In particular, the 'collegiate model of governance' proposed by a 'professional model of policing' presents

enormous, possibly insurmountable difficulties (Chappell & Wilson 1989:7). The work of police management can be described as a surveillance project, largely based on the negative reinforcement and bureaucratic supervision of police officers. Kleismet (1985 cited in Rohl & Barnsley in Etter & Palmer, Eds 1995:236) notes that the professional is not normally subjected to such a regime, but is more likely to be controlled 'primarily by internalised wisdom, knowledge and skill, as well as by colleagues'. Police management therefore comes under notice, if police professionalism is to be taken seriously. A term of the notice is reflected in the end to which police management should be directed. This is identified by Chappell & Wilson 1989:7) in their prescription for police management training: 'All police management training should begin and end with a celebration of good policing. In other words, police managers should not be allowed to forget the sort of business they are in'.

Police professionalism

As in all areas of comparative novelty, there is no ready consensus on 'the concept of professionalism as it relates to police' (Rohl & Barnsley in Etter & Palmer, Eds 1995:235), but a conventional definition gives us some idea of the construct: 'A profession is a disciplined group of individuals who adhere to ethical standards and uphold themselves to, and are accepted by the public as possessing, special knowledge and skills in a widely recognized body of learning derived from research, education and training at a high level, and who are prepared to exercise this knowledge and these skills in the interest of others'(Australian Council of Professions in Southwick 1997:13). This is obviously a limited description that is silent on the now accepted idea that much professional knowledge is learnt from professional practice (Hager 2000, 2002, 2004, 2005; and Cervero 1992). For established professions moving from predominately university based models and prescriptions of knowledge and formal learning, albeit accompanied by brief forays in on-the-job training, workplace learning does present new areas for enquiry. However, police management education has only ever been about learning through 'working with skilled practitioners' and as a stand alone method, what could be called eminence based learning, has essentially failed policing (Hermitage 1999:1). 'Sitting by

Nellie' is only one type of learning and it is a particularly problematic one if Nellie is immoral, dysfunctional and despotic (Bradley & Cioccarelli 1987:2). In other words, the relentlessness of the scandal-reform cycle marks out police management not as a rich vein of undervalued, marginalised, informal learning but rather as a particularly stunted field of practice and endeavour. Accordingly, police management education does not face the problems of formal education in the face of a flourishing, effective and essentially moral band of practitioners from the 'paradigm professions such as medicine or the law' (Callahan, Ed 1988:26).

Of course none of this is to say that workplace learning should be ignored in the attempt to improve police management through higher education. Indeed given that learning is the jewel in the crown of education, training and development, any means to that end demands our attention (Garrick 2000). However, this is neither new nor, with some exceptions, particularly disputed in police management education. At the Australian Graduate School of Police Management, for example, the majority of students do not have undergraduate qualifications. Instead, extended police practice and particularly supervisory and management experience is deemed to kit out the candidate at or about the level of an undergraduate. That this more often proves not to be the case is a matter of concern and one that a larger body of work on that topic should pick up in its entirety. However, for my purposes it is sufficient to note that higher education in the field of police management has a primary task of assisting police to redress the grand monologue of experience (see Hager 1998). Here I am claiming that police management is in need of critical input and not just recognition. What is known and what can be known in police management, and how the two can be learnt, need to be explored.

What is required is a particularly robust and well-rounded epistemology and pedagogy that avoids all that is destructive of higher education. Accordingly, the move from the dominant paradigm of learning from practice in all situations (Cervero 1992) should not be to a rigid 'front-end' model of education (see Hager 1999). Essentially the 'job' stands in desperate want of a 'logic of action' (Hager 2000:293) that incorporates the means and the measures necessary to aspire to and recognize good policing. Here knowledge, however acquired, is

characterised as of service to the role and context of policing (Dixon 2000:156). This is complex, as police management, like policing itself, effectively has three sets of variously related role characteristics: 'preferred – what the police ought to do, enacted – what the police actually do, and prescribed – duties and responsibilities specified by statute' (Walker 1983 cited in Hawley 1998:43). The clash of liberty and security central to policing as an intervention, the broader contest around policing means, and the value pluralism inherent in modern multi-cultural states marks technical rationality, and an over emphasis on the practical, as both expensive and extremely limited in utility. Policing is value-laden and, quite apart from any apparent collapse in the distinction between fact and value engendered by postmodern prescriptions or descriptions (see Beckett and Hager 2002), very few facts speak for themselves. The conspiracy of reason, the crisis of conformity, and the race to certainty can all face their denouement in the very next management scandal in any organisation.

Ultimately though, the largely scandal-based prescriptions for higher education and the professionalisation of policing do not proceed much beyond assertion, and a reliance on the superficial and intrinsic appeal of the two concepts and their projected reform effect. Throughout there is a confusion of the education/professional distinction and the absence of a clearly articulated social end state or ideal outcome for policing. In my experience of police education a failure to take into account this fourth level of educational impact and evaluation, the societal (Kirkpatrick 1967 cited in Brookfield 1986:271-272) is not unusual. Additionally, just as police education needs to escape its reflexive place in the scandal-reform cycle (Roubinette 1991:42) and achieve a clean break from questions of credentialism, discrimination and even relevance (Longbottom & van Kernbeek 1999:274), it also needs to move beyond banal formulas for best practice. In short it needs to stake a moral claim. These notions are of course interrelated and confused here and yet, it seems to me that police reform and police education separately and together require a non-negotiable underpinning that goes beyond the personal, the intellectual and the industrial (Kirkpatrick 1967 cited in Brookfield 1986:270-272). As all 'policing practices are inherently political and contestable in character'(Reiner 1992 cited in Bradley 1996:92), it is at the level of society that they are best evaluated, at least in the first instance.

At the very least the policing standard is set at 'reducing crime while guarding against intrusions into civil liberties' (Mahoney & Prenzler 1996:288). At a slightly more evocative pitch the measure of higher education's contribution to policing is found in the intervention's contribution to the police capacity to help create civil communities (Kelling & Moore 1988:1). This also meets Frankena's (1970:19) call to bell the cat as 'no epistemological theory can suffice, by itself, to provide a basis for drawing a conclusion about what ought to be taught or studied. Any such conclusion requires a normative or value premise as well.' In Popper's *Open Society and its Enemies* (1945 cited in Magee 1973:84), the first rule and the practical heuristic for public policy interventions is: 'Minimise avoidable suffering'. To work at such a goal, what ought to be studied is wisdom and goodness, not efficiency and cleverness (Saul 1997:178).

For some commentators, 'the pursuit of independent, professional autonomy for police departments is [seen as] carrying police away from achieving their maximum potential … [and] … shrinking rather than enlarging their capacity to help create civil communities' and a secure society (Kelling & Moore 1988:1). These concerns, founded on the paternalistic nature and closed shop of the current benchmark professions, have not proven to be warranted. Instead, the march of professionalisation, mainly through prescriptive education, has been thwarted by the occupational culture. Dale (1994 cited in Hawley 1998:43) actually believes that policing is antithetical to professionalisation and Tafoya (1990 cited in Hawley 1998:53) notes that jurisdictions will happily manage the statistics of higher education take-up and completions while resisting change and remaining 'intolerant of organizational dissent … and about as flexible as granite.' There is also strong evidence to support the idea that the socializing power of policing is such that initiates and even returnees with higher education are de-skilled or 'de-trained' in the face of it (Bradley 1996:108; and Buerger 1998:28). Some blame can obviously be laid at the feet of a uninterested higher education sector here. However, it is to police management and the enormous structural difficulties that predominately centralised bureaucratic police management models present to the concepts and consequences of higher education and professionalisation, that attention needs to be drawn (Rohl & Barnsley in Etter & Palmer,

Eds 1995:241). Police management has even been described as 'negative' in orientation and capable only of doing things *to* people and very little *for* them (Chappell & Wilson 1989:5).

While we can accept that the established professions are 'no bastions of Popperian freedom' (Chappel & Wilson 1989:7), it needs to be acknowledged that police management is particularly intolerant of dissent. 'Police departments have failed to weave research and experimentation into their institutional fabric' (Bittner 1970 cited in Krimmel 1996:87). Bradley has even gone as far as to say that 'the practice of policing …is unreflectively embedded in an un-theorised, taken-for-granted reality (in Moir & Eijkman, Eds 1992:132). Unfortunately, the 'Australian academics' traditional enthusiasm for criticising police' (Mahoney & Prenzler 1996:288), and the fact that most academic work has been *on* rather than *for* policing (Bradley 1996:86) has not assisted here.

Through all this policing has found itself subject to a number of master image traps such as that of the continual reproduction of someone's idea of best practice, the corruption of multiple success, and the gutter of low utilitarianism. That these traps have continued to work is evidenced by the reactive inevitability of the scandal-reform cycle in policing (Roubinette 1991:42). It is unlikely that there is no scope in policing for cooperative strategies that improve and enlarge the police capacity to help create civil communities (Kelling and Moore 1988:1). What is required is a new relationship between policing and higher education that values the 'contribution and involvement of police practitioners in the direction and development of their own occupation' (Bradley 1996:109-110). Such a relationship rests on the premise that 'in a democratic society, all share a responsibility for the police service' (Mahoney & Prenzler 1996:300).

Higher education

The New South Wales Police anthem goes as follows: 'For grace, nerve and daring, for insight too, we ask; for wisdom in action and good will to do the task'. 'Wisdom in action' is almost as evocative as it is elusive and one method of achieving it, a relationship

between higher education and policing, has failed to thrive. Despite this, observers, including the current Australasian Police Ministers' Council (2000), continue to see policing as unable to pull itself up by its own bootstraps and in urgent need of a 'sustained coalition' with higher education (Bradley 1996:86). Previous engagements can now be seen as superficial and largely credentialist in intent and there is obviously room for a new relationship based on clearly articulated aims and aspirations. An improved higher education/police relationship should be based on the realisation that regardless of debates on professions and the march of professionalisation, it is more important by far that practice itself is professional (Jarvis 1988:203-209). This is obviously not a simple matter as it turns on exactly what professional police management practice is. For my purposes it is considered important to note that above all, 'management is a social activity' (Karpin 1995 cited in McTaggert 1997:177). Management is about relationships (Fulop & Linstead 1999:5) and successful performance 'lies in the nature of thoughtful action in the situation, not in prescriptions for success vindicated primarily in the academy' (McTaggart 1997:177). As the overall intent of the relationship proposed here is aspirational, or at least remedial, the aim is towards an 'ideal type rather than an actuality' (Jarvis 1988:206). Accomplished police management is seen as a practice based on 'wise, informed, moral and prudent action' (McTaggart 1997:177). Not many would disagree here and the problem becomes more one of operationalising the ideal rather than contesting it.

Any program of police management reform obviously raises the questions of just what it is that police managers do and what they ought to do. I do not intend to be controversial on this point, rather the long-accepted functions of management, in a general sense, are agreed as that of planning, leading, organising and controlling (Bartol et al 1997:7; 2005:5-6). These functions are taken to be part of the normal duties of a manager and are done to some degree and for better or worse, by all managers. It is expected therefore that all successful managers are not just members of an efficiency cabal but do provide some leadership. The reverse though is not true, and this collapses another evergreen argument in policing. Leaders can emerge at any level and rank and with various organisational and non-organisational objectives. Managers on the other hand are appointed. This does not

mean that leadership is somehow better, but it does mean that managers can improve their leadership just as they can improve their planning.

Taken together, the functions of management are also accepted as that of ensuring that the employment relationship, essentially a contract of service based on the bargain of a wage for the consideration of being 'ready and willing', is productive, rewarding and conducted appropriately. As I have said, none of this is contested. However, community policing or problem orientated policing as the 'work' to be done is. Community policing is piloted by a central concern with 'problem-solving' at a local level (Murray 2000:38; Hermitage 1998; and Barnsley & Cole 1998). It is alive to context and acknowledges that 'the demands on policing are constant, compelling and often competing' (Murray 2000:8). Management problems in policing are therefore matters of distribution and accordingly matters of justice in that sense at least.

Questions of distribution are of course complex in themselves; however, as policing is already founded on an ideal of putting things right, the issues become more intractable. Policing has a special burden as 'other people are rendered especially vulnerable or dependant in the face of it' (Coady & Bloch 1996:73). Accordingly the substantive or technical aspects of police management can not be divorced from the very strong, even overwhelming, moral dimension. In the end, policing is performed for the public good and the sequence of experiences that flow from an action, idea or decision need to be evaluated with that in mind. Rendered down like this, police management can be seen to be all about making decisions and exercising judgment (Hager 1998; 2000). Judgment in this special context has a dimension beyond knowing-what, and knowing-how (Hager 2000:283; also Devinney in Twite & O'Keeffe, Eds 2000) and this third dimension is knowing-why (Hermitage 1999:1).

The outline of a simple case study can illustrate this trefoil characterisation of knowledge. Police don't often, but sometimes do, come across an offence being committed. When a single officer on foot patrol disturbs an assault and robbery in progress, for example, she may be confronted with a choice between pursuing the offender and rendering first aid to

the victim. The officer knows what to do in both cases. She knows how to pursue, subdue and arrest the offender, and she knows how to render first aid. The matter of why do one to the exclusion of the other is more problematic. The worst case outcome would be a choice for pursuit resulting in a deceased victim and an escaped offender. However, guarding against this, by, say, always choosing to render first aid will not guarantee the best outcome. Decisions like this present the paradox of right-right decision making, and successful outcomes are often matters of luck and chance more than good management. That unfortunately doesn't mean than an unsuccessful outcome will be accepted, or excused, and it is this aspect of policing that has led a number of commentators to point to the police propensity to torture their own wounded.

Arguably, knowing 'why' has an answer implied in any purposeful human activity (Nadler et al 1995) that needs to be made primary in police management. On the retirement of a colleague with 30 years policing experience, Hermitage (1999:1) notes:

> *He learned his job by working with skilled practitioners and what he learned has enabled him to be a respected police officer. But will that approach alone be enough? It is my belief that officers of all ranks will additionally have to develop a far greater understanding of why they police. Consultation with communities becomes so much easier at this point, as do decisions on priorities and the use of resources. Once the 'why?' is addressed, the appropriate means of policing – the 'how?' – can be better defined.*

This is not to say that judgment can not be assessed on a technical basis. Indeed the technical or pragmatic test is probably simpler in the first instance and will quickly reveal that police management decisions are often based on assumptions and that these 'assumptions, that now operate as axioms … are not timeless truths, but rather choices made by former police leaders and strategists' (Kelling & Moore 1988:2). That these previous decisions are not optimal will surprise very few students of decision making. What is disturbing though is the increasing frequency with which they are found to be so sub-optimal and in need of annulment. Decisions are obviously open to review in light of overlooked or new information. However, defeasibility as a reality that should be advertised (see Hager 2000:292) does not excuse decision making that can't be defended in retrospect, because it was not argued through in prospect. The Tasty Nightclub strip search,

and the Richmond Secondary College baton charge debacles are two classic examples (Hughes 2002; and Jolly 1996). In the former, 463 patrons of a gay nightclub, raided by police, were kept waiting as each and every one of them was publicly strip searched. While two individuals were arrested for minor drug offences, Victoria Police later paid out nearly 10 million dollars in compensation. In the latter, a sit-in crowd of mostly parents, protesting at the closure of their local school, were broken up under the onslaught of a police baton charge. Charges against eight protesters were later dismissed and compensation was paid. Both cases have proved expensive in financial and public relations terms.

Police management decision making needs to exhibit some rigor and the realistic burden of bounded rationality sets the bar at decisions that are at least satisfactory in context (Simon 1955, 1956 cited in Bartol et al 1997:293). That this is not the measure is often seen to be the case. In one jurisdiction I worked in, for example, management decreed that a certain custom written postgraduate course, with all costs met by the department, was mandatory for aspiring executive managers. After expending more than a million dollars on 100 students over three years, a review team persuaded the same management team to close the course down on the grounds that executive management applicants should be responsible for their own education and development. Either decision is arguable; however, both, within a relatively tight timeframe, and under the same CEO, are absurd and staggeringly unfair. Changes like this in no way endear the executive to the membership, and they directly contribute to the sense of loose coupling between the dictates of management and the day-to-day practice of policing.

Community policing marks a watershed in police management leaving behind the bureaucratic, technically oriented, crime fighting, and law enforcement model of policing that isolated police from their communities, and provided fuel for the scandal-reform cycle (Murray 2000:37). It also comes at a time when even the echoes of the economic prosperity of the 'long boom' have completely faded, and public sector largess is but a distant memory. The days of doing more with more are long gone and simplistic arguments in public policy based solely on inputs – such as greater police numbers – are no longer

sound. 'Community policing requires police to work with community or neighbourhood agencies and ordinary people in building policing strategies … It transforms the police officer from an investigator and enforcer into a catalyst in a process of self-help' (Murray 2000:37-38). Crime fighting, like war fighting, might have required heroic management, but community policing relies on a participatory style. New managerial practices are required to establish and sustain a decentralised, community-oriented, problem-solving approach to policing that gives primacy to quality of life and crime prevention issues.

'These changes warrant an intellectual curiosity, analytical ability and capacity to interpret social, political and historical contexts, which is arguably best derived from higher education' (Kakar 1998:632-633). Again, this is not to propose higher education as the only way or means. Management learning is achieved through a variety of methods (see Fulop & Linstead 1999) including the formal and the informal. What is proposed, throughout the rest of this thesis, is a partnership between higher education and policing that facilitates a continual critique and reframing of management practice in the light of a clear statement of intent in policing – the 'why' is proposed as the fulcrum for the 'how'. The long term relationship for higher education and policing will require an underpinning epistemology, and methodology, and critical theory has already been loosely proposed as has Hager's model of a 'logic of action' (2000:293). Some caution is needed here as policing has an action-oriented, pragmatic emphasis that is often overstated but can only be ignored at great peril. For this reason a relationship between higher education and policing based on something like 'critical pragmatism' is probably suitable. The notion, explored below, is seen as being able to straddle the divide between the police and the academy, and between workplace know-how and the more reflective knowing why.

Pennycook (1997) uses the distinction between vulgar and critical pragmatism, set up by Cherryholmes (1988 cited in Pennycook 1997), to critique educational practice in teaching English for academic purposes. While such a practice, like policing, can be pragmatic, in that it can use 'truth' in a contextual and day-to-day sense for its instrumental value, acting locally without thinking globally is seen as vulgar and presents its own set of pressing problems. Pennycook's (1997:256) critical pragmatism, on the other hand, casts a wider net

on context and catches and criticises norms, beliefs, premises, procedures and ideologies that 'maintain inequitable social and cultural relations'. In an example that Pennycook uses, and that I have experienced in Australia, Asia and the Pacific, the 'different ways of taking-from-texts that students bring to class' (1997:264) – paraphrasing, quoting, bastardising, memorising, and plagiarising – are evaluated and found worthy of critical scrutiny and possible accommodation rather than blanket approval or outright condemnation. Some Eastern text practices, for example, are not wrong but when compared with the Western they are radically different. A critically pragmatic practice looks to good reasons for any norms.

Pennycook's (1997) critical pragmatism is critical in light of a largely pragmatic teaching practice. Brookfield's (2005) on the other hand is pragmatic on teaching critically. In his recent work Brookfield (2005:355-357) proposes four elements or emphases to teaching and learning critically:

      a) a sociological imagination,

      b) abstract, conceptual reasoning,

      c) cultural uncoupling, and

      d) dialogic discussion.

He notes that various factors will influence a student's readiness to join a virtual 'free fall' into such an enquiry and proposes a pragmatic, in this case almost incremental introduction. But this is not Brookfield's intent, instead, he uses pragmatism in Rorty's (1999) sense of hopefulness, growth and action. Taken together, Pennycook's (1997) critical pragmatism, and Brookfield's (2005) pragmatic criticality form a workable basis for a 'critical pedagogy' (Samra-Fredericks 2003) and practice in police management.

For reform minded police managers attending higher education, standard course offerings may well prove insufficient even if they are critical. Talking generally, but with particular application to my research, Bell and McGrane propose that 'what is essential is not knowledge at all but something else – something that has become almost unmentionable in the modern college or university: wisdom' (1999:73). The finding, verification, packaging, distribution and consumption of 'truths', in the form of propositional knowledge, accords

with the widely accepted story about learning (Hager 2005), and with the idea of the mind as a repository (Gonczi in Foley, Ed 2004) but it does not gel with the reality of practice. In practice, truth has an effect rather than causes and this fits with both Continental philosophy (Critchley 2001) and American pragmatism (Dewey nd cited in Russell 1961 [1946]) so that wisdom is more about ontology than epistemology. Cervero (1992:92) has long advocated wise action as the goal of professional practice and therefore as a disposition to be fostered by higher education for police managers. Most recently, Hager and Halliday (2007) have proposed a mix of knowledge, understanding, practice and experience – a sort of whole-person learning regime in other words – as a means to progress from subject novice to practical wisdom in Dreyfus' (2001) seven stage model of learning expertise. The move to learning to be a wise practitioner is most marked by an engagement of the whole learner – cognition, conation and affect – in both formal and informal learning, using a constructivist epistemology (Hager 2005:664), and possibly a connectionist explanation (Gonczi in Foley, Ed 2004:27-28).

Conclusion

In the end, the crisis based call to higher education, 'predicated on the belief that college-educated officers would be more professional in performing their duties and more efficient in providing service to the public' (LeDoux et al 1984 cited in Hawley 1998:35), has been largely silent on the why of policing. Until now education has essentially catered to traditional views of the police craft or technical role and proven to be 'intellectually arid', essentially instrumental and basically credentialist (Hawley 1998:51). Curriculum, epistemology and pedagogy have been based on furnishing the minds of students with propositions as fodder for practice (see Gonczi in Foley, Ed 2004). But management is about decision making and judgement and wise action as a police manager relies on inference and not on retrospect. By that I mean that an action, in a given context and in light of certain circumstances, might draw on representational understanding and propositional knowledge, but in itself, in the moment, and if it is to be judged as truly wise, then it is somehow, and in some part, fit just for the purpose it is conjured for and therefore new. The challenge of teaching what we don't know looms large.

For lasting reform, there is obviously a need for 'a sustained coalition between police and other powerful agencies and actors [such as higher education], together with extraordinary police and political leadership' (Bradley 1992 cited in Bradley 1996:86). In such a relationship, higher education becomes an agent of change and not a performance indicator, or measure of social status (Sherman 1978 cited in Hawley 1998:45-46). The field of policing is confronting an era of criticism and change that sees it in need of strong partnerships, new ideas and broader horizons. Policing has had only the shallowest of relationships with higher education until now and far from being embittered by the experience is slightly bemused and definitely underwhelmed. The opportunity is right for a new theory of police management education that can be developed, tested and continually improved. If I am right, the way forward may be through a logic of action, based on critical pragmatism, that hinges on knowing the 'why' of policing, assists practitioners in refining the 'how', and aspires to teaching practical wisdom. The ready alternative to the treadmill of the scandal-reform cycle for police is a critical engagement with higher education. How education can make a positive, discernable difference is explored in the next chapter.

CHAPTER 4

Education for Difference: Making Education Count and Making it Accountable

When the very meaning of a concept presupposes certain facts, its explication and analysis clearly cannot, in the nature of the case, suppose that this basis is simply abrogated.

(Rescher 1994:160)

Introduction

Education is about making a difference. If it is not then it is not education. If it is aimed at making a difference and does not then it is not education. Making a difference in someone's life has both a quantitative and a qualitative dimension. Of course the two are not so easily winnowed, however they serve for the moment to support the further argument that education is not an end in itself. By this I mean both that the act of education and the state of having an education are not ends. I might also add that the process of being educated, learning in other words, is likewise not an end. Some of this is possibly controversial yet none of it is to say that education must serve a purely technical or, as some have said, mechanical purpose. Instead, the idea here is to put education to work in the world. In a pragmatic sense, although my argument will go further, education as a 'light under a bushel' is particularly difficult to justify given the contemporary focus on outcomes. At the level of policy, if not philosophy, education needs to make a positive discernable difference in society.

William K. Frankena, Professor Emeritus of Philosophy at the University of Michigan, died on the 22nd of October 1994 aged 86 (Rabinovitz 1994). Renowned for his work in the history of ethics, Frankena also made a significant contribution to the philosophy of education. Here he used his powers of conceptual analysis and his approach to normative justification to bring clarity to the very concepts of philosophy, education, and difference (Sankowski in Honderich, Ed 1995). Paul Hager has used Frankena's (1970) work in the analysis of theories of education and learning, and as a means of directing the efforts of researchers under his supervision (1999; 2003). That aside, Frankena appears to have

escaped mainstream attention in the writings of philosophers of education in Australia and New Zealand.

In this chapter I want to establish that education is indeed about difference, and subsequently that as such it can assist police in their work. The relationship, education and difference, will be argued as both conceptual and experiential, and the difference proposed as the absolute end and therefore the ultimate aim of education. Needless to say it is not just about being 'job-ready' although there are proximate ends that may cater to this level of instrumentality. Frankena's work from the 1960s through to the 1980s will be employed throughout the chapter. I therefore spend sometime heeding Popper's advice and looking, not at what Frankena is trying to say, but at 'what problem he is trying to solve' (Magee 1975:67). The first of these looms large in the very idea of education and it is to this that I next turn. What follows then is an operationalisation of education that has difference as its work and as its measure.

The idea of education

The idea of education, the concept or proposition at the heart of this thesis, is not dependant on any ideal type of education, it is not beholden to any particular practice of education and it is not just a matter of semantics, in the best sense of that word. While education as a term is ambiguous and vague (Frankena 1965a, 1973), I am reluctant to follow Peters in concluding that it is 'too complex to define' (1966 following Wittgenstein and cited in Jarvis 1988:26). Education is normative and idealistic (Jarvis 1988), laudatory and evaluative (Frankena 1973; and Pring 1993) and 'both descriptive and emotive' (Woods 1972:22). Accordingly, a philosophy of education (the questions and arguments of education in other words) must deal with this complexity. Frankena (1970) employs both an analytic and a normative philosophy of education to do this. The first of these, despite earlier promise, can only do limited work, however it does reveal some of what is non-negotiable in the very construct of education.

'Education is not the name of a particular activity or process. It is a name applied generically to a number of different activities and processes' (Barrow & Milburn 1986:84). This multiplicity, if you like, can be taken further. It is sensible to say: I am an educator, I am being educated, and, with some qualification, I am educated. Education then can be thought of as:

     a) an activity, something someone does;

     b) a process, something to undergo; and

     c) a product, some stage or state (Frankena 1965a:6, 1973).

It is also arguably a discipline (but see Hager in Boud and Garrick, Eds 1999:73) and obviously a topic, field or area for enquiry. Taken together, education can be considered as an enterprise comprised of a teacher of sorts, a student or learner, a process or method of interaction, and a product or outcome. This can be formulated, hopefully usefully, as involving teacher (T), learner (L), method (M), and product (P) whereby education can be seen as: T interacts with L, using M, to produce P.

What education is not

Frankena constructs a formula similar to this in his 1973 paper but he has already decided what the product of education, P in the formula above, is. Following Plato, he sees the result of education as dispositions or 'excellences of body, mind and character' (1965a:1, 1980). In an analytic philosophy of education you can do this, but only to identify what P is in someone else's philosophy of education or to outline what P definitely is not. The product is the most problematic and important of the four rough variables. It is the case that it represents the justification of education as an activity, and as a process, and gives it its weight as a discipline and field of study (see Frankena 1970). 'The central question to be addressed then is the conceptual one: "what is it to be educated?"' (Barrow & Milburn 1986:83). However, the product of education, or what is meant by the claim that 'so and so is educated' can only be pressed so far before moving to a normative philosophy of education. Before I do that, there is more to be made of the definition of education.

I have conceptualized education as: teacher T interacts with learner L, using method M, to produce product P. Other formulations may be possible although it is difficult to see how they could exclude any of these ingredients, or usefully include any others. The problem now is: are there some actors, players, means, methods and products that are not T, L, M or P by definition? Can, for example, a teacher in this formulation also be the learner? Can you self-educate in other words? Or is indoctrination a valid method? In order to address this and other questions it is as well to again note that 'education is a normative term and a degree word: it implies that something of value is going on' (Barrow & Milburn 1986:84). We do not for example talk of Fagan as having educated Oliver, or of the North Koreans as having educated allied prisoners of war during the early 1950s. If the product of an interaction is a skilled thief or an indoctrinated prisoner then the process is not education by definition. 'Education must foster dispositions and use methods that are desirable and morally unobjectionable otherwise it is not regarded as education' (Frankena 1973:4). Please note that I am not saying what the ends or methods of education ought to be, only what they cannot be. With this in mind the prescription can now be stated as: T interacts with L, using morally unobjectionable method M, to produce desirable product P.

In this latest iteration the formula also covers training but 'in training, a set of clearly identified skills are transmitted, and [learners] are required to assimilate these in the manner prescribed … In education, by contrast, learners are encouraged to examine the assumptions underlying the acquisition of skills, to consider alternative purposes, and to place skill acquisition in some broader context' (Brookfield 1986:17). 'Education is essentially a matter of breadth of understanding. It is thus a cognitive matter' (Barrow & Milburn 1986:85). The addition of understanding, and cognition to the definition severely reduce the eligible class of learners and products. In the best sense of the term 'understanding', there is implied some kind of knowing-that and knowing-why in addition to knowing-how (see Frankena 1973:5). There is also a conative and affective dimension to education such that it looks at the development of the whole person – knowledge, will and emotion. This 'full bottle' version of understanding rules out non-human intelligence as we know it. In other words, T educates L only if 'both have minds of a human level' (Frankena 1973:6). Dogs therefore are not educated although they may well be trained.

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To elaborate on the range of the variable T, I begin by returning to our earlier question regarding self-education. In other words, can any one L also, and simultaneously be T?" Barrow and Milburn (1986:84) reply 'that there is nothing incoherent or odd about the idea of self-education.' Their not so subtle addition of the prefix 'self' marks this form of education out as a special case (see Jarvis 1988:26). Frankena (1973:6) comes at the question of self-education from another direction. In his analysis of the range of T he examines Rousseau's 18th Century [1762] claim that 'we are educated by nature and things as well as man' and concludes that 'at best if there is a teacher here it is ourselves.' So 40 days and 40 nights in the wilderness presents an opportunity for education but it does not make the wilderness the teacher. On a cautionary note, Jarvis 'allows' self-education but adds that the resulting product 'might not always be quite so enriching' (1988:57).

The form argument on education can now be stated: person T interacts with person L, using morally unobjectionable method M, to produce desirable product P. Outstanding matters include can God be T? is P an end state? and can M be morally unobjectionable but still inappropriate to education? These and some other questions are answered by reference to Plato's Meno. Arguably it is from here that all philosophy of education becomes footnotes (Frankena 1965a, 1973; but see Rorty 1999:xix). Before I do this it is time to set aside the limits of a strictly analytic philosophy – a philosophy that 'does not enable us to arrive at definitive conclusions concerning questions of value' (Woods 1972:31). After all, 'education [is] not a neutral enterprise … by the very nature of the institution, the educator [is] involved, whether he or she [is] conscious of it or not, in a political act' (Apple 1979:1).

The variable L, is not treated at length here due to the specific topic being the education of police managers and not their recruitment or selection. Similarly, wider discussion on 'who learns' in higher education, and more specifically on 'who gets to learn', is one of social and distributive justice outside the scope of this thesis. It is also a complex matter that is not solved by market-based decision-making (see Barnett and Standish in Blake et al, Eds 2003). Regardless, the relationship between the desired dispositions (P), and the

appropriate teaching method (M), ultimately finds root in learning itself. That is, police managers selected or opting into higher education will embark, to greater and lesser degrees, on learning as an individual and/or group activity, and they will be more or less successful, depending on the fit between their individual learning style and the utilised teaching method.

Not learning, being taught

While there is no one model of the learner (Bruner 1986), Cervero (1992:93) has long argued that learning '…from practice is necessary to achieve the goal of wise action'. As the epithet 'wise' is not in any way a synonym for being knowledgeable, and it is evidently possible to be both knowledgeable and silly, it comes as some surprise that philosophers seem to have 'abandoned the claim to wisdom and gave themselves over wholeheartedly to the gathering and ordering of knowledge' (Bell and McGrane 1999:73). Leaving wisdom aside, learning itself is not well understood and, according to Gonczi (in Foley, Ed 2004:19), has been actively misunderstood for over 2000 years. Hager (2005:649) puts the misunderstanding down to a grand narrative on learning that has the following chapters:

- a) individual minds learn best,
- b) propositional knowledge furnishes the mind,
- c) something learnt is obvious to the mind, and
- d) the mind is changed by learning.

It appears that most of this story rests on what Ryle (1990 [1949]:17) refers to as 'the dogma of the Ghost in the Machine'. The ghost/mind, present in time but not space, effectively drives the machine/body in both time and space. Under the dogma, the workings of the mind are unobservable, and non-mechanical, but they are 'ghostly harbingers' or 'occult causes' (Ryle 1990 [1949]:49) of subsequent action and practice.

For various, not just scientific, reasons, 'early theorists … bequeathed the idea that the capacity to attain knowledge of truths was the defining property of a mind' (Ryle 1990 [1949]:27). Cognition and its prodigy, theoretical knowledge, were therefore handed reign

over affect and conation, otherwise known as emotion and will (Hager 1998). Given the propensity of philosophers to slow down, break up, segment and otherwise atomise things done in a heartbeat, cognitive models of knowing came to be seen as a sequence of: 'INPUT-PROCESSING-OUTPUT' (Delandshere 2002:1470). There is a double legacy here: first is the metaphor of the mind, as a container, being filled with ideas for later use in practice; and second, the analogy of the mind, as an inner engine using ideas to cause intelligent action.

Throughout this thesis, and in my practice, I employ a division of intellectual labour that is used, and possibly abused, by many. The primary features of it appear to have been established by the ancients, particularly Plato and Aristotle (Hager 1998), but they are discussed across recent time by, amongst others, Carr and Kemmis (1986); Ryle (1990 [1949]); Hager (2000); and Beckett (2004). According to the doctrine, know-that (K1), know-how (K2), and know-why (K3) are the primary constituents of intellectual competency in the world. In an almost careless summary, K1 is privileged (divine?), K2 is instrumental, and K3 can be dismissed as non-scientific and even subjective. Nevertheless, K1 and 3 can be set out as if the 'knowledge ethnographer' has slowed her tape to capture the steps of knowing. Claims to know that something is the case, or why something is good, can be argued through logically and sometimes action in accordance with them can be sequentially plotted in time. If I know that something is the case, I should be able to give a good account of the argument for that claim, and I should probably, or at least sometimes where appropriate, do something about it. If I know the earth is round, then measuring the distance between New York and Auckland from an atlas, for my niece's school project, should cause me some disquiet. Similarly, if I know why something should be done, then I can be called upon to justify it and even give evidence of how I live by it.

This is not the case with knowing how (K3), although, under the doctrine of the Ghost in the Machine, it is assumed to be. As Ryle (1990 [1949]:27) notes, 'intelligent [and even wise] practice is not a step child of theory'. Perhaps a story (following Ryle 1990 [1949]:47) might illustrate this better.

A novice motorcar driver has not foreseen a runaway donkey. She has not rehearsed, planned, previously experienced, learnt about, been taught about or otherwise been told about mad donkey avoidance tactics. Nevertheless, the driver, who is later adjudged to be prudent, wise and even expert, not only avoids the worst in the circumstances, but actually comes off handsomely. Reflecting on the event she notes; 'I have no idea how I avoided the donkey, saved the car and still missed all the nuns on the pedestrian crossing'.

Carefulness in this story, given that it is not an incongruous or accidental event, is what some might call the result of a many sided disposition to act in emergencies and others might call a capacity to do so. Regardless; acts ascribable as wise, intelligent and heroic are not based on prior theory and its manipulation; wise action seems to involve doing things you don't previously, or sometimes even retrospectively, know how to do; and the input-process-output explanation is untenable. 'All of this is meant not to deny or depreciate the value of intellectual operations, but only to deny that the execution of intelligent performances entails the additional execution of intellectual operations' (Ryle 1990 [1949]:48). Wise action is a whole person response, to pressing often novel situations, that taps into a disposition to act wisely in the circumstances. Ryle (1990 [1949]:48) almost labels this the because/when distinction – glass doesn't break because a stone hits it, on the contrary, it breaks when a stone hits it. The learning debate now moves beyond 'the Ghost in the Machine', to the acquisition of dispositions and capacities for acting (Hager 2005). It appears that these are both acquired and exercised in action such that the capacity to act wisely is both a child and a parent of wise action. Perhaps Beckett (2004:499-503) best explains this when he argues that learning to act wisely is less learning 'knowing that', than it is linking 'knowing how' and 'knowing why' to develop inferential knowledge that allows the 'student' to understand 'how to go on'. The implications for learning theory are significant and accordingly, learning to act wisely might best be considered as:

a) an affective, conative, physical and cognitive project;

b) a social event;

c) an active rather than passive experience; and

d) more ontological process than epistemological project (Gonczi in Foley, Ed 2004).

The sociology of education

While the processes, techniques, aims, explanations and methods of education vary, the place of it is firmly fixed in society. Indeed it is difficult to conceive of a community, let alone a society, without education. A society and its state depends in large part or small on its members possessing certain 'abilities, habits, dispositions, skills, character traits, beliefs, or bodies of knowledge' (Frankena 1970:16). These are all usefully captured under the under the rubric of dispositions, because they 'are dispositional in nature; they are a matter of how people would act in certain circumstances' (Rescher 1994:83). Frankena draws on Plato to note that morally positive dispositions can be considered as excellences, and on Aristotle to propose that their formulation, or at least the formulation of some, requires purposeful effort. We are not, after all, in society by nature, good luck or God alone (Frankena 1965a, 1970, 1973). We are also not there against nature, for, as Aristotle also points out, the enabling conditions for education consist of 'adequate native endowment, favourable physical conditions, and a not too brief span of life' (nd cited in Frankena 1965a:1).

Given these enabling conditions, we are in what I have taken to calling the 'circumstances of education'. These are extremely broad – education takes place against some appalling backdrops – yet the circumstances both allow education to take root and are contributed to by education. In other words, the circumstances and the enterprise are in a symbiotic relationship with neither capable of independent success. Something of this comes to us from John Stuart Mill in *On Liberty* (1910 [1859-1863]:160) where he notes 'that it is one of the most sacred duties of the parents … after summoning a human being into the world, to give that being an education fitting him to perform his part well in life towards others and towards himself.' And again when he writes that the content of education is to be found in 'the culture which each generation purposely gives to those who are to be their successors, in order to qualify them for at least keeping up, and if possible for raising, the

level of improvement which has been attained' (Mill 1867:4). Frankena (1965a, 1965b, 1970) draws on Plato, Aristotle, Mill and even Dewey to repeatedly spell out the vital relationship of education and society. Dewey (1916 cited in Frankena 1965a:4) himself notes that it is fundamental for society to transmit 'habits of doing, thinking, and feeling from the older to the younger. Without this communication of ideals, hopes, expectations, standards, opinions, from those members of society who are passing out of the group life to those who are coming into it, social life could not survive.'

Because education is a social matter, its justification, and therefore its philosophy, is essentially so. Once it is found as a process, arguably through our formula above, we look to its content. Here the first order questions, that is to say the 'questions about the aims, methods, kinds, programs and administration of education, are primarily questions of moral and social philosophy, and only secondarily related to epistemology and metaphysics' (Frankena 1965b:2). We could for example hold, as Hegel does, that mathematics is a 'defective kind of knowledge' and decide therefore that such an unreal subject ought not be taught (Friedrich 1953:xxviii). Yet this conclusion does not follow anymore than the conclusion that music should be included on the curriculum based on the premise that music is knowledge (following Frankena 1970:19, 1973). As has already been mentioned, epistemology is a second order choice (Frankena 1970:20). Education 'is a good thing' and therefore its philosophy relies on our knowledge of the good (Jarvis 1988:1). With that in mind we can now restate our formulation to read: person T interacts with person L, using morally unobjectionable method M, to produce socially desirable excellence P.

The implication of education as central to social life, and as an enterprise concerned with the development of desirable dispositions, is that some or all of these dispositions would not be formed in the absence of education. If that were not the case, education could still be valuable or important, but it would be so in a supplementary or redundant sense. That education is not ancillary is because certain dispositions are neither innate nor automatically acquired (Frankena 1965a, 1965b). As an example, the socially and individually useful natural, innate or automatically acquired ability to think – in a general and useful way – is not the business of education (Frankena 1965b). Critical thinking, on

the other hand, is. That the one relies on the other is part and parcel of the broader issue and this is made clearer when we consider that social life has an educative dimension and that education has a socializing function. Our rudimentary and automatically acquired concept of good practice, for example in social life, is at least expanded and probably directed outwards by education. There is a double loop relationship here that has conceptual awareness, growth and change as the goals of education as education (following Jackson in Preston, Ed 1994:184).

A further implication of the social nature of education and the social worth of certain dispositions is seen in the fact that the dispositions, the outputs of education, contribute to a certain outcome or outcomes. Frankena (1965a) refers to these respectively as proximate and ultimate aims. According to this conception, to know how, what and why, about something desirable is an output of education and a proximate aim. This is the initial work of education. The outcome or measure of education though is a matter of positive discernable difference in society. An individual's knowledge of astronomy doesn't meet the standard here, although that same individual's knowledgeable contemplation of the heavens, and a subsequent humility and wonderment, does. Reasoning so, the disposition of the educated individual to be virtuous is an excellence of body, mind and character manifest both in a tendency to be virtuous, and a knowledgeable and not infrequent engagement in virtuous action (Frankena 1965a). In other words, the disposition or excellence is no 'light under a bushel'. None of this is to say that knowledge is only of value in solving problems in a simple and transactional way although it does mean that, for example, the point of knowing chess is to occasionally play chess (Frankena 1965a). Similarly, while the purpose of a liberal education in the output sense – the proximate aim of the education in other words – is to be freed from ignorance (see Pring 1993) the outcome or ultimate aim, it would seem, is a different matter. Nevertheless, that we are both finite as actors and open to dispositions, all too open, means that dispositions should be chosen carefully and that they can be valuable in themselves (Frankena 1965a).

Plato's Meno

It is possible to verify much of what we have discussed so far and to take it further by using the opening dialogue in Plato's Meno. Here Plato opens with Meno asking Socrates 'Can you tell me, Socrates, whether virtue is acquired by teaching or by practice; or if neither by teaching nor practice, then whether it comes to man by nature, or in what other way?' (Jowett 1952:174 [70]; and see Frankena 1965a, 1973). The original answer to the question, that virtue is acquired by divine gift, is unfortunate for our purposes here. However, laid out in Meno's question are the possibilities:

      a) that virtue can be taught,

      b) that it can be acquired through practice,

      c) that it is innate, or

      d) that it can be acquired a gift, as a purchase or some other way (Frankena 1965a).

Given that virtue, for the sake of argument, is of value socially, in other words that it is one of the socially desirable dispositions or excellences, it would be tempting fate to leave its cultivation entirely in the lap of the gods either as a matter of luck or chance. That some help might come from that direction is acknowledged, though. Similarly, to rely on the disposition as innate would, without going further than recent history, appear foolish in the extreme. Rather, and as we have seen above, some dispositions are acquired only through purposeful effort and we have thrown our lot in with teaching and practice, with education, to be precise.

Education then is founded on the ideas that:

      a) some dispositions or excellences are socially desirable,

      b) some of these are not innate,

      c) some are not gifts, purchases or matters of luck, and

      d) some are acquired only through teaching and practice (Frankena 1973).

These four tenets form the prerequisites or presuppositions to the very concept of education. The implications are that any educator 'who actually engages in the enterprise of education can do it only under these presuppositions, for, if they are false, then education is

either impossible, unnecessary, or so uncertain of success as to be pointless' (Frankena 1973:7). That it is none of these is more than a matter of faith. Conceptually and empirically education works and it works through making a difference. Just what that difference is, what dispositions are excellences in other words, is the matter we now turn to. The enquiry relies, as does Frankena's model of analysing a philosophy of education, on John Stuart Mill's sciences of society and character (Frankena 1965a, 1965b, 1973).

Mill's ethology

Mill, the utilitarian social reformer, made his name as a philosopher with his *System of Logic: Ratiocinative and Inductive* first published in 1843 (Honderich, Ed 1995 and Audi, Ed 1995). In Book VI, Chapters V and XII he proposes a 'science of man in society; of the actions of collective masses of mankind, and the various phenomena which constitute social life' (1925 [1843]:571). Subordinate to this is an ethology or science of the formation of character that 'corresponds to the act of education, in the widest sense of the term, including the formation of national or collective character as well as individual' (Mill 1925 [1843]:567). Mill (1925 [1843]:617; and Frankena1965:7, 1973) guards his ethology by noting that it provides knowledge of practical value rather than predictive force and notes that education itself is best conceptualised as a practical art:

> *The art proposes to itself an end to be maintained, defines the end, and hands it over to science. The science receives it, considers it as a phenomena or effect to be studied, and having investigated its causes and conditions, sends it back to art with a theorum of the combination of circumstances by which it can be produced. Art then examines these combinations of circumstances, and according as any of them are or are not in human power, pronounces the end obtainable or not. The only one of the premises, therefore, which art supplies is the original major premise, which asserts that the attainment of the desired end is desirable. Science then lends to art the proposition (obtained by a series of inductions or deductions) that the performance of certain actions will attain the end. From these premises art concludes that the performance of these actions is desirable, and finding it also practicable, converts the theorum into a rule or precept.*

This is largely a logic of action, where art determines ends, and science supplies the means. The movement between art and science is what would now be recognised as a movement between a normative and an analytic philosophy of education. Under what is essentially a

practical syllogism, the basic end of human action is proposed by art as the major premise (Frankena 1965a:9). The method of ethology then calls for an investigation of causes to answer the question: 'what conditions and means will assist in bringing about this intended end?' As any one means is unlikely to be sufficient and may not even be necessary; multiple helpful, appropriate and aligned means are identified. Means that prevent or frustrate the end will also be noted. It is after all, useful, particularly in the 'un-exact sciences', to know what is false (Magee 1973). The information on means becomes the minor premise in the argument and the conclusion, what Mill refers to as a rule of the art, is therefore the practicable and morally unobjectionable means.

Figure 4.1: Science of Man in Society
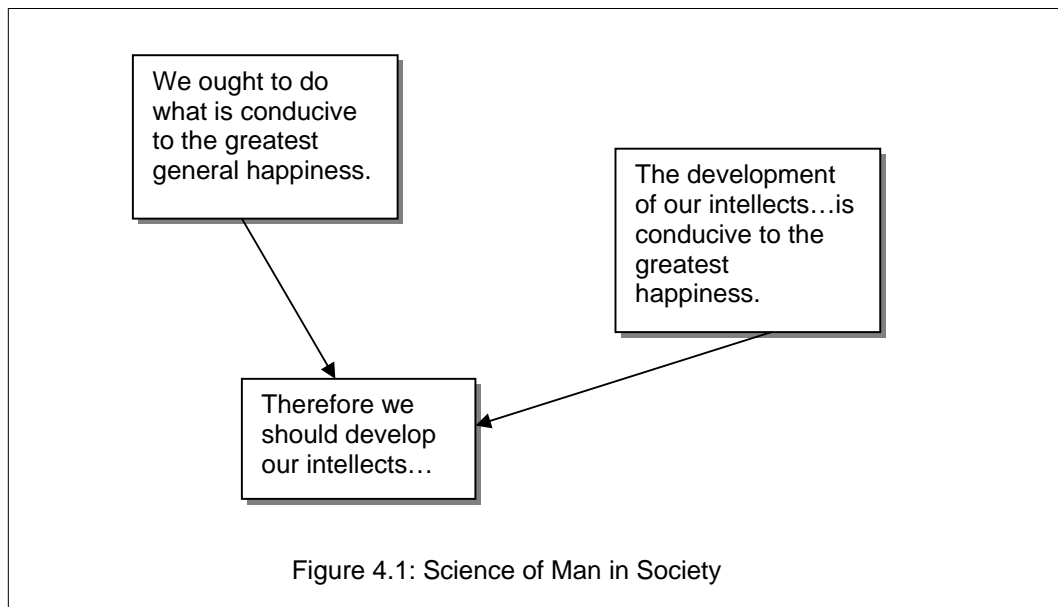
Mill's science of man in society is shown above at Figure 4.1 as an argument in standard form (Frankena 1965a, 1965b, 1970; and Mill 1925 [1843], 1910 [1859-1863]). His science of the formation of character, subordinate to the science of man in society, is depicted in Figure 4.2 below as another reasoned induction.

```
┌─────────────┐
│ We should   │
│ develop our │
│ intellect.  │
└─────────────┘
         \                    ┌──────────────────┐
          \                   │ An appreciation of │
           \                  │ diversity in       │
            \                 │ education, opinions │
             \                │ and conduct        │
              \               │ develops the       │
               \              │ intellect.         │
          ┌──────────────┐    └──────────────────┘
          │ Therefore we  │         /
          │ should facilitate│◄──────/
          │ and practise the │
          │ appreciation of  │
          │ diversity.       │
          └──────────────┘
```

Figure 4.2: Science of the Formation of Character
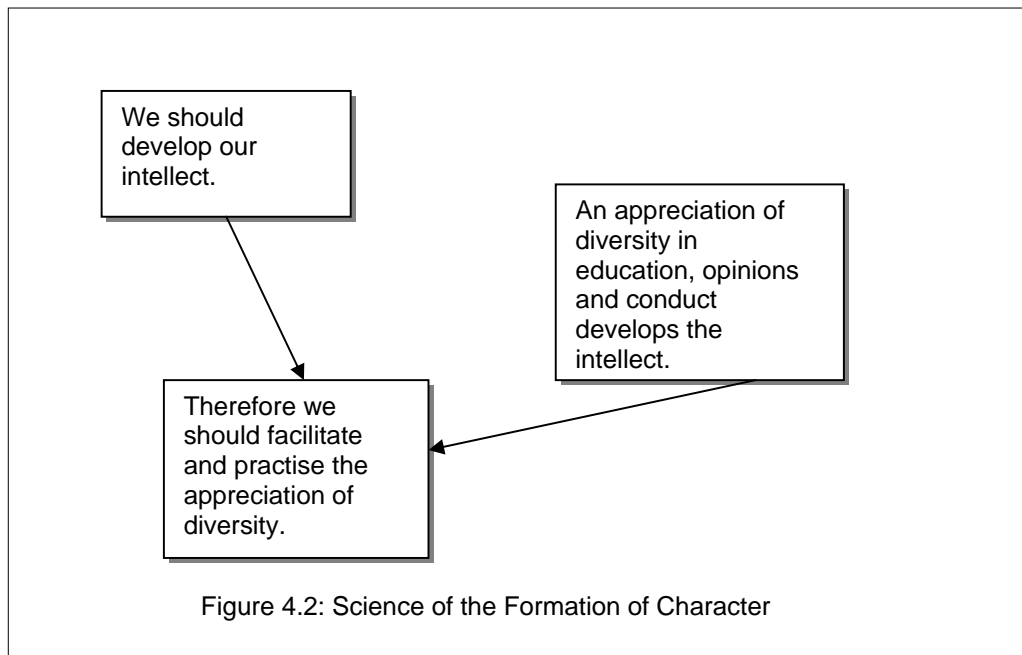
Frankena's framework

Frankena (1965b) refines Mill's pattern to depict it as arguing through and sketching out the steps or stages of a full-fledged philosophy of education. The framework, shown at Figure 4.3, can be used to both direct an analysis of an existing philosophy and support the development of a new one. It essentially relies on the presuppositions we have already mentioned and on some substantive questions developed below. By implication at least, any philosophy of education relies on the presuppositions and will argue the substantive questions. Less made out philosophies, what Frankena (1973) refers to as minimal theories of education, might be silent on some of the questions but cannot escape the four presuppositions mentioned earlier – some dispositions are desirable, some are not innate, some are not gifts, and some are learnt. Further to these four, it is worth noting that dispositions are not simply a matter of choice, and that given a social life, some set of dispositions is inevitable (Frankena 1973:7).

Art

Science

We ought to do what is conducive to the greatest general happiness.

The development of our intellects…is conducive to the greatest happiness.

Therefore we should develop our intellects…

An appreciation of diversity in education, opinions and conduct develops the intellect.

Therefore we should facilitate and practice the appreciation of diversity.

Figure 4.3: Frankena's Framework and Mill's Philosophy of Education

On these six presuppositions, the enterprise of education is established. That enterprise, as we have seen, can be usefully depicted as: person T interacts with person L, using morally unobjectionable method M, to produce socially desirable excellence P. The four variables in this formula give us the four substantive questions that must be answered by any full-fledged philosophy of education:

a) what dispositions are to be fostered by education (P)?

b) what means and methods should education use (M)?

c) who is to be educated (L)? and

d) who is to educate (T)?

These four questions are normative while the six presuppositions on the other hand are purely conceptual. The first two questions are addressed in Frankena's generic framework

for the analysis of a philosophy of education (1965b, 1970). The framework is shown below, Figure 4.4, with the questions inserted at Box B and D respectively. Boxes in A, C and E have been left intentionally blank at this stage as the intention is simply to see where the substantive questions fit.

Figure 4.4: Frankena's Framework I
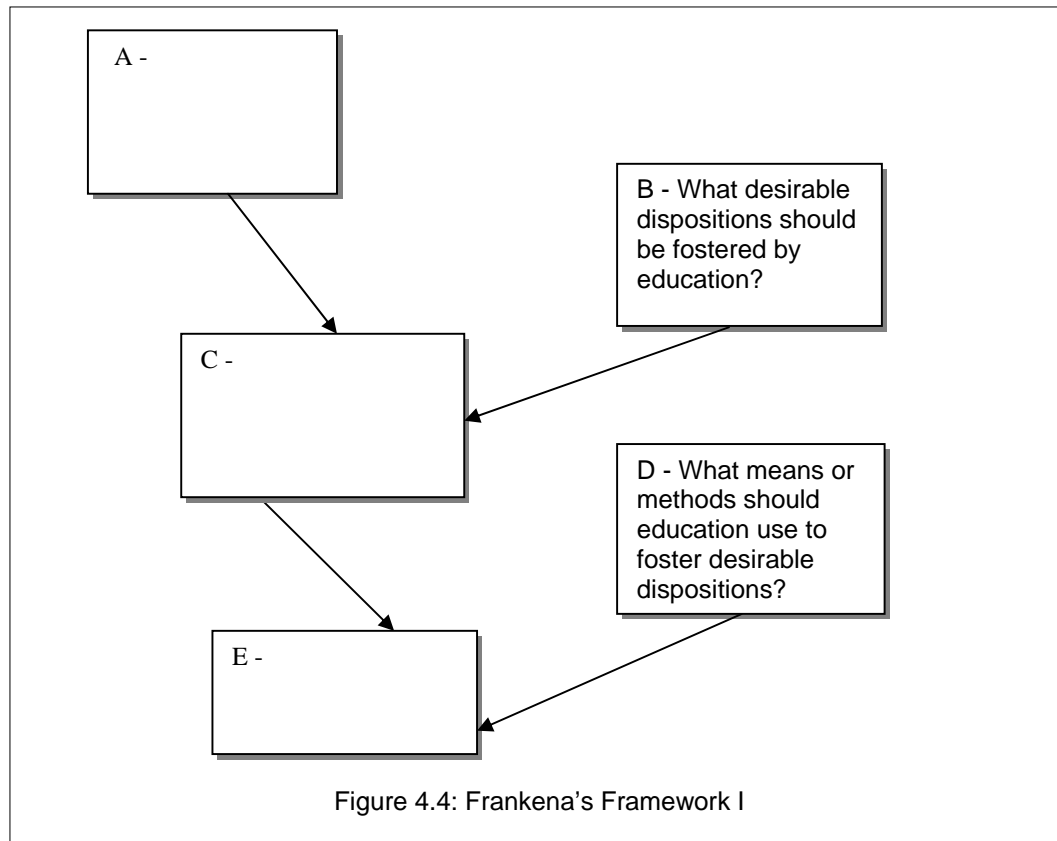
Using the framework in either the analytical or developmental sense, the questions at Box B and D are seen to beg answers to preceding questions. The substantive Question 2 at Box D, for example, begs an answer to the question at Box C. The question at Box C is of course the answer to substantive Question 1 at Box B. However any answer to B obviously begs an answer to Box A (the major normative premise).

The full analytical or developmental framework is therefore a series of interlocking questions and answers as shown at Figure 4.5 below.

| A - What basic ends or principles are proposed in ethical and social life? |
| C - What dispositions or excellences should be produced? |
| B - What desirable dispositions fit those ends and are amenable to education? |
| D - What means or methods of education foster the desirable dispositions? |
| E - What means or methods should be used? |

Table 4.5 Frankena's Developmental Framework
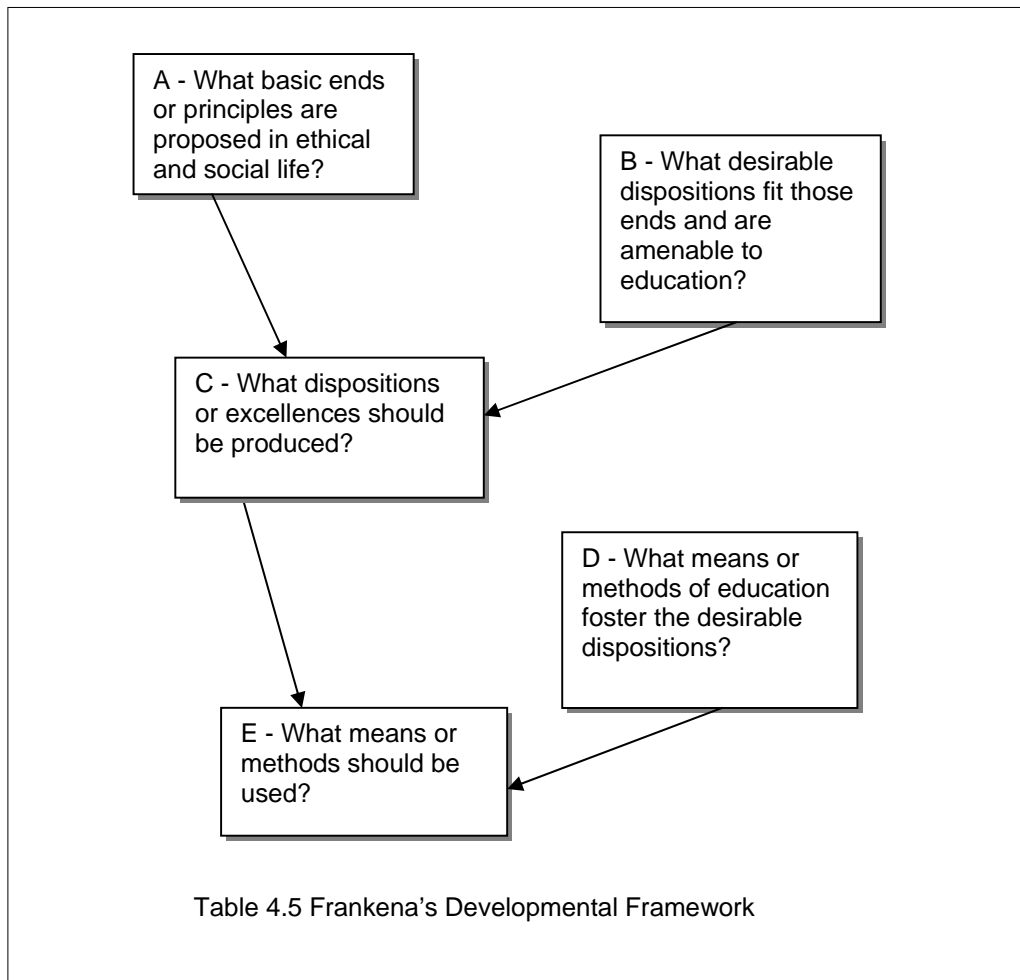
The philosophy of education that answers these questions and makes out its arguments does not rely entirely on normative premises. The A-B-C pattern is, it will be remembered, representative of Mill's (1925 [1843]) science of man in society. Similarly the sequence C-D-E is his science of the formation of character. In the first pattern, the normative premise A is proposed by art and handed to science. Science then examines A, and determines what constitutes, makes up or produces it. The subsequent theorem, B, is then returned to art and as found to be both desirable and practical it becomes C – the practical rule. The questions in the pattern C-D-E are handled in a similar fashion. C, it will be noticed, is the linchpin in this framework and its definition is what Frankena (1970) refers to as the main task of a

normative philosophy of education. Indeed, C is often made out in various philosophies of education that unfortunately remain silent on its premises.

The process of passing over from the strictly normative art to what I have chosen to call mixed mode analysis is shown below, Figure 4.6, in Frankena's full conceptualisation.

Figure 4.6: Frankena's Framework II
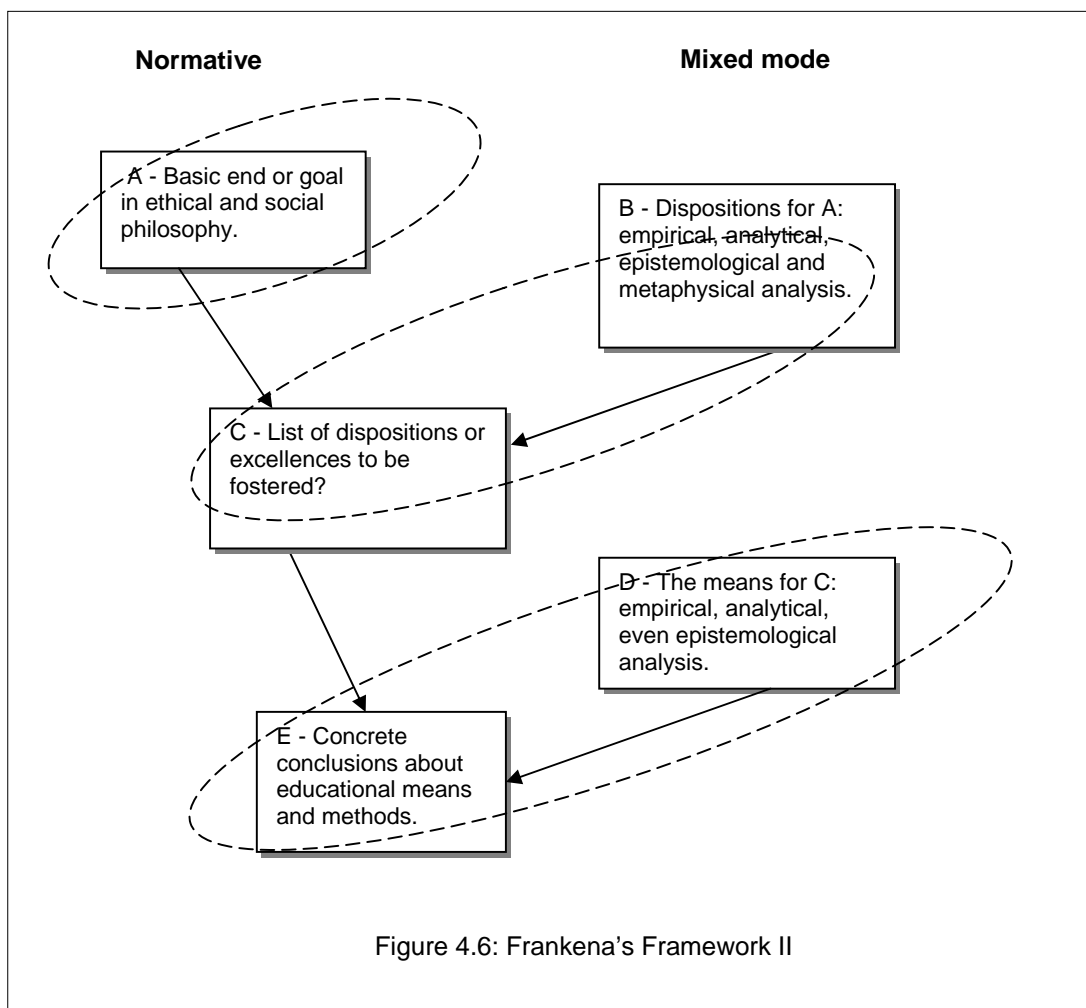
The mixed mode analysis, what Mill (1925 [1843]) referred to as science, is conceptual, analytical and empirical in primary orientation and may well be epistemological, metaphysical and even directly normative where required. As it stands here the framework rests on six presuppositions, includes two substantive questions, and answers the primary

questions of education, namely why, what and how, shown top to bottom in the ellipses. It is possible also to extend the framework to address the two remaining substantive questions. Here, the fourth question – who is to educate? – might form a pattern E-F-G and the third question – who is to be educated? – might continue on from there in a G-H-I series. The schema can be employed in a regressive sense as well although not infinitely. Suppose Box A in a particular philosophy of education listed the end or goal of a prefixed or limited sense of education, like liberal education, as the end state of freedom from ignorance. The regressive analysis would require that the supporting argument and norms make that out as worthwhile, among other activities or states, and conjure a society in which it was valuable and sustainable. Accordingly, a liberal education for all is an admirable aim, even if its attainment does not signal the end of social and ethical philosophy. What is required to determine and justify set dispositions as excellences is an answer to Mill's 'science of the art of life, to which all other arts are subordinate' (Mill 1925 [1843]:620). That work is not undertaken here, although its answer is implied in every act of education.

Education is that which marks us out as human. Education is so integral to our life in society that 'even if we consider only formal instruction, it is not too much to say that the enterprise of education either has come to involve everyone alive or is expected to, that every other human endeavour of any importance depends on it and is served by it, and that almost every other such enterprise is stimulated by it and plays a part with respect to it, either as a source for its premises and methods, as part of its curriculum, or as one of its aims. In short, the idea of education … is one of the oldest and most important energizing and organising ideas … ranking with those of government, morality, science and technology' (Frankena 1973:2).

Education uplifts society and individuals and it flows from society and individuals. Education is a practical art and a science and its normative justification takes man in society as its starting point. Education serves the social and the ethical and if it does not create difference, if it does not cultivate, confirm and contribute to the development of the excellences then it is not education. The philosophy of education itself is a philosophy of

difference and a philosophy of importance. It is above all a philosophy where the costs of being wrong are high. As Popper (nd cited in Magee 1973:15) notes, philosophy, including the philosophy of education, are integral to life itself.

Philosophy is a necessary activity because we, all of us, take a great number of things for granted, and many of these assumptions are of a philosophical character; we act on them in private life, in politics, in our work, and in every other sphere of our lives – but while some of these assumptions are no doubt true, it is likely that more are false and some are harmful. So the critical examination of our presuppositions – which is a philosophical activity – is morally as well as intellectually important.

Between Shangri-la and Eden

In this chapter I have critically examined the concept of education and have arrived with Frankena (1973) at six defensible presuppositions. I have also arrived at two substantive questions that must be answered in any full-fledged philosophy and two others that must be considered in operationalising that philosophy. The enterprise of education itself has been found to rest on a first principle or major premise. What that is I have not answered, but Mill (1925 [1843]) makes it out as the art of life itself. In a minimal philosophy of education the question doesn't even arise, yet education for difference, by definition all education, is itself only a means in the service of some ultimate end. Education to staff today's factories, for example, can only be a proximate aim. For the ultimate aim I return to Frankena: 'I agree that one cannot work out a satisfactory view of what … education should be today without any reference to the social system in which it is to function. It is another thing to say that one's entire philosophy of … education is to be determined completely by the facts about the social system that prevails … My own belief is that if there is a place for criticism of existing society, then there is also a place for a part or kind of philosophy of education that is independent of the facts about any given society' (1980:35).

So for a philosophy of police management education, it is both possible and useful to begin with the art of police management, a full-fledged idea, of an ideal type, that can be aspired to and can itself be inspirational. This ideal, examined in the next chapter (and see Appendix 1) is not set in Shangri-la or the Garden of Eden. In other words it is neither hopelessly utopian nor reactionary, it is a made out story of good police management that supports good policing, and from this the dispositions of the good police manager can be discerned, and the methods to best inculcate those dispositions can then be deduced. The made out story is what is absent in all prescriptions for police management education that I have been privy to. The good police manager, good technically and morally, is not conspicuous in fact or in fiction.

CHAPTER 5

The Idea of Police Management and Ideal Policing

Too often, when we are confronted with the necessity of stating the idea behind the most common and essential functions in society, we realise that we have no idea. We do the things we do mainly because we have done them before, adding new usages to old ones as our immediate needs change. So it is with civil police … But if we begin without some notion of what it is we intend, how can we know where we want to end?

(Ramsay Clark cited in Milte 1977:36)

Introduction and reiteration

Mill's (1925 [1843]:571) 'science of man in society; of the actions of collective masses of mankind, and the various phenomena which constitute social life' is the starting point for this chapter on the idea of police management and ideal policing. Mill (1806 – 1873) was a liberal, pluralist, utilitarian who developed a moral and political philosophy of governance that still holds sway today. His emphasis on creative and productive conflict, and what would now be called 'continual improvement' fits our times. According to Price (2002), Mill never completed his project, to link individual development and social progress, despite 14 years writing his *System of Logic*. What he was trying to do was argue the case for an ideal and progressive society, with just institutions, that would enable mankind to explore, refine and pursue the art of living (Price 2002). Mill's good life is thus less propositional than it is experiential. Needless to say, elaboration of this is not attempted here. It is enough to again point out that Mill's science of man in society, and his subordinate ethology of the formation of character, fashion the first and second syllogisms, or arguments in standard form, of Frankena's (1970) framework for the analysis of a philosophy of education. As such, the major premise of the first argument (A in the A-B-C pattern used in Chapter 4) would require an answer (more elaborate than 42) to the meaning of life. Again this is not attempted, but the basic architecture of a possible good life is, and in concept, if not in practice, it is built around the following ideas of Locke, Burke and Mill:

a) inalienable human rights,

b) the sanctity of the individual,

c) the right to basic freedoms such as liberty, assembly and free speech,

d) the right to economic liberty,

e) a constitutional framework that enhances social cohesion, and

f) the rule of law (Barns 2001).

From this sketch, the main work of this chapter can proceed. Policing is a great social work (Vollmer 1927 cited in Pfifener 1967:9). From a functionalist or an instrumentalist perspective, the police are either a necessary part of the social system, or a purposive intervention. Either way, policing exists and it can be improved. Policing can be different and in some way everyone would like it to be different – more efficient, effective, economical, appropriate, fair, collegiate, supportive, and moral (Bradley, Walker & Wilkie 1986). In this chapter I attempt a cartoon of the major normative premise to my argument on a philosophy of police management education. As such, ideal policing is explored conceptually, taking care to explain what policing is, where police originated, what policing can be, and what police ought to do. This examination leads to a discussion on what can usefully be called 'third way policing' but is usually labelled 'community policing' in practice and in the field. The concept and practice of community policing, and managing those performing it, is argued as resting mainly on community (the 'C-word' according to Morton (2000 cited in Everingham 2001:115)) as a site, a support and a solution to the problem of policing a liberal democracy.

Community policing, and a management style that supports officers practising that model of policing, is the first premise, in the first syllogism, of my developing philosophy of police management education. The argument is contained in this chapter, as shown in Figure 5.1 below, and will be passed to the next chapter where suitable dispositions for practice will be examined. The remaining steps in the art-science sequence are made out through the remainder of this research until an entire philosophy of police management education is proposed, at least in the main.

Figure 5.1: Philosophy of Police Management Education
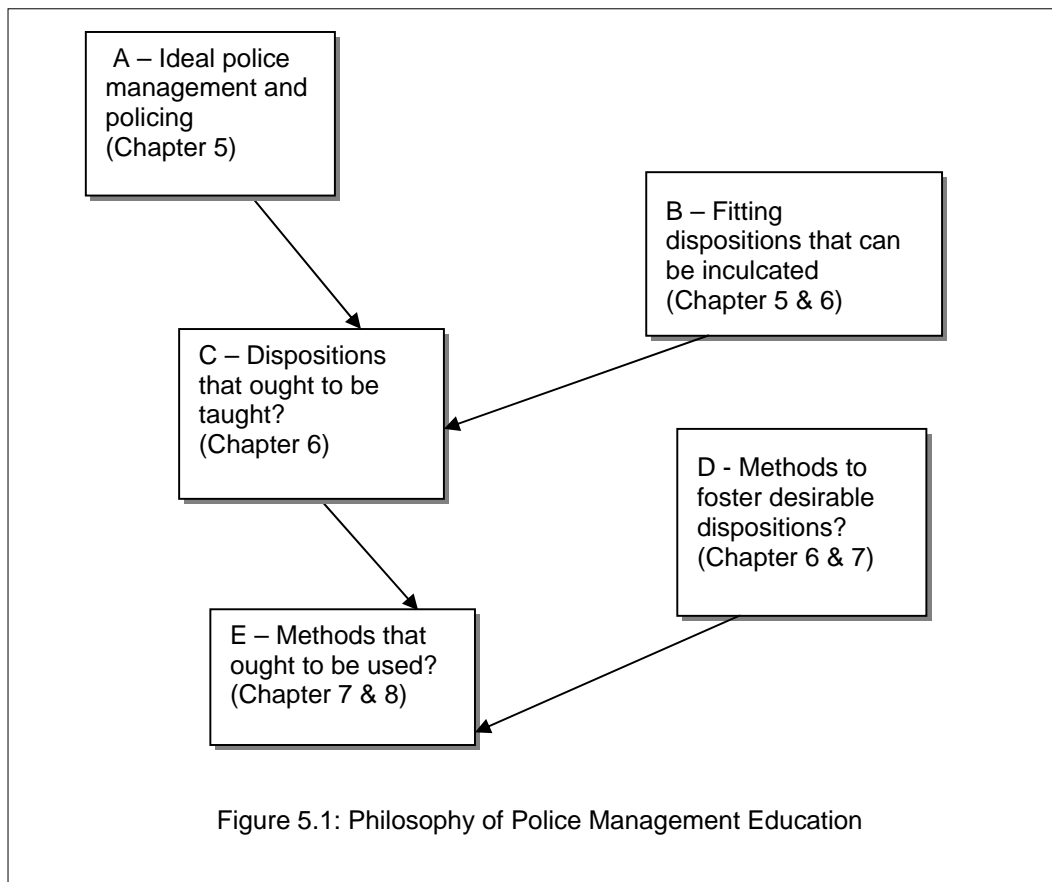
What we know

All societies are policed to varying degrees. Currently, these range from the extreme violence and oppression of, say, North Korea, to the almost folk policing of some of the micro island states of the Pacific. Although Mawby (1990) has argued, based on research by Schwartz and Miller (1964) titled *Rudimentary Law in Primitive Anarchy*, that some societies have no police, it is difficult to reconcile the idea of society or even community with a body of people somehow living cooperatively without policing. I mentioned earlier that all societies have rules – relating to killing, property and sex, at least – and that these rules are supported by prescriptive norms and by positive and negative sanctions. Mawby (1990) accepts this when he notes that while the Eskimos had minimal social structure, and

extremely permissive sex codes, most homicides were over women and the negative sanction of execution by the victim's family was condoned in appropriate cases. This is what I mean by policing and it is not hard to see that something of this would have to be done in any society. It is also not hard to see that this work could become increasingly specialised, and attract certain characters, as society became more complex through increased size, more external contacts, a greater division of labour, surplus production and trade, increases in longevity, and time spent on non-instrumental activities.

The legitimacy, structure, and functions of a police agency are the result of the peculiar social, economic, and political history of their parent state (Mawby 1990; and McGloin 2003). Nevertheless, police as an organised public body in the west do share some common antecedents from Greece, Italy and later Europe (see Milte 1977; and Dempsey 1994). In the 12th and 13th centuries, the European monarchs took responsibility for the administration of the law and created centrally controlled and militaristic provost forces to enforce the law and maintain the peace (Dempsey 1994). By 1285 in England, the Statute of Westminster had authorised the watch and ward system, the hue and cry call for assistance, and the office of constable (Dempsey 1994; and Uchida in Dunham & Alpert, Eds 2001). In Bangladesh the hue and cry remains and, almost weekly, thieves, hijackers, *dacoits* and others, unlucky enough to be caught red handed, are denounced by the victim, set upon by angry mobs, and sometimes burnt alive before police can respond. The collapse of the hue and cry into vigilantism has been a feature of most policing at some time or another (Dempsey 1994:7; and Edwards 2005).

From 1748, things began to move rather quickly in the evolution of English policing. Henry Fielding (1707-1754), a Westminster magistrate and novelist, established the Bow Street Runners, an early criminal investigation department, and by 1798 Patrick Colquhoun, a reformist magistrate could write: 'Police in this country may be considered as a new science; the properties of which consist not in the judicial powers that lead to punishment, and which belong to the magistrates alone, but in the prevention and detection of crimes; and in those other functions which relate to the internal regulations for the well ordering and comfort of civil society' (cited in Milte 1977:17-18). Yet despite massive

outbreaks of violent crime following the industrialisation of the economy and the urbanisation of the population, the establishment of a professional police service in England was not smooth sailing. There are a number of class arguments to look at here (see Reiner 1992), but essentially, the English were reluctant to surrender their freedom to what some took to calling French despotism (Hillyard 1997). This is nicely put in a record of the Parliamentary Committee into Police of 1881: 'It is difficult to reconcile an effective system of police, with that perfect freedom of action and exemption from interference, which are the great privileges of society in this country; and your committee think that the forfeiture or curtailment of such advantages would be too great a sacrifice for improvements in police, or facilities in the detection of crime, however desirable in themselves if abstractedly considered' (Milte 1997:19)

The difficulty that the Committee and the upper class in England had with the idea of police was not the ideal of preventing crime, the end being sought, but with the means, namely policing as practiced at the time in Europe or Ireland. Policing on the continent was seen as centralist, militaristic, invasive, inquisitive, and even secretive. Similarly, the police as established by Sir Robert Peel in Ireland in 1814 were militaristic, and more an occupying force than public service organisation (Ellison & Smyth 2000). To be successful, even to be approved, the police of England and Wales had to be of an entirely different sort.

It took Peel, then England's home secretary, seven years to succeed in establishing the first large scale, professional, civil police agency. Under the Metropolitan Police Act of 1829, 1,000 men were hired to act as constables in what became known as the 'new police' (Demsey 1994). Peel and the two founding joint commissioners, Rowan, an ex-army officer, and Mayne, a barrister, soon issued their nine principles of policing, shown below, that made crime prevention the primary function of the police, and established policing by the consent of those policed as the ultimate claim to legitimacy.

Peel's Principles of Policing

1. The basic mission is to prevent crime.
2. The ability of the police to perform their duties is dependant on public approval.
3. The police must secure the cooperation of the public in the voluntary observance of the law.
4. Public support reduces the need to use force and compulsion in achieving objectives.
5. Public support can be maintained by demonstrating impartiality in applying the law, providing service to all members of society regardless of race or social standing, exercising courtesy and showing commitment to protecting and preserving life.
6. The police should use physical force only when necessary and only to the minimum degree necessary.
7. The police should maintain a relationship with the public that gives reality to the tradition that the police are the public and the public are the police.
8. The police should never usurp the authority of the judiciary by avenging individuals, judging guilt or punishing the accused.
9. The police test of efficiency is the absence of crime and disorder, not visible evidence of police dealing with them (following Meese & Ortmeier 2004:2-3).

What eventually became known as Peel's principles of policing are not discussed at any length here. Suffice to say that there has been a resurgence of interest in them as a set of guidelines for police attempting to put community back into policing. Additionally, the imperatives for legitimacy and function have obvious structural implications. A heavily armed force, operating out of barracks, like Peel's Irish police, is unlikely to find public approval and crime prevention easy to achieve. To see how this all plays out it is interesting to go back in time to the Pacific. Here formal policing in a fairly advanced stage of development is introduced lock, stock and smoking gun as a superstructure directly over existing folk policing arrangements.

Cop this!

The Europeans came to the Pacific to profiteer, prostitute, plunder and proselytise (Crocombe 2001). In doing so, they brought with them their notions and practices of good governance, and wrapped up with these was the idea of public policing. The imposition of formal public policing detracts from, often contradicts and eventually undermines the informal. This is so much so that the effect is still being felt today and there are even some moves to reinvigorate folk policing. Colonisers were less interested in notions of restorative justice than they were in the retributive, and when they arrived they put in place the police that served their aims. Police legitimacy, structure and function were the choices of the colonial authorities based on their needs and wants. Needless to say, these were not the police required or wanted by the existing communities.

The choices available to 18th and 19th Century colonial administrators, when it came to policing were wider than might be assumed. Why there was considerable convergence on the model chosen is relatively easy to determine though. The advent of policing as we know it has most to owe to the industrial revolution and the rapid urbanisation and emerging specialisation of the population. By 1829, the first professional police service in the English speaking world was established, and it would be nice to conclude that this was the style of policing to be used in the colonies. Unfortunately, that wasn't the case as the home style of policing was designed with different answers to the three main questions of policing – why? what? how? – than the away style. These three questions relate directly to Mawby's (1996) three factors of legitimacy, structure and function as shown in the Table 5.1 below. Organisational structure and function are mostly self explanatory and are addressed in what follows. Legitimacy, on the other hand, can take a moral and a practical form and in its practical form the warrant of approval to police can be granted by a god, a sovereign, an elite within society, by an occupying power, or by the people being policed (Saul 1997; and Mawby 1990). In the long run though, and in a moral calculation, it can probably only be granted by the people.

Legitimacy	**Why?**	Why is policing being done? Who is it for? Who rewards, guides, informs police?
Function	**What?**	What tasks do police complete? What outputs do they produce? What is their intended outcome?
Structure	**How?**	How is authority distributed? What is the vertical and horizontal division of labour? How are personnel deployed?

Table 5.1: The Three Questions

As mentioned above, Sir Robert Peel founded both the Irish Constabulary and the London Metropolitan Police, the latter of which served as a model for the police of England and Wales, and eventually became known as the new police. Established in 1822, the Constabulary were armed, housed in barracks, charged with keeping the peace, drawn from outside the communities they policed, legitimated and controlled offshore, coercive in approach, and militaristic in structure (Hillyard 1997). The 'success' of this type of policing saw it used by colonisers throughout the British Empire, and I have seen its legacy in places as diverse as Hong Kong, Bangladesh, Fiji, and Malaysia.

Model	Folk	European	Irish and colonial	England and Wales	North America
Legitimacy	Tribal, kinship	Monarch/ ruler	Colonial government	Regional government	Local government
Function	Kastom and restorative justice	Governance and war fighting	Keeping the peace	Preventing crime	Law enforcement
Structure	Informal and part time	Centralised and bureaucratic	Centralised and bureaucratic	Bureaucratic and de-centralised	Fragmented (Balkanised)

Table 5.2: Five Models

By the mid 1800s there were five widely practised models of policing in use across the European and colonised world. The five are shown in Table 5.2 above in a format first proposed by Mawby (1990), and against his three main variables in police comparative studies (McGloin 2003). The depiction, as such usually do, relies on some fairly broad but useful generalisations.

Briefly, the folk, Irish, and English models have been mentioned already, and the European model, though roundly rejected for England, has a number of parallels in the Irish style. The radical alternative is the American policing model. This has resulted in more than 15,000 police agencies in the United States, with agencies 100 strong being considered as large organisations (Kennedy 2005; and National Institute of Justice 1995). This can be compared to, say, Australia with eight police agencies, but when compared to Bangladesh, with one police service of 140,000 officers, the contrast is extraordinary. Because of their diversity, American police services can deliver an almost customised service to their local community. Like most such choices, there are advantages and disadvantages, and the downside here is a lack of consistency and common operating standards across the jurisdictions. Importantly, this disadvantage shifts the burden to police and from the community.

Deskilling community

The imposition of an external police service, or the slow bureaucratisation and professionalisation of the local police, results in a creeping disempowerment of community and a gradual isolation of the police from the people. A mix of apathy and coercion, coupled with a growing centralisation of the authority to police, and the coercive warrant that accompanies that, sees the formal police as the only organisation with the authority, knowledge, assets and personnel to conduct policing. Arguably, there is something of this grab for power in all professional bodies. Demarcation disputes, make-work schemes, and restrictive entry requirements have blighted a number of occupations through history. It seems to me, and this is something to be explored in depth elsewhere, that police took on all they could and made over into police work all they did. For whatever reason this happened, and it may just have been that police were not in a position to say no, the trend is reversing now in the era of outcome accountability. Regardless, the bureaucratisation of the police leads both to their isolation, and to the possibility of the people withdrawing their consent to being policed. This is what happened in societies across the world in the 60s, 70s and 80s. As an aside, it is much harder to withdraw consent to folk style informal policing without withdrawing from community.

Since the end of the 60s various efforts at police reform have been attempted, and all eventually require answers to the three main questions of policing – why? what? how? – in a limited set of theoretical frameworks as shown in Table 5.3 below. While Mawby's (1990) variables have been explained above, the other typologies are first the day-to-day manifestation of the various answers and second those drawn from organisational theory.

Three main questions	Mawby's factors	Practical variables	Organisational theory
Why?	Legitimacy	Style	Culture
What?	Function	Strategy	Function
How?	Structure	Structure	Form

Table 5.3: Three Questions Revisited

Fielding (1996) has theorised that these three questions, regardless of language, give police in a liberal democracy three basic choices of policing philosophy. These are not mutually exclusive, but they do represent overall flavours, if you like, of police effort that are conceptually distinct and empirically valid. The choices are: policing for law enforcement, community policing, and service policing. Again, across the literature various terms are used, and defined differently, but that is to be expected. For my purposes here, law enforcement policing is replaced with the term 'technical policing' as shown in Table 5.4 below.

Styles	**Technical policing**	**Community policing**	**Service policing**
Legitimacy	The state and the police	The community	Individual citizens
Structure	Centralised	De-centralised	Penny-packeted
Function	Fight crime	Prevent crime	Individual service

Table 5.4: Fielding's Modified Styles

Service style policing is what police officers most fear community policing will require: the provision of individual service at the direction of the community (Fielding 1996). This type of policing is resource hungry but it can and does work in affluent, mono-cultural, and otherwise homogeneous communities experiencing good times. Vollmer (1876 - 1955) the reformist police chief and educator, used service policing in turning Berkley Police Department into an American ideal in the early 1900s (Fyfe in Dunham & Alpert Eds 2001). Unfortunately, the Berkley population was also 'ideal', and policing them had very little to offer those trying to police more usual, diverse and interesting populations outside of a *Stepford Wives* model community. In post war America, for example, the style worked well in some white, affluent, aspirational, young communities and something of it can be seen nowadays in gated communities of like-minded individuals or in university campus policing (Klockars in Kappeler, Ed 1999). Police numbers and organisations could be 'broken down' into penny packets (reminiscent of small packets of candy costing only one penny derived from bulk supplies of the same product) and allocated almost to individuals. This radical disaggregation of police has a similar effect to the atomisation of most assets.

Technical policing is at the other end of the scale to the service style. Fielding (1996) originally called this law enforcement policing but the style, as a predominant way of conducting policing, struggles to get past some widely reported and fairly consistent findings including:

a) most police work is response to calls for service from the public;

b) less than 25% of police work is related to law enforcement;

c) most crime is committed by males aged 15 to 25 years;

d) law enforcement is a reactive style of policing that doesn't address root causes;

e) most crime is solved on the basis of information given by the public; and

f) most arrests are decided on the basis of suspect demeanour, complainant, and other factors, not on the fact of law breaking (Fyfe in Dunham & Alpert Eds 2001; Fyfe et al 1997; Goldstein 1990; Harfield 1997; Bullock & Tilley in Bullock & Tilley, Eds 2003; Murray 2002; and Klockars in Kappeler, Ed 1999).

Goldstein (1990 cited in Bullock & Tilley in Bullock & Tilley, Eds 2003) called the crime fighting, frontline style of police work the professional model and he is not alone (Uchida in Dunham & Alpert Eds 2001; Klockars 1988 in Kappeler, Ed 1999; and Kelling & More 1988). This is understandable, if unfortunate, as the North American move to professionalise police 'emphasised centralised control and policy, tight command structure, extensive departmental regulation, strict discipline, and careful oversight' (Klockars in Kappeler, Ed 1999:433). The Australian and English literature does not feature a similar criticism. In America the professional model saw police, overly concerned with law enforcement and overly committed to responding to calls for service, effectively disappear off the streets only to reappear in their patrol vehicles in which they sped from job to job and call to call. In 1968 police introduced '911' the police emergency number in the US and over 90% of households had telephones (Kurlansky 2004; and Goldstein 1990). The result of the crime fighting approach, and telephone driven practice, is what I have called technical policing for two reasons.

First, the approach is instrumental as the idea of 'fighting crime' seems technical in a medical or even military sense (see Thatcher 2001 for example). Any such analogy is strained, though, as the root causes of crime are poverty, unemployment, racism, poor health care, truancy, failure to complete school, alcohol and drugs, poor parenting, child maltreatment, and single parent families (Small 2002). 'However well intentioned, hardworking and competent, no police officer … can hope to solve the crime problem merely by hunting down and confining people who have already committed a crime' (Fyfe et al 1997:188). Fighting crime is almost exclusively about chasing after practicing criminals, but preventing it is an entirely different matter of function and choice.

Second, the practice is technical in that it is organised around cars, computers and communications. The technology drives the business process, performance management, and the preoccupation with response times and arrest rates. Police services that don't do proper crime scene searches, and latent fingerprint collection, will make million dollar purchases of DNA laboratory equipment because of this technological imperative and the

'big boys toys' syndrome. Sarre (in Chappell & Wilson, Eds 1996) found that highly professional and technical police were more computer literate than community aware.

Most disconcerting for proponents of technical policing is the consistent finding, first uncovered in the 1980s, that citizen fear, and the resulting decline in their quality of life (QoL), is more closely correlated to disorder than to crime (Kelling & Moore 1988; and Alpert & Moore in Dunham & Alpert Eds 2001). The focus on disorder – graffiti, street gangs, streetside prostitution, drugs and drunkenness, rubbish dumping, and urination in public – led to the development of 'broken windows' theory by Kelling and Moore (1982 cited in Cooper in Dunham & Alpert Eds 2001). Briefly, the theory holds that neighbourhood level offences, like urinating in public, lower the tone of an area and open the door to more serious crime. The title relies on the metaphor of a disused building where once one window is broken, and left un-repaired, it is as if an invitation has been issued that can only result in the total destruction of the structure. In policing, early intervention can prevent the rot setting in.

Capturing community

Community policing, possibly usefully called third way policing to both position it philosophically between the left and the right of liberal politics, and to place it between service and technical policing, rests square on the idea of community as a site, a support and a solution to persistent police problems of practice and legitimation. If police are a public policy intervention, based on familiar and nearly ubiquitous utilitarian reasoning, then the question is: what greatest good are they catering to, and for what greatest number? Serving society by fighting crime has been demonstrated to be conceptually wrong, and serving society by serving individual members has proven empirically impossible. The middle ground of community seems promising.

I mentioned earlier that the state, society and community are abstractions. In fact they are concepts that allow us to order our experience, and they are not found in their pure form in the world. Like most theories, they are not truths in themselves but they do have the

advantage of framing temporary or provisional understanding (Delandshere 2002:1469). Community, as a sub-set of society, and some sort of aggregation of individuals, is inclusive and exclusive and there might be the rub. One reason police everywhere are public, at least to some degree, are the various economic arguments for public goods. It is difficult for an agency to police a street say, or a village, but not police house X or citizen Y because they don't pay. The facts that policing is largely a joint, public, non-exclusive good, the problem of free-riders, and the legitimacy of the state all seem to point to market failure and dictate public provision of police services. These last few points mostly rely on terms from economics, but the basic meaning is that it is difficult to establish a user pays policing system in unfenced or large communities. Yet provision of the service by the state, for the benefit of society as a whole, and of the individuals within society, seems to exclude the idea of tailored service provision direct to communities.

In a first blush analysis, community could mean a group of people, living a social life through, by and large, some semblance of reciprocity, and some semblance of non-harmful diversity. The classic communities of anthropology, the tribe, the folk group, and the kinship group, that give rise historically to policing in the first instance, and arguably provide paradigm examples of community policing, are not readily apparent in, say, urban Australia or Bangladesh. They are even under threat, literally, in the rural areas of both countries as youth migrate to the cities seeking employment and adventure. Indeed, Everingham (2001) notes that the disparate discourses on community point more to radical individuation than community retention or resurgence. Community therefore needs to be defined more broadly and the definition needs to go beyond conjuring a warm feeling in some policy wonk's stony heart.

Most experiments in community policing are conducted in geographical communities such as neighbourhoods and precincts but community goes beyond this simple distinction. Community can possibly be usefully made to fit around groups of disparate people, with just one or two characteristics coinciding so as to give them a fulcrum for leveraged exclusion, and some consensus on just what comprises a good life. These characteristics might usefully be drawn from a list such as:

a) place/area;

b) bias/preference;

c) special knowledge/interest;

d) problem/project;

e) history/experience; and

f) language/culture.

Cohen (1985:12) agrees on the idea of community as essentially exclusive and points out that the boundary between in and out can be 'physical, geographical, legislative, religious, political, racial, educational, cultural, and historical'.

'Some benefits and some harms are normally regarded as such by all reasonable human beings' (Kekes 1993:12). These primary values are unlikely to be controversial in a society, and where they are influenced positively by policing, or provided by police then they should be. In a pluralist view, secondary goods vary on any conception of a good life that reason allows. Primary goods, like a reasonable level of human security are provided, as best they can be, across the board, and secondary goods, like assistance with combating graffiti, are provided as a customised service for the community. Finding community involves finding different conceptions of the good life based mainly on these secondary values. 'Reasonable people will share primary values because their common humanity renders some things beneficial and others harmful. But reasonable people will also recognise that there are vast individual differences that emerge above the level of the values we are bound to hold in common. In the main, secondary values reflect these differences' (Kekes 1993:18-19).

	✓ IC	✓✓✓ CC
Commensurable	??? II	✓✓ CI

Compatible

Figure 5.2: Matched and Unmatched Values
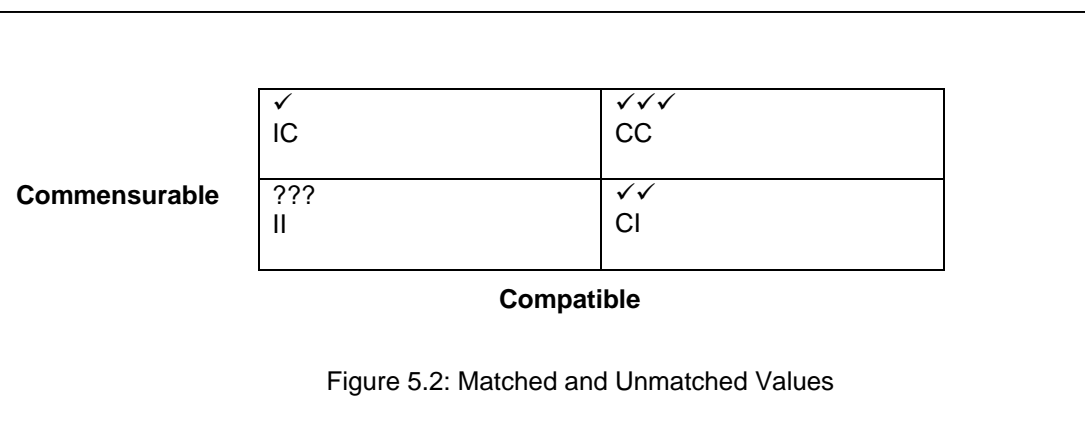
Different primary and secondary values can be tested in the matrix shown above at Figure 5.2 where the compatibility, or the logical possibility of two different values existing in harmony, and the commensurability, or measurement of two values by the same standard, are able to be compared. Values that are compatible and commensurable (CC) present the least problem, to a community deciding on policing effort, while incompatible and incommensurable (II) values will present the most difficulty. Compatible and incommensurable (CI) values are again relatively trouble free and incompatible but commensurable (IC) goods can be weighed and decided given an amount of good will. Perhaps, using a non-policing case, the incompatible and incommensurable values of affirmative action and merit (see Kekes 1993) give a good example. A community facing the choice, it may even be a dilemma, between redressing a historical wrong and the principle of just desert would have to search long and hard for an answer. But the idea is not to rank values permanently and for all situations, but to rank them in accordance with overarching community norms and interests for the case under consideration.

Whatever community is, it definitely isn't government (Everingham 2001) but communities are drawn into and even coopted by the state to:

    a) lend support and provide capacity;

    b) to absorb risk and provide insurance; and

    c) above all, to provide legitimacy (Bradshaw 2000).

In Australia, community have been an agent of government since the heady days of the Whitlam government (Everingham 2001). Community as a resource or a partner is part and parcel of the policy-making process in all policy literate state agencies, and it follows on from the success of shifting state work back to individuals and families. Getting families and communities to do policy work makes sense technically and it can make sense morally as well. Community engagement, beyond superficial consultation and token participation, is not easy for police, though, as the horrors of full partnership include:

    a) sharing risk (R);

    b) sharing intelligence (I);

    c) retaining the right to say no (N); and

d) sharing trust (T).

As police tentatively close with the community, for understandable and even honourable reasons, the question arises: why would community cooperate with police? An answer to this is probably best sought at the level of the individual. Individuals, can be seen to behave rationally and with a short term self interest in mind, but they also behave socially and sometimes for the community good. Motivators here might include:

a) generating personal social capital;

b) genuine altruism;

c) status seeking;

d) prescriptive community norms; and

e) other positive and negative sanctions (Dhesi 2000).

Hirshman (1984 cited in Dhesi 2000:200) adds 'intoxication' to the list and by that he doesn't mean acting while drunk, he means doing non-instrumental things for the feeling it produces.

In the 1960s and 70s community movements were not held in great esteem by police. As the scandals of that era unfolded, the long economic boom drew to a close, governments began to shy away from direct service provision, quality of life expectations continued to rise, and police struggled with their mandate and their performance, community took on a new meaning.

Back to community

'It seems that for some police, the change towards community policing was seen as a total rejection of their life's work' (Graycar in Bayley 1999:foreword). Given the hype, police can be forgiven for thinking they have been hired to 'fight crime and win'. Unfortunately, this reactive focus, on something well outside the police mandate, is hard to reconcile with modern business practices and outcome based budgeting. Similarly the focus clashes with the research evidence that shows police are 'ineffective in reducing crime, reducing citizens' fears, and satisfying victims that justice is being done' (Alpert & Moore in

Dunham & Alpert, Eds 2001:240). Community policing seems to present a viable method of policing that can address these pressing issues. Perhaps it is the intimacy of police work at this level that entices most and promises more.

Nevertheless, community policing is at high risk of becoming a 'hooray term' used to dress up just about anything being done by police. Police are one of the few 24 hour a day, seven day a week state operations and they are relatively well equipped with transport and communications, and generally exhibit a 'can do' attitude even if that is inappropriate or downright dangerous. Consequently, the scope of what police do is expansive and they have been described as jacks-of-all-trades (Fyfe et al 1997). Bittner (1974 cited in Fyfe et al 1997:36) decries 'the impossible police mandate', particularly in relation to calls for service. Although some load shedding has been done since then.

Most jurisdictions have undertaken programs to deskill citizens in the ready recourse to and use of emergency response numbers such as 911 and 000. Additionally, operators are now trained in ascertaining, as best they can, that an actual police emergency is taking place before despatching patrols. But Bittner's renowned statement still holds true and police essentially respond to calls relating to '[anything]-that-ought-not-to-be-happening-and-about-which-somebody-had-better-do-something-now' (1974 cited in Fyfe et al 1997:36). Perhaps domestic violence calls are a case in point? Direct intervention by police could be replaced by a system of police-escorted social welfare or social work interventions with possibly better and certainly not worse outcomes (Fyfe in Dunham & Alpert, Eds 2001).

As Manning (1997 cited in Fyfe in Dunham & Alpert, Eds 2001:177; and Fyfe et al 1997) notes 'the police mandate is vague, internally inconsistent, and generally uninformed by the police themselves'. Part of the problem is a poor police presence in policy forums, but it is also that governments legislate to fix sometimes intractable problems and then leave implementation to the police (Jones, Newburn and Smith 1994). This lack of policy voice, the clamour by outsiders for more police (Sarre in Chappell & Wilson, Eds 1996), and the penny-packeting of police assets and effort as a result of response to calls for service,

combine to disempower, disperse and distract police. One of the effects of this is to lock police into an incremental and pragmatic, short term planning cycle.

The defining characteristic of police is that they are 'an institution with the monopoly to employ non-negotiably coercive force in situations where its use is unavoidably necessary' (Bittner 1970 cited in Fyfe et al 1997:44). This is a Weberian notion that requires the state to be the sole possessor, and practitioner, of lawful coercion, on behalf of society, and within and without the borders of the state. Klockars (in Kappeler, Ed 1999:443) even goes as far as to argue that 'the only reason to maintain police in a modern society is to make available a group of persons with a virtually unrestricted right to use violent and, where necessary, lethal means to bring certain situations under control' (see also Reiner 1992). Police are the evident exercise of legitimate domestic power by the state. Other authorities have power but none have access to arrest, detention, search, interrogation, physical and deadly force as they go about their business of meeting their obligations to provide public goods and services (see Sparrow 2000).

The move [back] to community policing is based on twin failures: first, the failure of individuals in society to be sufficiently alike, and mostly good, so that police might cater to their needs by delivering service policing; and second, the failure of police, using the technical style of policing, to control crime, reassure citizens, and generally police at an 'expert in society level'. The thesis is then proposed that community, rather than the individual or society should be at the centre of the analysis and evaluation of policing systems. Community is acknowledged 'as an essential component within the formation of individual identity and as the means for citizens to achieve improved levels of personal well being. Furthermore, democratic community forums are accepted as being a source of common agreement for the identification of social goals and their equitable distribution' (Cross 2001 cited in Dixon, Dogan & Sanderson 2004:4-5).

Public consent must ultimately authorise policing and long term legitimacy can only be granted to police by the citizens they serve. When it isn't, when it is seemingly granted by an elite, by an out of touch government, or by a colonial administrator it suffers a

legitimation deficit that can only be tolerated for so long. The notion of a citizen-driven legitimacy can be argued against using the law and its impartiality, representative government and the police as experts, but none of these can be persuasive in the long run, and all are subject to knock-down arguments based on liberal, humanist democratic theory. I am not proposing that any citizen, at any time, in any circumstances must consent to policing for it to be legitimate. Nor am I proposing that that citizen, subsequently old and reflective, would retrospectively approve. The standard is in both the process of constantly orienting action to community conceptions of the good life, of understanding those concepts, and of actively participating in their development and articulation. Later in this research an epistemological method, standardism (Rescher 1994), is proposed for a logic of action in police management and practice. The method has implications for policing by consent also and these are in line with Kekes, (1993) work discussed earlier.

Legitimacy, how it is earned and even hard-won, drives the other variables of structure and function in policing (Mawby 1990, 1999 cited in McGloin 2003). The move to community policing can reflect:

a) a new site for social order,

b) clever policy making,

c) community cooption,

d) police risk avoidance, or

e) how policing actually does work.

Regardless, it is not just a matter of attitude, philosophy or foot patrol. The idea occupies a middle ground between societal and individual policing that has ramifications for the structure, strategy and style of policing. Policing at the level of society has generated a dangerous middle ground style of policing that satisfies very few, and policing at the individual level is dangerously unmanageable.

On the ground experiments with community policing have taken many forms. In Bangladesh, the provision of dedicated (albeit unfortunately very junior and even second class) officers is part of a community policing initiative in Mymensingh. Samoan police

returned to foot patrols, Fiji built mini-stations throughout their towns and villages, Victorian Police established community consultative committees, and New South Wales Police commenced working with citizens under its volunteers in policing program. Probably the most interesting in my experience was the Royal Papua New Guinea Constabulary practice of building police housing, mainly married quarters, in the suburbs and villages being policed. There the informal and ongoing work of negotiating consent could be undertaken. Next door to my flat in Waigani, the constable and his young family regularly worked late into the night hosting neighbours, and negotiating their differences and disputes. While none of these examples is right or wrong in themselves, none of them is enough. The prevention paradox seems to catch all police executives. Community policing isn't just a reorientation of patrol, or a building program, and it isn't simple. It involves imaginatively structuring and functioning to manageably secure an elusive legitimacy – the consent of those being policed. This is an unquestionable good and a morally compelling end for police in a liberal democracy.

Managing for consent

Choice is unavoidable in police work and often objectives and tactics must be determined to fit a given situation. Even more importantly, officer discretion, see-don't see, intervene-don't intervene, and arrest-don't arrest is the essence of policing and managers ought to both realise and facilitate that (Rauch 1992). As Scarman somewhere observed, discretion is the art of suiting action to particular circumstances and it is the police officer's daily task. Community policing presents another layer of choices to the police manager but not everything is up for grabs. Life, liberty, a quota of happiness, respect, a fair say, and the opportunity to participate in community and social life are mostly favoured, by most people, most of the time. Pluralism in values isn't as hopeless as relativism, and it isn't as apparently assured as monism, but it is manageable (Kekes 1993; and Garver & Buchanan, Eds 2000). That is so because plural perceptions of the good life are the case, and pluralist communities have been and are flourishing today. Probably, in the first instance, keeping the above in mind, police managers should direct their officers' attention, and encourage their use of discretion, to:

a) maintain public order,

b) prevent crime,

c) improve the quality of life of community members,

d) build community capacity, and

e) contribute to social cohesion.

All of these, but particularly the last three, can be safely subsumed under the rhetoric of helping to create and maintain civil communities, and while all of it may sound hopelessly optimistic or esoteric, under the tenets of community policing legitimation is with the people being policed, and police practice is focussed, in the main, on the site and support of the community. Practice is discourse based and negotiated (Wright in Leishman, Loveday & Savage, Eds 2000), but, as I argued above, not everything needs negotiation every time and some things don't need negotiation at any time. To put this another way, community policing as articulated here is no more an impossible chore than fighting crime and winning is for police without the means, mandate or magic to actually do so.

To do their work community policing managers probably should aspire to 'wise, informed, moral and prudent action' (McTaggert 1997:177) by:

a) facilitating the work of their staff, particularly discretionary problem-solving;

b) giving coherent accounts of their actions and plans;

c) being open to alternative accounts as to the nature and selection of problems;

d) providing frank advice to the executive;

e) engaging in personal and professional development; and

f) contributing to the art and to the science of policing.

Again, these are general at this stage, but at the heart of management are interpersonal, informational, and decisional roles (Mintzburg 1980 cited in Bartol et al 2005). These, as is argued throughout this research, rest almost exclusively on communication. What police managers ought to do, what dispositions they ought to have, is largely the subject for the rest of this research, but an argument now might look like this:

P1	Professional police managers make decisions relating to problems in community policing aimed at citizen legitimation.
P2	Wise decisions are defensible (arguable) and defeasible (open).
∴	Police managers ought to make decisions that are inclusive, based on consent, able to be justified conceptually, empirically and morally, and open to new information, reformation and even rejection.

A disposition to ask

The argument above is a cartoon, in the artistic sense of an incomplete and even overly basic approximation. Legitimation based on the consent of those being policed is a lofty aspiration and may be an impossible objective. Nevertheless, effort short of this leaves police action open to charges of paternalism, unilateralism and misplaced professionalism, at least. The earlier discussion on wisdom, clearly paints wise action as emerging in context and as social, inquiry-based and inferential (Hager and Halliday 2007; and Delandshere 2002). Table 5.6 represents the beginnings of a schematic for a taxonomy of managing policing by consent. The work has some way to go but basically consent is the ideal, consensus is tolerable, complacency is problematic, and coercion is a double-edged sword. Any recourse to coercion must be short term, appropriate in the circumstances, reasonable in its application, and always a matter of last resort. This is so much so that Scarman (1981 cited in Edwards 2005) concluded that public order considerations should take precedence over crime control, after the Brixton riots against aggressive, zero-tolerance style policing. A further implication of this is that people not only have to consent to policing, but in effect they have to consent to the law. Legitimate access to coercion is of course a defining characteristic of police but it is a matter of last recourse to the wise practitioner.

C1	Consent	Consent/informed consent – permission granted in the knowledge of possible consequences
C2	Consensus	Consensus, compromise, conciliation (agreement in general, or general agreement)
C3	Complacency	Complacent (uncritically satisfied, apathetic, indifferent)
C4	Coercion	Coerce (use force, including lethal force, or threats of force implied or expressed)

Table 5.5: A Taxonomy of Police Legitimation

Consent is the only unassailable position from which to justify policing. Anything short of it is open to question and criticism and should be questioned and criticised. Consensus and complacency based policing have led to many policy failures and police scandals, and history is replete with examples of over-policed, or under-supported, minorities and of gestalt moments, such as the Muirhead Inquiry (1991) into Aboriginal deaths in custody, that break through the indifference and shock a society. Organising police to police by public consent is aspirational, but it is not foolish. Organising police to fight in a war they can't win, and shouldn't join, is.

Before proceeding it is as well to acknowledge the alliteration in the above table. This can annoy some and amuse others. I do it here, and elsewhere, because it assists me in my inquiries. I find a heuristic value in attempting such constructions. I am also of the opinion that police students find such lists (the 4 C's of legitimation) useful on their path to abandoning them.

To return, the law is a particularly blunt instrument and for good reason it has been called worse. How police use their powers under the law significantly and directly affects the quality of life of each individual in a society (Sparrow 2000), and can threaten the society itself. The police manager's work is to structure the police organisation, and support the police staffing it, in order to best perform the functions and deliver on the obligations and services expected, and to secure the legitimacy required of police in a liberal democratic society. In this chapter I have argued that the three questions of legitimacy, structure and function are best answered within an ongoing, community-based, problem-oriented

policing strategy aimed at: maintaining public order, preventing crime, and building and maintaining civil communities. Police being directed to engage in community policing often ask management 'what is it you want us to do differently'? An answer to that question, and an answer to the question of what management dispositions best support community policing officers, is tackled in the next chapter

CHAPTER 6

Learning Voice

In a study of decisions taken by the crews of commercial airliners in crises, it turns out that, even if there were only 10 seconds in which to take corrective action, the quality of the decision taken improved if there was some consultation between the captain and first officer.

(Reeves 2000:1)

Introduction

The four substantive questions of education are: who teaches? who learns? what methods? and what dispositions? The last of these is the topic for consideration in this chapter. As society matures and reaps the spoils of economies of scale, a specialized division of labour, and increased professionalisation, rights and responsibilities shift about. A consequence of this movement, in the cargo of the ship of state, is a constantly changing pressure on state institutions to deliver on state obligations. Education, aimed at assisting the staff of the institutions of state, needs to focus on how they can rebalance the benefits and the burdens of social life, keep abreast of developments in policy, and systematically and critically develop their own knowledge base. This is so for all civil administrators, and public servants and it is particularly so for police managers. Education is aspirational. That it is so is a matter of definition, not choice, and consequently the question to be asked is to what might it aspire? What difference, in other words, does the educator intend to make? At the level of policy the choices are fairly stark. Education can be a) reactionary, b) revolutionary, c) revisionist, or d) relative. There are other choices to be made in education that lend themselves to a more scientific analysis (Frankena 1970). Education taken generally, though, is considered a practical art concerned with the formation of a person's character as an individual, and as a member of society (Mill 1925 [1843]).

Because education is a social matter, its justification, and therefore its philosophy – the questions and answers of education – are essentially so. In the previous chapter, Chapter 5, I gave a normative justification for police management, in support of consent-based community policing. The analytic and empirical justification for personal dispositions,

learning objectives or outcomes if you like, that support this ideal of police management is the specific subject for this chapter. The dispositions argued for here are based on the knowledge, will and emotion required for police managers to listen for, facilitate and model the use of 'voice'. Voice, in Hirshman's (1970) thesis, as extended to community policing, is the extent to which those affected – police and citizens – can participate in and influence the processes and outcomes of policing. As such it is an example of political behaviour and participation (Keeley and Graham 1991).

Reason of state

Social arrangements vary but all, now at least, result in the emergence of some sort of state with democracy as the dominant organizing principle for most nation states. In education generally, and civics education in particular, something can be seen of programs 'designed to help young people become competent and responsible citizens in democratic political systems' (Quigley 2000:1). We also see something of the nature of relationships between the individual and society, arguments on the legitimacy of the state, and such things as the reciprocity of rights and duties being covered. What isn't evident though is similar education for police managers. Police are simply a means to carry out the activity of policing, and the ends they serve need to be made explicit, and must ultimately be their measure. The legitimacy and function of policing by consent was proposed in the previous chapter, but the ideas of rights and duties, legitimacy, consent, and justice (in distribution, recognition, retribution or restoration) are not often explored in police academies or workplaces. This is of concern for three or four reasons that can be used to argue the case for police management education, aimed at extending democracy and participation, through encouraging dispositions appropriate to Hirshman's (1970) concept of voice.

The state arises to satisfy three primary social needs relating to killing, sex, and property. In order to build on this thin beginning, the successful state does a lot more, but any other pursuit is ancillary. Education for example, bears directly on all three primary activities and is therefore something that will be provided to some degree by any robust state. The mature state, a state in the circumstances of justice if you like, can be seen 'as an ensemble of

agencies of legitimate coercion and as an amalgamated set of collective resources, which intentionally and unintentionally produce policy outcomes' (Davis et al 1993:18). 'States are [also] supposed to have a monopoly on the use of force, and they quite often actually do' (Margalit 1996:4). A failed state, or one at risk of failure, has usually lost its mandate on violence and thus cannot deliver on its obligations to its citizens.

Arising from the state, or hand-in-hand with it, is politics, or the ethics of useful outcomes. For the Italian philosopher Bobbio, 'morals and politics are two mutually incompatible ethics that govern us. They exist because neither alone is sufficient ... Morals or the ethics of principles, do not guarantee survival. Politics or the ethics of useful outcomes, do not guarantee civil coexistence' (Chataway in Bobbio 2000:foreword). Democracy is seen as the system of government that reduces the tension between morals and politics to its most manageable level. There is no final resolution here, though. Answers are tentative, provisional and contextual and questions remain open (Wrong in Coser, Ed 1980). As circumstances change, unintended consequences emerge, and intended outcomes prove elusive, decisions need to be revisited not doggedly adhered to.

The philosophical divide between the state and society, shown in the model below (see Figure 6.1), is less concrete than the divide between the public and private sector. Like all such depictions, there are some subtleties that cannot be incorporated. After all, a model that explains everything would by definition be as complex as reality and therefore be explanatory of nothing. What is important here is the essential tension and balance in the arrangements. Modern social arrangements are delicate, finely balanced things and, people are what they are, 'namely, social beings – that is, creatures who need a stable society, which is a society with institutions' but they need to work hard at making, maintaining and improving their arrangements (Margalit 1996:15).

The model allows us to see that the essential legitimation of the state is dependent on it, directly or indirectly, providing for the needs of its citizens and bringing about satisfactory outcomes for them as they face the problems of daily existence. It does this through a number of policy interventions including legislation, advocacy and exhortation, education,

direct provision, subsidy and redistribution. As mentioned earlier, certain classes of goods and services are provided even by a minimal state and a state that fails to meet these needs has effectively failed. But with these catered for, the task then is to satisfy a diverse and seemingly unlimited number of wants. This is the first crunch point for politics – unlimited wants, limited means – and it leads directly to rationing which is one of the three or four negative reasons for education based on Hirshman's (1970) concept of voice to which I now turn.

Figure 6.1: The State and Society
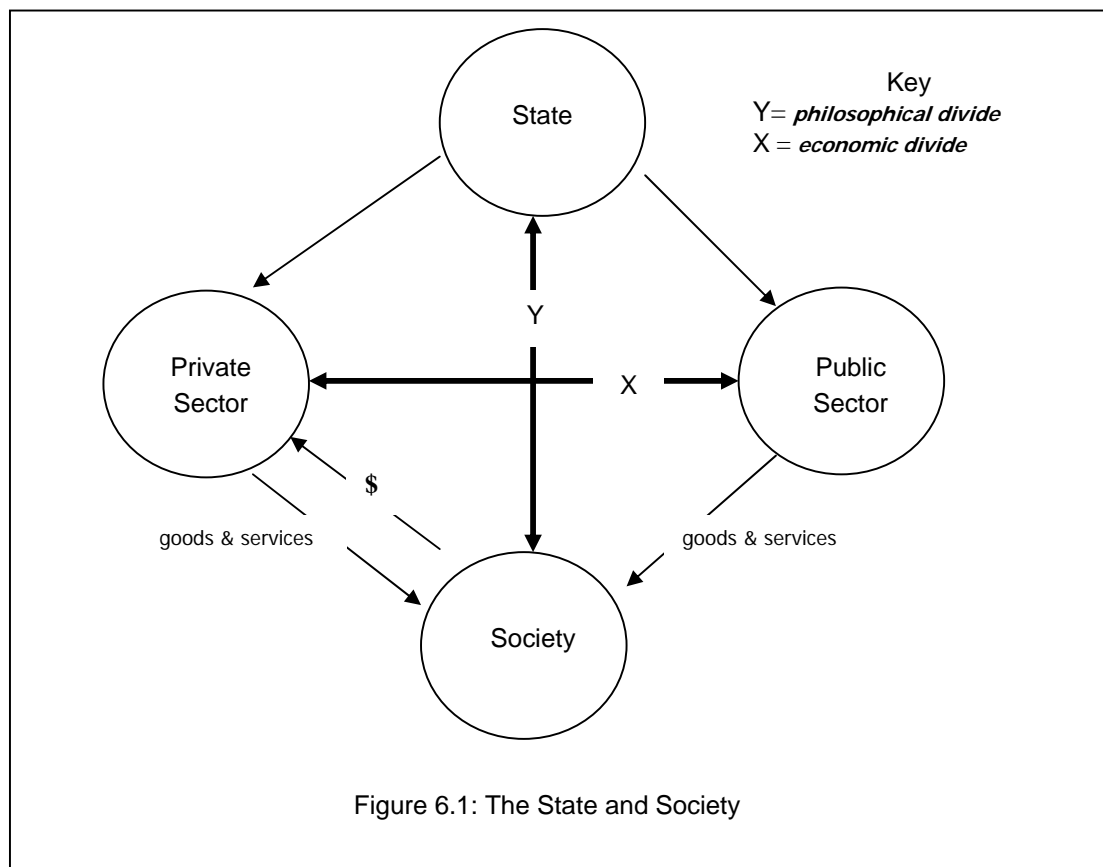
The state of the problem

The primary consumables or inputs in politics and the public policy process are power, people and money (see Figure 6.2). These are utilized and consumed to produce outputs like police patrols, hospital beds, and teacher training, that align to contribute to the quality

of life outcome of state citizens. Since the state has no assets of its own, although it does hold some in trust, it will regularly go to sections of society, some more than others, to collect additional inputs. In this manner, the benefits and the burdens are shifted about in society, such that an individual liberty might be reduced to allow for a collective good, or a tax on a luxury item might be made to pay for specialist research.
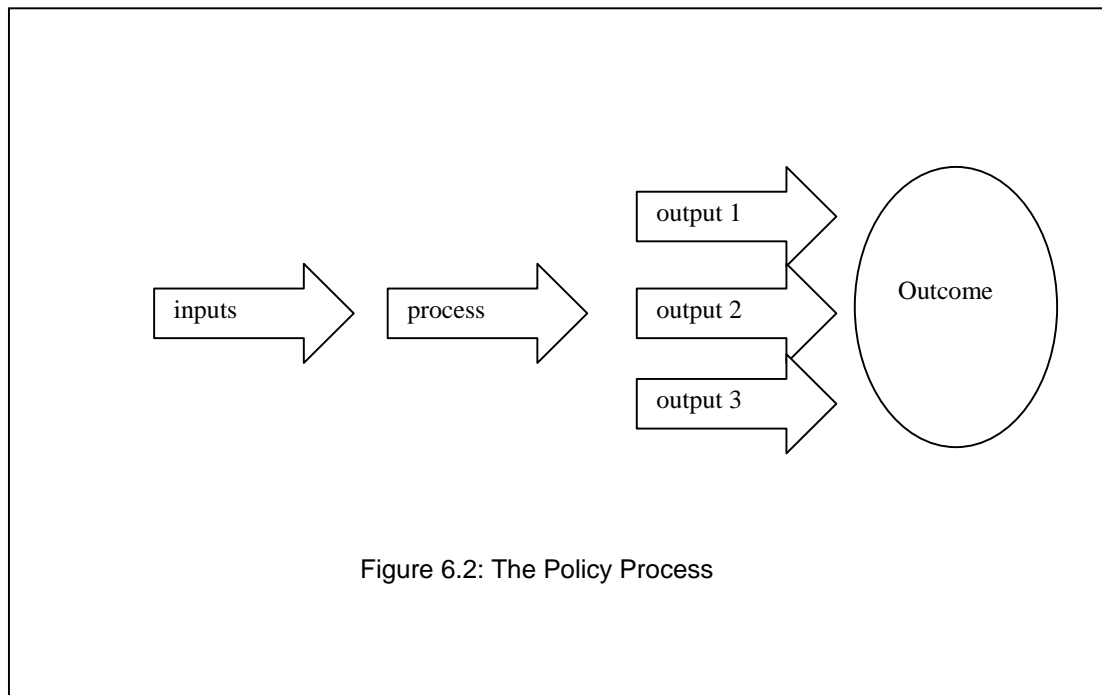
Figure 6.2: The Policy Process

While it is clumsy policy to continually increase inputs in order to increase services or outputs, there is a limit to doing more with less. There is also a limit to what burden an individual in a society will shoulder for the outcome of the collective good. Inevitably then rationing must occur. This is so even in countries with the highest living standards although it is less so and therefore less threatening to the state. Popper would add that it is no accident that such countries are in the main liberal democracies (nd cited in Magee 1973:74). Mill, on the other hand, would caution that 'no government produces all possible beneficial effects, but all are attended with more or fewer conveniences' (nd cited in Morley 1921:24).

Policing is likewise rationed and distributed within any society. While some sections of society are over-policed, young immigrant men for example, others, like the poor and homeless, receive inadequate attention to their requirements. In community policing, police managers need to make for an equitable distribution of services across the community. In matters of rationing, perhaps the principle that any action that makes the least well off slightly better off might be decisive.

Rationing, my first reason for education aimed at inculcating dispositions appropriate to listening for, facilitating and modelling voice, would appear to require a level of empathy and evidence for managers that almost involved knowing the individual recipients. This is not easily or actually done. The logic that allows a commentator to say 'there is no such thing as society' also allows the same statement in relation to the state and, to digress slightly, community. The state is not an object, it is a concept. As citizens we don't experience the state, we experience, say, an individual police officer, social worker or some other public servant. Even at this micro level the exchange is usually a simple transaction and not a relationship. Relations with the state, be what they may, are therefore individual to individual and, like all such arrangements, can be made better, even if only unilaterally. Public servants can be more empathetic and understanding. They can be more open and responsive, and they can listen more actively. There may well be and often are structural and other problems here (Campbell 2004; Goldsmith 1999; and Etzioni 1961), but practice based on valuing opinion and facilitating voice can build and strengthen the relationship between a citizen and a state representative, and by analogy between society and the state. Police managers and other state administrators alert to the knowledge-producing capacity of conversation, model that exchange and a relationship of dialogue, commitment to understanding and responsiveness with their staff and encourage it between them and their clients (Dixon 2000).

With relationships as the second reason for education based on voice, I am aware of a risk of excessive alliteration as I look forward to rights, representation, repression and respect. While none of these is without merit, I think only one needs to stand alone. Repression or the prevention of it can be covered under the rubric of 'relationship'. The state has an

enormous potential for what Margalit (1996) calls 'institutional humiliation' through the instruments it uses to coerce individuals into behaving in certain ways. Legitimate coercion is usually balanced between the extremes of individual liberty on the one hand, and some version of the harm principle on the other (Margalit 1996). For Mill, the synthesis is between 'self-regarding acts' that are, in the first instance, not in the province of the state, and 'other-regarding acts' which fall squarely under the legitimate jurisdiction of society and therefore the state (Mill 1910 [1859-1863]; and August 1975): 'acts, of whatever kind, which, without justifiable cause, do harm to others, maybe, and in the more important cases, absolutely require to be controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind' (Mill 1910 [1859-1863]:114). Put simply, my rights usually leave off at your face.

Mill (1806-1873), like many philosophers before and since, stood on the shoulders of giants. In the pantheon of forebears, some of the most influential in the development of the grammar of liberalism are the four main social contract theorists of the Enlightenment – Hobbes (1588-1679); Locke (1632-1704); Rousseau (1712-1778); and Kant (1724-1804) (Solomon 2005). The core commitment of liberalism is individual liberty and social contract theorists, like Mill and other consent-of-the-governed theorists, were at the forefront of efforts to give a terrestrial justification to government (Russell 1961 [1946]), and reconcile individual liberty and collective security (Solomon 2005:637-640). A number of writers on liberalism, and all four social contract theorists mentioned above, use the state of nature as a starting point for their deliberations. This is variously based on a pessimistic or romantic view of human nature and it is also alternatively described as a pre-moral, moral or immoral state. Pre-political individuals and kin groups are free though and they do use coercion. The move to a political state – community and society grouping – is predicated on somehow better guaranteeing life, justice, the common good, and freedom. The standard stages of contract formulation – offer, acceptance, consideration – are used to explain how individuals concede certain or all pre-political freedoms and rights in return for access to a guaranteed and ultimately persuasive coercive power. Numerous writers on policing also use social contract theory, to legitimate executive coercion through public police action (Dunham & Alpert in Dunham & Alpert, Eds 2001; Kleinig 1996; O'Keefe

2005; and Neyroud & Beckley 2001). Reasoning along these lines, police become the instrument of the executive used to discharge the state's duty to uphold the remaining rights of the citizen. For Hobbes, these are very few.

In the *Leviathan* (1651), Hobbes paints his well known picture of life in nature as solitary, poor, nasty, brutish, and short. Escaping this nightmarish although purely hypothetical scenario, humans rationally enter into a covenant with each other to surrender their individual authority, and be bound by certain enforceable laws that enable them to live cooperatively in society (Russell 1961 [1946]). In other words, in exchange for the rights that flow from these laws of cooperation, individuals cede their 'natural right to everything' (Hobbes 1651 cited in Solomon 2005:618). Escaping the Hobbesian war and entering into a civil condition is largely an exercise in rational self-interest and self-preservation for Hobbes (Robinson & Garratt 1996). Individuals band together and set over themselves a common power '…with right and force sufficient to compel performance…' (Hobbes 1651 cited in Solomon 2005:619). Self-preservation is the ultimate dividend to a contract of servitude.

Locke subsequently overturns the pessimistic view of humanity and in the second part of his *Two Treatises of Government* (1689) asserts that '…every man has a property in his own person. This nobody has any right to but himself. The labour of his body and the work of his hands, we may say, are properly his' (1689 cited in Solomon 2005:637). From this basis, he argues that individuals enter into a civil condition to escape the inconveniences of the state of nature and to better guarantee their extant rights to life, liberty and property (Neyroud & Buckley 2001:20). For Locke, property is the bulwark of freedom and it is a rational choice, more tacit than expressed, that individuals enter into civil arrangements (*civitas*) in order to ensure and insure pre-existing moral rights, particularly the right to property and themselves. Arbitration comes at such a cost.

The problem of an ongoing contract and implied rather than actual consent is something Rousseau subsequently attempts to address. In his reiteration of social contract theory, taken up in a text of that name (1762), Rousseau's task is not one of historical justification,

rather it is one of normative prescription: how we ought to live. Rousseau's savage, far from being noble, lives the life of an animal slave to instinct, impulse and appetite. From living a pre-moral life in pre-political times mankind is subsequently corrupted by the social life and its crowding, competition, illegitimate coercion, technology and practices related to private property, the division of labour and class: 'Man is born free; and everywhere he is in chains' (Rousseau 1762 cited in Solomon 2005:622). In calling for a new compact, and a revised state, Rousseau is charged with making a significant contribution to subsequent revolutionary theory and practice including the American (1775-1783) and French (1789-1799) revolutions (Solomon 2005:621). His 'new deal' called for a strong direct democracy of association where self-determining individuals freely, and absolutely, alienate their rights to the whole community and become a people (Nozick 1974). 'Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole' (Rousseau 1762 cited in Solomon 2005:624). The general will is not a compromise, and it is not necessarily either an individual's particular will, or the will of all. Instead it is the intention, and the authority, of all citizens as members of the social whole and in consideration of the common interest. Whoever refuses the duty that is also their interest and their moral liberty, '…will be forced to be free' (Rousseau 1762 cited in Solomon 2005:625). Forcing people to be free subsequently caused a great deal of human suffering, but perhaps it is the practical difficulty with public deliberation and republicanism, in Rousseau's strong direct democracy, that leads to Kant's reformation of the social contract.

Kant, a liberal, democrat, pacifist, (Russell 1961 [1945]:618) saw freedom as a problem that 'the human mind will never give up' (nd cited in Solomon 2005:58). Freedom for him is the only innate right and the political condition can only be justified in its terms. Mere contingent and empirical goods or entities, like happiness, and the state itself as a means, are peripheral. As rationality is the defining feature of humankind, Kant calls on it, and freedom, to craft a social contract, that is itself an idea of reason, capable of justifying a coercive state (Machan 1983). The state is therefore a product of being true to our own essence and it is a means to freedom. For Kant to be properly human is to think and decide

for oneself. Thinking so, individuals necessarily arrive at civil arrangements whereby the state uses coercion only to maximise freedom, and all interactions are to be based on consent and rational agreement. The contract is a work of self-determination and is based on the categorical imperative to only '…act in such a way that you always treat humanity…as an end' (Kant 1797 cited in Nozick 1974:32). Kant's liberal approach and his possible contract justify a civil condition where individuals can maximise the opportunities to think and decide for themselves. In these moments, practical reason lets us arrive at duty, rather than say happiness, as an end. In doing our duty and exercising a good will, subject to rational principles as moral laws, we come to be (Kant 1797 cited in Solomon 2005).

What to make of all this? It seems responsible to say that the contract is an idea of reason, a means, for all four commentators and it represents the possibility of agreement on the basics of civil arrangements in a political state. The contract also marks the possibly fictitious, but understandably unreported, transubstantiation between a state of nature and a civil state. In the state of nature, the bounty of the 'individual's natural right to everything' is considerably offset by the fact that the obligation to respect that right, and any duties to uphold it rest with the claimant alone. Variously, each of the Enlightenment social contract theorists argue that the parties to the covenant, be they individual and society, individual and state, or society and state, concede a reduction in individual rights in return for state assistance in securing those. An individual right effectively becomes a demand against society and/or the state. The individual is bound to the course set by the terms of the ongoing contract in much the same way as an employee and an employer are bound. The contract is therefore not usefully considered as a one off, and arbitration is ideally based on the general will aimed at the common good and a fair distribution of the benefits and burdens of cooperation. For these purposes, the mechanisms of public deliberation – through direct representation or, more realistically, association in civil communities – furnish civil society. Policing is itself one of these.

In a final analysis all social contract theories struggle for empirical validation and avoid metaphysical justification, despite relying on early Greek ideas of humans as rational and

capable of entering into complex and abstract cooperative arrangements. Yet in the words of Machan (1983:144), they still point to:

> *Something very important: namely, the value of reaching agreement among human beings, and the justifiability of certain kinds of effort to reach it. For instance, when participants in the polis (a human community guided by sound judgement) can agree on how to maintain and preserve the proper standards of social justice (and on who should administer the effort), something crucial to the lives of the participants may well be achieved – eg, the efficient preservation of proper social intercourse. But here the contract does not form the ultimate basis of norms. Instead it establishes the method by which norms can be upheld and interpreted in the social context. That method is always open to evaluation. When consented to, however, something enormously valuable has been achieved: the prospect of successful maintenance of social justice.*

The question of where the balance between liberty and authority is to be found or made is open to much more discussion (following Morley 1921:102-103). The tension between prevention and punishment, say between crime prevention by curfew and punishment by imprisonment, illustrates the problem nicely. As does the conflict between various rights, say the right of workers to organise and the right of an employer not to deal with a criminal conspiracy. These are examples of Mill's standing antagonisms of practical life, or the great open questions of society (Mill 1910 [1859-1863]:107; and August 1975). As open questions these matters are not solved or answered, they can only be worked on; and in *On Liberty* the method proposed is the use of voice in free and equal discussion (August 1975:148). This ideal discussion is underpinned by the indefeasible right of freedom of expression and based on respect for opinion be it right, wrong or, more importantly and more likely, according to Mill, some of both. For Mill this is so much so that: 'If all of mankind minus one were of one opinion, and only one person were of a contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind' (Mill 1910 [1859-1863]:79). What is required then is a constant ear for the voice of those affected by a particular policy. For police managers, respectful exchanges built on reciprocal voice can guide the progress of a relationship torn this way and that by the forces of state obligations, individual rights, police discretion, democratic values and the use of coercive force (Marenin 2004). Again,

administrators need to model this discursive relationship with their staff, not just order them to adopt it in their dealings with citizens.

The problem of relationships, with the additional categories or considerations of rights, repression and respect, remains my second reason for civil administrators learning voice. The third and final reason is that of representation. It will be recalled that state-society relationships are in effect an abstraction from individual citizen and state employee relationships. The citizen, in other words, doesn't know the state and probably doesn't know her local parking inspector or dole officer either, despite regularly using their services. This can be read right to left as well. For example, the parole officer doesn't know society and can't be properly said to know even his regular clients. The fundamental question then is how, if at all, does the state represent and respond to the interests of the citizen? This is particularly the case in policing in Australia where eight centralized agencies do the work of, for example, the estimated 15,000 jurisdictions, often with locally elected sheriffs or chiefs, in the United States (Bryett 1997; and Edwards 2005). The case is even more dramatic in Bangladesh where a single police agency, of 140,000 personnel, polices the entire state of approximately 140,000,000 people. I have argued elsewhere (Wall 2007) that this agency has exceeded critical mass for reasons of representation and responsiveness and is now achieving diseconomies of scale.

Representativeness

In the diagram below the essential structure of the problem of representativeness is laid out (Figure 6.3). The citizen-consumer accesses services from the public servant, who is responsive to direction from the civil administrator. The administrator in turn receives direction from the government of the state. In this depiction, goods and services trickle across the state society divide and accountability is upwards in the state apparatus and downwards from the government to society. In reality the accountability chain through the state is often more layered but it is essentially as represented here.
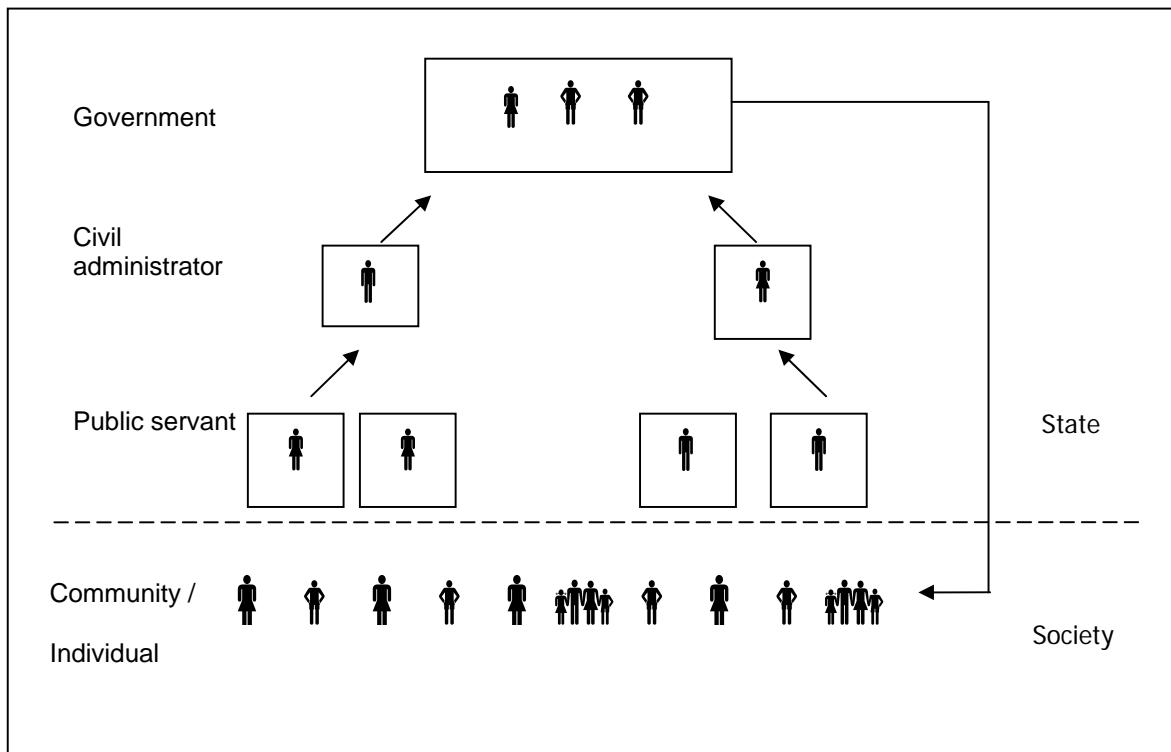
Figure 6.3: Responsibility and Accountability

There are a number of problems with these arrangements, the most glaring of which is structural accountability. The layers in the chain of accountability can also create particular communication and participation problems. This is even more so where service provision is corporatised, contracted out, or privatised (Smith 1997 cited in Baker and Budarick 1997). Contrast this to the corner store where the owner-operator is both responsible for providing the service, and the account, and is usually extremely vulnerable to customer migration. While it is the case in an Australian style, Westminster, representative, liberal democracy that the executive agencies of government are held accountable, through their minister, to parliament and through parliament to the people, in practice it is only strictly held to account every three or so years. Of course there are other mechanisms of account such as the various news media, standing commissions of enquiry and even civil protest; however, access to these is not without difficulty or cost for the citizen. This cost and difficulty is most likely to exclude from consideration those most disadvantaged in a society. Yet 'the

best guarantee for justice in public dealings is the [active] participation in their own government of the people most likely to suffer from injustice' (Morley 1921:126). Active participation in government is a matter of communication and it is more than communication via the ballot box every three or four years (Baker & Budarick 1997).

Citizen participation is part democratic ideal but it is more uncommon good sense. Participation by itself does not generate 'ownership', as is sometimes argued, what it does is increase legitimacy and build understanding, and through these it generates policy traction. The deliberative aspect of democracy relies on participation. Other problems, including failures such as no service available despite demand, and no consumer demand for a provided service, also point to communication as a problem. Critics of this thesis might argue that steps have been taken to improve communication: various community forums are conducted here and there, a department has a suggestion box on its web site, and the local government representative knows at least some of her constituents. Similarly, it can be argued that my characterisation of the relationship between the citizen-consumer and the public servant, as transaction only, is abstract. It isolates a particular example of poor service delivery and generalises from there. To be sure there are 'front line' teachers, police officers and nurses that do invest the exchange with a touch of humanity, but they are frequently cut off from the corridors of power. Perhaps the scarcity and subsequent treatment of whistle blowers is informative here (see Kleinig in Newburn, Ed 2005 for example). Either way, supervising civil administrators are accountable and responsive upwards to the government of the state and their attention downwards, in this depiction, is managerial rather than representative.

A third critique of my position might be that the fundamental problem of limited means indicates that the problem isn't communication at all. This can be the case and may even have been the case in practice. It is, however, difficult to reconcile with the almost violent overthrow of various governments at the polls, often much to their surprise and chagrin. Similarly, it does not sit well with the scandal-reform cycle in policing. Scandals in policing don't break because police were doing good work: preventing crime, contributing to the quality of life of citizens, and facilitating community and social cohesion built on

civic participation, not accidental homogeneity or dumb complacency. Governments lose touch as do departments and individual managers. The last negative reason for teaching Hirshman's (1970) concept of voice to civil administrators is therefore the problem of representation both for the citizen and for the state. A state better represented is better understood. Similarly a citizen better represented is, at the very least, less of a surprise. Voice is a two-way proposition that superadds to existing procedures but doesn't supersede them. Rationing, relationship and representation are the negative justifications for voice. The positive justification follows.

A possible state

In both John Stuart Mill's (1910 [1859-1863], 1925 [1843]; and August 1975) and William Frankena's (1970, 1980) senses, we can benefit from the development of a concept of civil society and sub-set communities that are unlike those currently occupied by ourselves or those around us. For Mill (1925), such a construct, arrived at as a conclusion following premises drawn from the scientific study of individual man, is a starting place for the science of the formation of character. In Frankena's (1980) depiction it forms the basis of an educational aspiration. Neither Mill (1910 [1859-1863], 1925 [1843]) nor Frankena (1980) are being hopelessly utopian in the arrested sense envisaged by Popper (1963; and Magee 1973). Instead, both are presenting concrete possibilities for alternative arrangements that are as optimistic as and not dissimilar to those of Habermas (White in White, Ed 1995). For these four thinkers, the desired end state is a process not a product and each in their way has a model society built on voice.

Various efforts at progress are being made, with varying degrees of success, and varying unintended consequences. Periods of critical transition and organic growth have alternated to bring us to the present day. Education, aspirational by definition, has played its part in all of this and has, it is proposed, its best part yet to play. This can be no other way if, as educators hold, education develops dispositions in learners that equip them, not to live in the shadows of those that went before but to surpass them. The relationship between teacher and learner 'is in fact, and nearly always also in law, a relationship between a

superior and a subordinate. But it is a relationship in which the superior, instead of claiming the right to dominate those who are inferior, takes on the duty to help, support and redeem them from their subordination' (Bobbio 2000:6).

Mill, Habermas and Popper might make strange bedfellows but all envisage a society built on and improved through the use of the free expression of opinion. Popper 'wants forms of society which permit of the untrammelled assertion of differing proposals, followed by criticism, followed by the genuine possibility of change in the light of the criticism' (Magee 1973:74). For Habermas, a 'discursive theory of democracy places discourse at the center of democratic theory, conceived both as a means of resolving disputes and enabling collective actions, and as a measure and justification of democratic institutions' (Warren in White, Ed 1995:168). Habermas looks to empower voice in a setting where 'no other force except that of the better argument is exercised' (1975 cited in Warren in White, Ed 1995:170). Mill (1910 [1859–1863]:82) on the other hand, calls for the clash of opinion as our only assurance of being right:

> *…the source of everything respectable in man either as an intellectual or as a moral being, [is] namely that his errors are corrigible. He is capable of rectifying his mistakes, by discussion and by experience. Not by experience alone. There must be discussion, to show how experience is to be interpreted. Wrong opinions and practices gradually yield to fact and argument; but facts and arguments, to produce any effect on the mind, must be brought before it. Very few facts are able to tell their own story, without comments to bring out their meaning. The whole strength and value, then, of human judgment, depending on the one property, that it can be set right when it is wrong, reliance can be placed on it only when the means of setting it right are kept constantly at hand.*

Voice for Mill, Habermas and Popper is the means for the educational enterprise and the means, and even an end state, for the steady and ongoing progress of society. Like philosophy itself, progress here relies on the clash of plausible beliefs. The task of the administrator and manager is to listen for voice and to facilitate and build it into their relationships with staff and, through them, with their citizen-clients. The alternative is to risk a potential unbalancing. To not listen for and facilitate voice is tantamount to an assumption of infallibility (Mill 1837 cited in August 1975) or a declaration of indifference. Democracy is discursive and the possibility of an opinion being right entitles

it to discussion (Morley 1921). The alternative to robust discussion is a gradual calcification of beliefs where the distinction between what is believed and what is known collapses under the pressure of unremitting silence.

Voice as risk

Before looking at Hirshman's (1970) concept, I want to put to rest another evergreen argument in policing relating to the danger of consultation. Tilley (2006) in his recent book titled *Why?: What Happens When People Give Reasons...and Why* argues that people use codes, conventions and two types of stories in reason giving. Police quite often use a technical story, rather than a personal story, to justify why consultation is potentially dangerous in policing. The story teller will usually approve of consultation but then qualify its appropriateness using a very particular and restricted scenario like a police raid (see Murray 2002 for example). Imagine a special operations group operative, minutes away from storming an embassy occupied by terrorists, being asked his opinion and saying 'but Sarge, I hate wearing black all the time'. Yet this isn't what happens among professionals and it is not a pressing argument in policing even if it was.

First, policing isn't so dangerous that it should organize and practice to exclude consultation. Garbage collectors are four times more likely to be killed at work and fishing is the most lethal employment according to US Department of Labor statistics (na 2000a). Next, professionals like wearing black, or at least they know that just prior to a raid is not the time to raise the issue. Hot action stories from the aviation industry, and flying is more dangerous than policing (na 2000b), consistently identify 'the human error aspects of the majority of air crashes as failures of interpersonal communications, decision making, and leadership' (Helmreich, Merritt & Wilhelm 1999:19). Crew Resource Management (CRM) originated in NASA in 1979 and has since permeated civil and military aviation. The central idea is to reduce pilot error by making better use of crew members in decision making. CRM is introduced to:

    a) avoid error,

    b) trap error in progress, and

c) mitigate the consequences.

Essentially it is to counter authoritarian behaviour, better known as the 'Wrong Stuff'
(Helmreich, Merritt & Wilhelm 1999:20). Police failure can be as catastrophic as an
aircraft crash but consultation is seldom found to be the cause.

Exit or voice?

In 1970 Albert Hirshman first published his concept of exit and voice and he continued to
refine it well into the 1990s (Keeley & Graham 1991). 'The assumption is that under any
economic, social, or political system, individuals, business firms, and organisations in
general are subject to lapses from efficient, rational, law-abiding, virtuous or otherwise
functional behavior' (Hirshman 1970:1). In its simplest form the theory allows that a
customer faced with inefficient, ineffective or inappropriate service provision can leave the
restaurant or complain to management. A slightly more complex iteration is shown below
(Figure 6.4). As can be seen, the variables of exit and voice are not mutually exclusive and
can be variously combined to give four response choices to the customer.

Voice	Voice – yes Exit – no	Exit – yes Voice – yes
	Exit – no Voice – no	Exit – yes Voice – no
	Exit	

Figure 6.4: Exit and Voice

That most of us have wanted to participate in a stormy walk out from an appalling
restaurant, the exit with voice option, but haven't, alerts us to the fact that the framework
may be descriptive of behaviour yet it is not able to tackle the normative dimension of it.

This is not a failing. Hirshman's (1970) original thesis was constructed for organisational improvement in the open market of high competition and readily available information. Here, exit is a hard hitting almost instantaneous communication with the service provider such that high volume exit will effectively shut the organisation down. Correction, discipline and education by the market mechanism doesn't get any clearer than this, although it can be a particularly expensive lesson all round. 'Voice is not so neat but it is often richer in information than exit, containing explicit suggestions concerning how organisations might respond to participant expectations' (Keeley & Graham 1991:350). Voice needs to be listened for and facilitated by the organisation and will also involve some investment by the customer. This is where the confounding variable of loyalty comes in. Customers loyal to a firm may choose to ride out a rough patch of trading in expectation of medium or long-term correction and reward. Customers like this delay exit and are therefore more likely to use voice. Unless corrective action is taken, though, even rusted-on customers will break away and the organisation fails.

While loyalty and even morbid fascination may delay exit, there are a number of other barriers to both exit and voice that present in a market more characterised by poor information, limited competition, and inequity rather than by freedom of choice. To look quickly at some of these it is informative to take another perspective on Hirshman's (1970) work. Above we saw the framework used to interrogate the customer and private sector service provider relationship. This can be expanded to take on any relationship between an organisation and a participant, including an employee, a member, a citizen, or even a supplier. Taking the first of these we can see that an aggrieved employee is faced with all four exit-voice choices but may well delay exit because of loyalty. The matter of exit becomes more complex when we consider the opportunity cost of looking for and finding new work, and the sunk costs or investment of long service in a particular firm. The final straw of working for a monopoly provider, say a state police force, effectively closes the door on exit. As Mill warns, 'men might as well be imprisoned as excluded from the means of earning their bread' (1910 [1859-1863]:92).

Unfortunately, monopoly or otherwise exclusive providers don't usually listen out for voice. There is a transaction cost to listening well and managers will not pay it lightly. Organisations in open markets are likely to be better at listening for voice. The successful manufacture of short run customised products, for example, depends on an open approach to the environment, employee participation in decision-making and devolved authority. Moreover, tight competition in a market means quality conscious customers will exit early. These discerning customers can afford the opportunity cost and are often trend setters. Capturing their voice is essential in a crowded market. 'Cultures that emphasize hierarchical authority, on the other hand, discourage voice' (Kolarska & Aldrich 1980 in Keeley & Graham 1991:351). An employee, effectively trapped and silenced, with no voice and no exit, may begin shirking work, day dreaming and even engaging in sabotage (following Keeley & Graham 1991). For the citizen with no exit, no voice and no respite the prognosis is even worse. There is a high human cost to no voice, no exit situations.

Learning and teaching voice

Voice, what Fielding later called talk (1988 cited in Marenin 2004), is often used by police patrol officers to defuse or calm down a situation (Heidensohn 1994). Academies now include courses in 'verbal judo' in relation to officer safety training, but it is more a reaction to public concern over police use of deadly force than police interest in consultation. Nevertheless, it is a welcome turn of events if a late one. However, the emphasis on talk is only half the story. 'The most interesting characteristic of police work revealed by recent studies is the importance of communication skills. Five of the six most common actions taken by police … interviewing, interrogating, lecturing or threatening, giving information, and giving reassurance' (Sheehan & Cordner 1995 cited in Marenin 2004:114) are related to it. Unfortunately, the overwhelming picture is one of police talking at people.

Not listening to or for voice can be based on ignorance but it can also be based on arrogance. This is what Mill (1910 [1858]) refers to as the arrogance of the assumption of infallibility and it can be the arrogance of the one or the many. The opposite is the open-

minded and many-sided person who uses logic and imagination and pits them against other opinion (August 1975). Weaned as he was on the art and arguments of Plato (August 1975), Mill uses dialogue to build a picture of how this individual develops his dispositions by asking: 'In the case of any person whose judgement is really deserving of confidence how has it become so? Because he has kept his mind open to criticism of his opinions and conduct' (Mill 1910 [1859-1863]:82). 'The beliefs which we have most warrant for have no safeguard to rest on, but a standing invitation to the whole world to prove then unfounded' (Mill 1910 [1859-1863]:83).

Things are with one another in many ways. How we see the world, what perplexity, puzzles and problems we uncover frames our thinking and is framed by it. 'How we see the world depends upon the concepts through which [our] experience is organized, objects identified as significant, descriptions applied and evaluations made' (Pring 2000:24). Concepts can be and are ordered differently. Pluralism in experience, perspective, hypothesis, methodology, discipline, and values will result in different ways of thinking about the same thing (Popkin in Garver & Buchanan, Eds 2000). Alternative opinions can be right with obvious benefits, wrong with the benefit that they serve to test the dominant viewpoint, or more importantly, and more usually they can be a mixture of the two. To suppress an opinion is to repress an opportunity.

It is well established that the main work of the professional administrator or police manager is exercising judgement in the creation of 'public value' (Moore 1995:28; and Stewart 1999). In discharging that function, they need to be able to give an account of their practice and its intended outcomes and possible unintended consequences (see Downie 1999 cited in Dewhurst & Lamb 2005). Professional administrators are managers in the bureaucracy of the state and most are leaders in the policy process. The work at this level is based on the functions of planning, leading, organising and controlling. Opinion is a resource in the process and systems have to be established to find, facilitate and farm it. This is not a once-in-a-while proposition. The capacity to hear voice depends as much on recency as it does on intent. It is a part of the hubris of the elite that voice can be turned on and off, or listened for, or to, on occasions that suit.

'Exit, or the threat of exit, because of the way it equates with the traditional competitive mechanism of the market is significantly more effective than voice in improving service performance, especially where the customer's voice in expressing either satisfaction or dissatisfaction with the services provided by government is merely that provided by the ballot box' (Baker & Budarick 1997:102). But exit is not available to the citizen in most circumstances nor is it easily available to the public servant as employee. Managers and administrators need to be other regarding and they need to build other regarding capacity into their workforce. This is more than a matter of consulting the usual suspects as listening actively for voice builds voice. Staff are no longer just 'monologuing in unison', providing rote answers or parroting the party line; they are participants in the full policy process (Overstreet & Overstreet 1956:283). Importantly, the police manager's policy hand is strengthened – they have hard information directly from the field and this knowledge of the constituency is the ultimate dividend of voice.

The value of voice and its application can best be taught to the civil administrator through experience and discussion. Experience is, however, an expensive, cruel, and sometimes consistent teacher, so the educative technique preferred by Mill is that of a mix of instruction and dialectic: instruction in 'the ascertained results of human experience' and dialectic around fact and the emotional sense of fact (Mill 1859 cited in August 1975:156). Opinions based on supposable and actual cases are the combatants in this clash, but the real enemy is a dishonourable truce (August 1975:153-154). For Mill 'no wise man ever acquired his wisdom in any mode but this: nor is it in the nature of human intellect to become wise in any other manner' (1859 cited in August 1975:151).

Mill is the great synthesiser of contraries: science and art, freedom and authority, progress and permanence. For him, it is through logic – the science of reasoning deductively and inductively – and argument, that defendable and defeasible beliefs can be arrived at and acted on. For most of us, neither wicked nor good, neither wise nor foolish, the clash of opinions and the clash of the dialect brings clarity and question to our views. Toxic adherence to one convention or one opinion is put aside in a celebration of the complexity

of the ongoing, enduring, open-ended, and standing questions of social life. This involves a realisation that the problems of significance in human life don't get solved, they get worked on. Conceptually, normatively, and prescriptively there may well be solutions, but in the day to day, the cut and thrust of life in community this is a matter of negotiation, argument and synthesis. To be persuasive here, to be successful, to make a contribution, is to have and be allowed to execute voice. This is Plato's best guardian: 'the power of reasoned, educated speech … the sole preserver of excellence for its possessor all through life' and the sole guardian of civil society (Strong in Strong, Ed 1992:50).

Conclusion

Voice is not a replacement for all that has gone before but it is more than Hirshman's (1970) description of a choice available to a consumer in a competitive market. Voice is a lever for better service delivery in the public sphere but it is more a measure itself of civility in a society. It is dependant on capacity, capability, competency, and currency and can't be turned on and off. It can't be conjured from silence, and, in a healthy state, it can't be ignored. Voice is a guardian and a guide and 'the best guide is not he who, when people are in the right path merely praises it, but he who shows them the pitfalls and the precipices by which it is endangered; and of which, as long as they were in the wrong road, it was not necessary that they should be warned' (Mill 1859 cited in August 1975:41).

For the police manager voice is a three-way proposition. First it contributes directly to the fidelity and good faith in their relationship with their staff, second it empowers the citizen-consumer and finally it strengthens their policy hand with the government. Voice is rich in information and policy built on voice can be better articulated and argued than policy built unilaterally. It is therefore resistant to the replacement cycle, whereby policy supersedes policy not because it is better but because it is new. Voice is a guardian for the individual and the system, and it is as important when we are right as when we are wrong. Its appreciation, facilitation and employment is proposed here as a worthwhile disposition for police. In particular it is argued as a disposition – in the full sense of knowledge, emotion and will (Hager 2000) – that must be encouraged in police management education. Current

educational prescriptions are more corporatist than democratic and Hirshman's (1970) lesson may be old but it isn't learnt. The techniques for teaching and learning voice are addressed in the next chapter.

CHAPTER 7

The Case Study Method: Making the Most of a Strong Storytelling Tradition

Fiction aims at a fuller truth about human life than research does,
but [fiction] gets airborne by shedding the burdens of authentication.

<div align="right">(Stenhouse 1982:4)</div>

Introduction

Storytelling is embedded into the culture of emergency services, and it is a powerful medium both for replicating or even changing that culture. Police narrativity and 'textual-discursive forms of police practice' even have their own lively following in the literature (Campbell 2004:695). Rather than rail against the anecdote, trainers and educators should harness the tendency. Storytelling by experienced emergency services personnel, and the facilitated, critical and reflexive examination of those stories, can be usefully used in the education and development of police managers. The focus of this chapter is on the selection of teaching methods and theories that support the acquisition and individual development of knowledge, skills and attitudes, or dispositions, suitable to good police management. I work here to join a strong tradition of storytelling in emergency services to a body of literature on the case study method. The intention is to propose the combination of storytelling, and case study, as a viable educational method for fostering appropriate dispositions for police service managers. The combination might usefully be titled 'critical storytelling'.

Essentially I am looking to outline my proposal for a recommended way of teaching police management in accordance with Frankena's (1970) analytic philosophy of education. To ensure that my proposal is convincing, as to its merits relative to other approaches, I first establish the veracity of storytelling as endemic to the culture of emergency services. I then move to draw some parallels with the case study method. The case study method itself will be introduced and interrogated as a research and teaching approach relevant to this field. Throughout the chapter, the attempt is to build on and acknowledge the strong storytelling tradition, and to show why this tradition lends support to the proposed teaching method.

For reasons of space only, my discussion here is limited to general management, made up of the functions of planning, leading, organizing and controlling, rather than police operations, incident or event management. Similarly, the analysis is of the utility and appropriateness of the case method *qua* method not as the acme.

Standard experience

Experience is, according to the stories of many police officers, the best method for learning police practice. Some would go as far as to argue that there is no substitute (Bayley & Bittner in Dunham & Alpert, Eds 2001:82). From this it seems to follow that the most experienced officer would be the most accomplished practitioner, that those without experience cannot know policing, that any and all policing experience is educative, that experience provides both the material and the method of learning, that an officer stands naked before each new experience, and, the corollary, that each experience teaches something different. Quite apart from what could be called the 'goldfish meets Groundhog Day problem' (whereby an inquirer, reputed to have no long term memory, experiences the same day everyday (named after the popular movie) but learns nothing), none of these implications are the case and this was largely explored in Chapter 4. That aside, experience is a quirky, deceptive, fallible, expensive, and sometimes dangerous 'teacher'.

The reliance, at least rhetorically, on the primacy of experience as a method of teaching police practice raises the question of what is being learnt. Less charitable commentators might quip that experience is just the ability to recognise a mistake when it is made again. Police practitioners resist the generalizations of theory mainly through an argument based on the specifics of each situation (Bayley & Bittner in Dunham & Alpert, Eds 2001:93). The logical contradiction here is evident as if every situation is different, and sufficiently so, then the best that can be learnt is a skilful retelling of the situation. The conclusion that 'the butler did it' is now just an interesting turn of events rather than a viable hypothesis for the next case. Joking aside, experience can be a resource for learning (see Hager 1991) and it is sufficiently a matter of routine to allow useful standardization (Rescher 1994). Relying

on how things usually stand, as a rule, with some explainable exceptions, is actually how police practitioners build their knowledge base.

It is a truism, but not trite, to note that 'life consists primarily of the ordinary and the commonplace' (Rescher 1994:36). People around the world, especially women, chop wood and carry water. In police work, too, some things happen that have happened before, more or less. A standardistic philosophy of policing, particularly a standardistic epistemology, is conceptual not empirical, but the concepts must stretch to cover, to admit and explain the experience. In policing, not knowing exactly how things are, how they always go, everywhere and inevitably, is not a sentence to the life of a goldfish. Useful generalizations are possible. For example, an officer drawing a weapon across the body, say a right, master hand draw of a left, waist-holstered weapon, is slower, more open to interference, less accommodating of instinctive or un-aimed shooting and hence more dangerous that a right-right or left-left draw. This is essentially an iron law but in Bangladesh, for example, it is either unknown or ignored. Getting a bit more complicated, studies of patrol tactics have consistently identified 10 or so choices at each of three stages: 'contact, processing, and exit' (Bayley & Bittner in Dunham & Alpert, Eds 2001:91). Experienced officers have multiple stories on how these choices panned out and they are sufficiently consistent, especially on what not to do, that generalization is possible.

Rescher's (1994) work on philosophical standardism is virtually unknown and yet it accords best with how good policing can be done and how good police actually practice. Rescher (1994) steers a path between an empiricism built without exception on raw experience, and a methodology questing for unqualified universality, statistical certainty, and scientific precision. In a standardistic generalization, the material of experience becomes a resource for knowledge that stems from a limited rather than strict universality. An open-ended idea of what is usually, ordinarily, normally, predominately, and mostly the case becomes a norm or rule of action. For police, standardism sits between barren universalism and crippling particularism. The restrained generality of a non-trivial, open-ended knowledge claim, based on the critically interpreted empiricism of recent, active patrol or police management experience has value. Where personal experience can be used

as a learning resource (Cervero 1992; and Hager 1991) it should be. Where that experience is absent, or difficult to obtain, then the experience, the stories, the cases of others can be used in its stead.

Storytelling traditions

Storytelling is one of the ways individuals seek to validate, and sometimes embellish, their experience and practice. In the telling, the story passes on information on values, practice and lessons learnt. Stories are often, and mainly, the means by which organizational culture is replicated, reinforced and reinvigorated (see Bartol et al 2001:82 for example). Herreid (1998:163) notes that 'stories are … natural allies in the transmittal of the wisdom of the tribe from one generation to the next.' In the emergency services field, as in most action-orientated and action-based vocations, there is a strong storytelling tradition (see Seabrook 1987 for example). The action-orientation of most stories can contribute, in part, to the downstream non-critical acceptance of the supposed lessons contained therein. War stories told un-critically, particularly to recruits (Rauch 1992), are often triple indemnified by the charisma, rank and experience of the storyteller. This is problematic in formal education and techniques need to be identified, and steps taken, to uncover and overcome what can be a doggedly tenacious mix. The research concept of triangulation, alternative voices for example, is one such technique. Regardless, the case study method is itself a technique of uncovering power and privilege and a case study, on storytelling, is not a bad start when introducing using the method.

In my experience, the emergency services and the armed forces rely on inter-action storytelling to reinforce, and indeed to introduce, certain values and practices. There is also a kudos associated with having been at a certain scene or incident. The resulting 'war story' both celebrates and advertises this. The sort of 'hot action' that occurs only occasionally in policing, for example, yet seems to characterize that work in the popular imagination, is usually short lived. By their nature, war story type events will usually only involve a few actors, say the first and second responding crews, in key positions. Most police work is, after all, fairly routine and dull, sufficiently so to have been described by more than one

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retiring officer as 'years and years of boredom punctuated by moments of stark terror'. The attraction to action is therefore quite strong, even understandable, and most jurisdictions have experienced problems with an over-response to certain incidents.

In my own practice I became aware of a service that had difficulty meeting its mid-week, night shift, patrol car commitment. Yet the same service managed to field nearly three times that number of cars, at short notice, in response to a high-speed pursuit. Officers attended from all over the command area 'just in case' – just in case they could help, just in case they could get into the action and, arguably, just in case they could at least see something that might sustain a later anecdote or story.

None of this is problematic. Indeed it is appropriate for emergency services, and police in particular, to have an orientation to action. For the most part we can accept the consequences of this, including a temporarily reduced response to lower priority incidents, and some elaborate storytelling, rather more easily than the reverse. From this penchant for at least the rhetoric of action there can emerge a fixation with the 'front line', if there is such a thing, and a deification of the operational officer at the expense of meaningful consideration of other issues. General management, not so much incident or event management, can be one of these.

Stories of good management do not abound in policing (in fact it is probably fair to say the opposite). This is not to propose that examples of good practice are similarly rare. Successful teams and competent individuals are not 'found', they are not in nature, rather they are recruited, selected, trained, deployed, equipped and remunerated. Good management puts the rescue team, for example, into the vicinity of good practice and the resulting good practice story implies, at least in part, a good management one. What is required is a harnessing of the story telling process to deliver good management content. Suitable stories, cases in other words, need to be built up by educators and trainers (Rauch 1992). 'All police management training should begin and end with a celebration of good policing' and stories are a perfect medium for that and, arguably, for what goes on in between (Bradley and Cioccarelli 1989:7).

Good police management

Simple dichotomous thinking, generating clichéd oppositions or dualisms, like theory/practice and front line/management, is not easily challenged when even at the highest levels police management is held out to be fairly matter of fact. A recent state police minister noted, in his address to a graduating police management class, that 'police management is not rocket science' and that it is at risk of being over-intellectualized (Costa 2002). It is my contention that there is a gap in the current language and grammar relating to policing. In short, what words we have, concepts we can express, and what the rules let us talk about curtails the debate. The fixation with the 'front line' and the 'coal face' and the concurrent deification of the operational police officer has effectively stifled critique on police responsibilities, performance, and accountability. There is only one line on policing today, and it is a diatribe related to increased police numbers and wider police powers. Closely associated is the juggernaut of police wages. To speak differently about police is to be 'soft on crime' or somehow hard on police.

Policing as practiced in Australia is an expensive service. A probationary constable in New South Wales, for example, earns approximately AUD $50,000.00 per annum and it requires six constables, employed full time, to staff a 24 hour, seven day a week police position. With no allocation for equipment and on costs, an around the clock shift of a desk officer and a two officer patrol, costs one million dollars per year. For state governments in Australia, every extra police officer means drastically less capacity in health and education. Resourcing and staffing decisions in policing need to be largely made by the people who are responsible, and will be held accountable, for police performance. Police managers need to build their capacity to participate in public policy development, and they need to take the initiative in developing argued, defendable, evidence-rich proposals and practices for policing their jurisdiction.

What is largely missing from the contemporary considerations of police services management, are those topics related to its higher level functioning and philosophy of

practice. Questions such as 'why we serve' (Hermitage 1999) and 'how management can directly support service delivery' (Small 2002) need to be routinely appraised. Similarly, questions relating to learning and professionalism as advanced by Ramirez (1996) require examination. At some stage, though, we need to mainly concern ourselves with how management can be good in both senses – technical and ethical (Gardner 2002). Robbing schools to pay for more police, or denying proper aged care to do the same is neither. Police managers need a robust philosophy of practice that supports an epistemology, a methodology and an ethic of policing a liberal democracy.

Most emergency services managers learn their professions essentially as apprentices learn their trades. There is always a degree of 'looking over the shoulder' of a manager or supervisor, which is supplemented by some brief classroom-based exposure to management theory. The result is largely a continuation of the status quo now underpinned by a pet theory or popular opinion. Managers rely upon satisfactory practice, and theory or opinion that corresponds, rather than critical research and action learning to inform their decision-making. There are a number of reasons for this but one that can be relatively easily changed is the practice of management education.

Because management practice is amenable to change and isn't yet faultless, what is required is a clear path that breaks with traditional practice and a license to tread that alternate path. In other words, any alternative and hopefully good management prescription needs to be sanctioned and modelled. It is my contention that part of that modelling work can be done through critical storytelling, and the vicarious learning available through the case study method. Management educators in the policing can use the case method to both research managerial alternatives and to teach them. Research is, after all, a process of inquiry leading to understanding, while teaching is a process, at least in part, of facilitating the development of understanding in others. Critical storytelling should also involve students as critical listeners and researchers who can be assisted in seeing through the simplistic management prescriptions, written by so called maverick CEOs, that are popular in some police management schools.

Research and learning using the case study method

The case study method is generally seen as a set of rules, procedures and techniques that stand in fairly stark contrast to the usual suspects of experiment and survey based research. According to Walker (1980:33), a case study is, 'the examination of an instance in action'. He continues, 'the study of particular incidents and events, and the selective collection of information on biography, personality, intentions and values, allows the case study worker [writer, teacher, student] to capture and portray these elements of a situation that give it meaning' (Walker 1980:33). Essentially case study research is descriptive and the task is centered on the portrayal of just what is going on in a certain individual instance. The case researcher looks to provide a thick, rich description of context, specifics, individuals, groups, generalities and uniqueness in the face of questions such as, 'What is happening here at Newtown police station?', 'What is it like to be a manager here?', 'How can others share this experience?'. The case study researcher first builds the portrayal of the case under examination and does this through techniques such as participant observation, unstructured interviewing and document examination. The intent is to produce a fine-grained description with an emphasis on 'illumination' through the specifics of the case (Stenhouse 1978).

Hussey and Hussey (1997) describe case study research as research from the phenomenological paradigm. Descriptive research of this type works under the rule of openness and 'is concerned with understanding human behaviour from the participant's own frame of reference' (Hussey & Hussey 1997:52). The contrast is usually made with the positivist paradigm and the dualisms of quantitative/qualitative, objective/subjective, scientific/humanistic, experimental/interpretive, and positivist/constructivist are well explored in the literature on methodology (Hussey & Hussey 1997; see also Merriam & Simpson 1995; and Delandshere 2002).

MacDonald and Walker (1975:4) add that 'as a method of research, the case study commands a respected place in the repertoire of theory builders from a wide range of disciplines; medicine, law, engineering, psychology and anthropology are examples. The

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case can generate a theory as well as test one; instance and abstraction go hand in hand in an iterative pattern of cumulative growth'. Yin (1993:xi) notes that 'the method is appropriate when investigators desire to a) define topics broadly and not narrowly, b) cover contextual conditions and not just the phenomenon of study, and c) rely on multiple and not singular sources of evidence.' As management is largely a matter of decision-making, the overall aim of a management case study is variously to; explore, describe, illustrate, test, explain or exploit certain decisions within particular contexts, among various agents and from multiple perspectives (Hussey & Hussey 1997).

Inevitably, the case study researcher brings a certain bias and subjectivity to her description. Fortunately, the requirement is not for the investigator to select another method or even retire, rather than to acknowledge and report their 'own relationship to whatever constitutes the focus of the enquiry' (following Kierkegaard 1974 cited in Cohen & Manion 1994:23). Kemmis refers to this as the requirement for the case study to 'go some way towards articulating its own limitations (1980:110). Limitations are important qualifiers at any stage of research, but arguably they are more important during analysis and interpretation, if and when these are undertaken, as these steps depend almost entirely on practical and not theoretical decisions relating to the study. Regardless, the aim in the research is not an elusive objectivity it is towards a critical and discursive inter-subjectivity (Stenhouse 1978:33). The measure is almost the same for community policing.

Eventually, case study research and teaching needs to stand or fall on its utility as a means to a selected end. While ends will vary, it seems reasonable to suggest that the case study will have 'understanding' as at least one of its objects. Accordingly, the illuminative-descriptive case is a case in point. I can recall the matter of a police officer who became too overweight to fit into a patrol car. Such a case can be used to 'floodlight' a general area of management concern, say, managing the recalcitrant or depressed employee through the technique of 'spotlighting' a particular manager-employee relationship. The case description would allow the reader to vividly experience the 'instance' (the officer, the car and the altercation between parties). The question can then be asked (appreciating that the study is socially and culturally constructed both as a case and as a study) 'what is there in

this case study that I can apply to my own situation, and what clearly does not apply?' (Walker 1980:34). The emphasis is on the reader as problem solver/practitioner and this is so even when interpretive explanation or naturalistic generalisation is attempted by the case study author. Such a strong 'reader' focus allows the case study the extreme luxury of an end outside the sometimes esoteric and narrow world of research. The end proposed is wise action as a professional practitioner.

Teaching and learning with cases

Yin (1993) provides a detailed description of case studies as a research tool that clearly points to their utility as a teaching and learning method. By classifying case studies as exploratory, descriptive and explanatory, Yin appears to be targeting the higher level learning objectives of application and analysis (Bloom 1956 cited in Grossman 1994:7). Leenders, Mauffette-Leenders and Erskine (2001:5-7) make the link more explicit when they note that the case study method permits participants, including the storyteller, writer, educator and students, to 'learn by doing and teaching others'. They maintain that the skills developed from the approach include:

> a) 'Qualitative and quantitative analytical skills, including problem identification skills, data handling skills and critical thinking skills.
> b) Decision making skills, including generating different alternatives, selecting decision criteria, evaluating alternative and formulating congruent action and implementation plans.
> c) Application skills, using various tools, techniques and theories.'

The method itself is not new as a pedagogical device or teaching practice. Although it is often attributed to the Harvard Business School, or more generally to the teaching of law and medicine (see Hunt, Entrekin & Popp 1977; Gray & Constable 1983; and Davis 1998), Mauffette-Leenders, Erskine & Leenders (2001:v) claim that the basis or origin of the case study is the Socratic method. This is the method of teaching, not by telling, but by asking. The facilitator uses participant discussion and guided questioning to move through the case, to introduce variations and hypotheticals and to test conclusions, generalizations,

rules of thumb. The process is critical, it calls on participants to give reasons, to know why something should be done or is the case. Most importantly it demands alternatives and uncovers assumptions.

Police management, as a paradigm practitioner discipline with an orientation to practical problem-solving, decision-making and action, can benefit from case based teaching. The case method, with its focus on action in real settings, can be used in the profession to validate and extend good practice. Cases that are practice based and problem-orientated can inform novice and experienced practitioners alike. Equally important, exposure to the case study method allows research to become part of practice. Cases are digestible and they accord with the practitioner culture. They do not intimidate like other forms of research, they extend the reach of personal experience, aid practical deliberation, and assist reflection.

Practitioners competent in the method can experience new or other instances, and will also become better skilled in interrogating their past and current professional practice. The intention is that the practical knowledge of experience is extended and that some of it is even made explicit as propositional knowledge for the cumulative benefit of the individual practitioner and the profession. Additionally, Merseth (1994:1) reports that case studies have utility by exposing users to multiple perspectives. Students interpret cases differently and knowing this helps them to better appreciate and work within a pluralist society. Accordingly, case study students can grapple with the central normative issues of public service within the relative safety of an educational setting.

The basic goal and principles of a philosophy for emergency services management must be based on good management practice, and not on any apartheid of knowledge. Good management is good in both senses of the phrase: that is, technically and ethically (following Gardner 2002) and will be appropriately made out in the dimensions of:
   a) knowing how to do something,
   b) knowing what should be done, and
   c) knowing why.

Management of this type will depend not on scientific generalisations and replication but on decision-making and judgment that is true to context, defensible, and even defeasible. In other words, decisions will need to be reasonable in the circumstances.

Case study research, and the case study method, can directly address practitioner concerns with good work and as such emergency services managers are 'natural case study workers' (Walker 1980:34). Decision-making is their primary work and each decision is made in the absence of textbook answers and 'silver-bullet' solutions. As Thompson and Strickland (2001:C-2) put it, 'each managerial situation has unique aspects, requiring its own diagnosis, judgment and tailor-made actions'. The case study method straddles the chasm between passive methods of classroom instruction and inherently risky and expensive workplace learning. Learning is by doing, but, the action of the instance is vicariously experienced and the analysis, discussion and subsequent reaction are done by the learner as a surrogate to the original case actor. The essential premise is that through knowing one instance we are better prepared to know another. The emphasis is on what often, frequently, usually, or generally happens and what can be done about it. The significant variables, in a real setting, give you a feel for managing uncertainty rather than a knack at law-like prediction.

Room for improvement

For the unreconstructed positivist, case study research was once and possibly still is seen as the product of 'misplaced precision' (Campbell & Stanley 1963 cited in Hamilton 1978:82). The attempt at describing and understanding just what is happening in a social setting is not seen as aspirational or laudable, it is rather simply dismissed as, at best, a deviation from academic discipline (Yin 1994:xiii). Indeed, the long list of objections to case studies is made up entirely of academic objections – validity, reliability, representation, generalization, sampling, control, correlation, replication and induction to name a few. However, while most of these can be argued, even within the academy, they are not held to be primary concerns among practitioners. As Walker (1980:34) has noted, practitioners are 'natural case study workers … they all tend to make judgements on the

basis of knowledge of the particular instance, rather than by reference to research findings'. They are not looking as researchers for penultimate 'truths', merely guidance for good practice.

The case study method is proposed as a method of outstanding utility in the preparation of decision-makers for complex social settings (McAninch 1993; Hunt, Entrekin & Popp 1977; and Gray & Constable 1983). The practitioner student is immersed in the detail of a researched instance, and required to hone their skills as a decision-maker. The objectives of the method in this context are to:

a) increase understanding,

b) build analytical skills,

c) practice planning,

e) enhance judgment, and

f) gain detailed exposure to varied contexts (Thompson & Strickland 2001:C-3).

The main objection to case study research and to the case study method is based on a conceptual difficulty with generalizing the results to cases or contexts beyond those actually studied (Hussey & Hussey 1997). Generalisation is at heart a matter of induction and under the tenets of experimental and survey based research (statistical-experimental research) it is treated as a rule-governed technical issue (Hamilton 1978). For case study research Stake (1978 cited in Winegardner nd:11) describes the process as 'naturalistic, that is context specific and in harmony with a reader's experience, and thus a natural basis for generalisation'.

For case study teaching, Hamilton (1978) proposes a context based interpretation that generates provisional generalisations for verification through comparison and action. In essence, Hamilton (1978) calls for a way of knowing that fits my earlier prescription for a reasonable, defendable, defeasible basis for management decisions (see Rescher 1994). Police management is a social and action based profession. Accordingly, knowledge in the field can only have utility in light of informed action in a social setting. The crucial ingredient is judgment and a first test of that can be drawn from Walker (1980:45) who

writes that, 'case study research relies heavily on face validity – the judgement that the results seem to fit the reality.' As the problems of emergency services management and case study research are seldom mechanistic, or technological, evaluation of possible solutions needs to take into account the complexity of the case.

The idea of an initial judgment based on face validity is useful. The concept is similar to Weir's (1976 cited in Kemmis 1980:111) construct of 'rationality as reasonableness'. Weir argues that justification is contextually embedded, except in the sense that the aspiration to be reasonable is overarching. 'Being reasonable implies a willingness to give good reasons. What count as good reasons will vary from situation to situation, and will depend upon the claims being made for a course of action and upon what concrete aspects of the situation are regarded as problematic. Rationality as reasonableness denies the claim that universal criteria can be given for the justification of action'.

Loosely combining the case study method with the best of rationality as reasonableness (Weir 1976 cited in Kemmis 1980), naturalistic and provisional generalization (Stake 1978 in Winegardner nd; and Hamilton 1978), Popper's (1963) ideas on falsification, Walker's (1980) on face validity, Hager's (2000) logic of action, the critical, rather than vulgar pragmatism of Cherryholmes (1988 cited in Pennycook 1997), and even Mill's (1925 [1843]) utilitarian empiricism, it is possible to arrive at, or at least near, Rescher's (1994) philosophical standardism as a justifiable methodology, a useful epistemology, and a working method for police management research, education and practice. Standardistic generalizations fit social and human affairs and policing in particular, they are open to revision in light of better evidence, they fit what is ordinarily or normally the case (not what is unexceptionally or necessarily so), they admit occasional rare exceptions, and they provide cogent, defensible answers to pressing questions of action.

Philosophical standardism fits life: other things being equal, as a rule, and generally, birds can fly, humans can reason, and water boils at 100 degrees Celsius. Major exceptions, if any, constitute a highly biased sample, any other exceptions are minor, and both categories can be explained (Rescher 1994). The generalizations remain useful given this life in this

world, and the benefit of the doubt goes to the normal or the ordinary experience and not to the extraordinary remote spoiling possibility. Standardistic generalizations from case studies, and from experience, generate an open-ended knowledge that tolerates occasional, rare and explainable exceptions. Novelty, by definition, does not upset the generalization but occasionally, radical new evidence will but this has always been the case.

Acting decisively in complex situations requires courage and imagination. Popper (1963) makes this out by arguing that as the information content of a proposition goes up, its likelihood goes down and falsification is therefore more likely. Rescher (1994) describes a similar relationship of inverse proportion between how definite a claim is, and its security, tenability, plausibility, or probability. Contextual sensitivity, imperfect information, and outright mistake mean that decisions are fragile and defeasible in light of new information or altered circumstances (Hager 2000; and Rescher 1994). Decision- making is therefore a high-risk activity but human dignity demands we engage in it. In essence, 'we have to go on from where we are' (Rescher 1994:202).

Conclusion and future directions

The ultimate purpose of police management education is wise action and good practice by police management practitioners. The use of the case study method, or critical storytelling, and standardistic generalization allows learners to synthesize a critical research and action learning approach into their professional practice. This is an example of the much vaunted 'learning to learn'. Case study students do learn content but more importantly they learn process. Case studies discourage rote learning, thrive on complexity, explore plural perspectives, are open to the contested nature of public policy, and they best employ that most powerful educational resource – experience.

Most authors agree that case studies extend practice, aid practical deliberation and assist reflection. Case work requires the student to give reasons, to ask why and to anticipate. As the skilful case practitioner unfolds the story, builds the complexity and introduces the

subtleties the student is close to the instance in action, safe in the educational setting and free to experiment, research and learn.

Police managers learn from practice, yet practice is an expensive and sometimes a dangerous teacher. The case study method, possibly re-badged as critical storytelling, allows for a vicarious experience and reflection on practice and has utility as a management teaching and research method. As such it should feature early and it should feature often in emergency services management education, and in related training and development for practitioners in this field. The case study method is proposed here as a research, teaching and learning technique in police management education that has educational and organizational merit. There is sufficient support in the literature to make the first claim. The fact that management in the emergency services is neither perfect nor unchangeable makes out the second.

CHAPTER 8

Conclusions for a Practice that is Professional

The mark of a good police service is that it is open to change by the people.

(following Popper nd cited in Magee 1973)

Three strikes

There are three important dates in policing: 1829, 1968, and 'after just now'. Before 1829, small scale, semi-public policing did exist but the majority of it was informal, folk, kinship, and tribal policing by community members with limited means and almost no specialist skills. 1829 marks the emergence of the first public, professional police service, responsive to the people through a representative government. Peel's force of robust and likely lads, unencumbered by anything more than a basic education, became known as the new police and their philosophy of policing with the people, in order to prevent crime, remains relevant today. By 1968 police had succeeded in stripping communities of their policing authority and skills, and across the developed world the police themselves were being rejected (Kurlansky 2004). While fighting crime and responding to an ever-increasing number of calls for service, police had effectively isolated themselves from the communities they once served and now only drove through. Loss of community, the myth of crime fighting, and a fixation with busyness put police as an institution on notice, and physically brought down some police organisations. As 'no one whom it would be safe to have home to dinner argues that modern society can be without police' (Klockars in Kappeler, Ed 1999:428), and 'in a democratic society all share responsibility for the police service' (Mahoney & Prenzler 1996:300), assisting police perform and continually reform is fitting work for all members of society. That it is even more so for higher education providers and practitioners is because of the special character of education.

In this final chapter I will bring together some of the major arguments and assertions from what I appreciate is a discursive, disparate and developing, but hopefully deliberative, set

of ideas and experiences. My intention had always been to use Frankena's (1970) framework of analysis, to develop my own philosophy of education, in order to answer the question: 'How might higher education assist police in their work of helping to create civil communities?' I have done that by first justifying the research question as of some importance, beyond my own project, then exploring education itself as a concept, before using Mill's (1925 [1843]) sciences of man in society and of the formation of character to give the background to Frankena's (1970) framework. Once explained, this elaborated framework then serves as the methodology and the method of the remainder of the research. It is also the overarching answer to my research question.

Higher education can best assist police, in their great social work, by working with them to design, develop, deliver and evaluate full-fledged philosophies of police education. In management education in particular, this relies on the development, or at least the articulation, of normative and interrelated models of society and its police, and on the identification of empirically justifiable dispositions for practice and methods for teaching. The mix is ultimately falsifiable in the best sense of that term. It is therefore open to modification and replacement, and a bulwark against simple prescriptivism, rampant credentialism, and open pandering. Education has value if it creates difference.

The police we want

Following Mill (1925 [1843]) and Frankena's (1970) prescription I first put together an argument for a policing method that seems reasonable, even inevitable, given the scandal-reform treadmill that police have been on since the late 60s. The method selected is policing by consent, using the site, support, systems and solution of community, through community policing. Community policing is firstly discursive, but other than that it will be mostly different everywhere. Some recurring elements and principles that can be learnt, practised and supported by police managers though include the negotiation and maintenance of consent, and the identification and articulation of community conceptions of the good life. While managers in community policing and elsewhere mainly make decisions, exercise judgement and communicate, the missing element in past policing

practice, and the vital ingredient in consent-based community policing is encapsulated in Hirshman's (1970) concept of voice.

'Man is a mistake maker' (Overstreet & Overstreet 1956:54) but voice allows us to avoid, trap, and mitigate the consequences of error (Helmreich, Ashleigh & Wilhelm 1999:19). My point is that while decision-making and judgement can be improved, learnt and even taught, being aware of alternatives, being aware of choice is a prerequisite to deciding well. One of the perennial issues raised in the myriad corruption and incompetence led inquiries into policing, is the lack of public respect for, consensus with, and confidence in police. Such deficits can only be overcome through reciprocity and communication (Findlay 2004). In the police as technician model, the disposition to embrace doubt and proceed with caution is overcome by the drive to certainty (Overstreet & Overstreet 1956; and Saul 1997). This is not just a police-public thing, though. Internal to police, subordinates are often struck dumb in the face of what Becker has called the 'hierarchy of credibility' (1967 cited in Hogg & Brown 1998:19) whereby the right to define reality, and truth, is rank rather than evidence based.

According to my research, a major part of police reform ought to be education and development for all police officers, but particularly for supervisory, management and executive staff, aimed at achieving policing by consent through community policing. Community is the place of association in society and it is the location of individual life. Police officers practise, not on some fictitious front line, but in the houses, streets, shops, offices, schools, farms, hospitals and factories where citizens live, work and play. Their work is often long and hard, stressful and even gruesome, and sometimes dangerous. They practise with discretion and with skill, and balance the competing demands of managers, peers, victims, complainants and others against the dictates of the law and their own consciences. In this work they ought to receive the support, advice, assistance, direction and leadership of their managers. They also ought to be held to account for what they are responsible, and they should be educated and trained, equipped and deployed to do just that. Managers using voice within and without the police organisation, and using it in their own self-deliberations, give community policing its best shot.

A case of voice

Consent-based community policing requires that police managers know why they are policing, that they can explain why they are policing, and that they are continually looking into, turning over, and testing their own understanding. This continual process of inquiry, rather than knowing, is most linked in theory to the getting of wisdom – as an amalgam of experience, knowledge and understanding – explored by Hager and Halliday (2007:217). In practice it is a matter of 'inferential understanding', rather than propositional knowing (Beckett 2004:499-501), that is dispositional and best activated *when* listening to, facilitating and modelling voice (Hirshman 1970). The idea of voice is a practical and a useful one for police/citizen interactions, for police/police interactions, and for self-talk. In its original conception, voice was a response by organisational participants to what Hirshman (1970 cited in Keeley & Graham 1991:349) assumed were inevitable and occasional 'lapses from efficient, law abiding, virtuous, or otherwise functional behaviour'. Voice basically involved the articulation by customers, employees and others of their dissatisfaction with service provision. Exit, whereby a customer, for example, ceases dealing with a provider is a more powerful communication but it is not easily available to citizens in relation to public policing. Public and private sector service providers can benefit by encouraging voice as a means of service improvement. For community policing, voice is a vital component in decision-making and in negotiating consent. Managers that listen to, facilitate and model voice build the language and grammar of themselves and those around them.

'It is the existence of language which enables us to stand back, to consider and choose' (Craib 1992:88). Thinking through complex issues requires language that can articulate them, but it also requires minds that can see them. Practising voice allows managers to both build vocabulary, ideas, symbols, conventions and stories, and to tap the stories and vocabulary of others. The stack of concepts available is made larger through voice. To move away from technical policing, based on a we-don't-care-what-you-want-but-we-know-what-you-need style of problem-solving, police managers need to creatively explore the question why? Overstreet & Overstreet (1956) note that one of the basic arts of civility

is that of wondering why, and perhaps a minute on the question, even just police-to-police, might have saved the money, humiliation, pain and suffering resulting from, for example, the Richmond Secondary College baton charge, the Tasty Nightclub mass strip search, and, in order to enforce a car defect notice, the violent house raid and bashing of Mrs Horvath (Crosweller 2001).

Defensive police might state that the decisions reflected in the above cases are just plain wrong, and they are, but what they are symptomatic of is an inability to imaginatively take on the role of the 'generalised other' (Mead 1934 cited in Craib 1992:88). Something of this comes across when police officers talk about their family members, and sometimes themselves, and their dealings with police: aged parents being burgled, teenaged sons being arrested, and internal affairs 'just making enquiries' are typical turning points in how police perceive police. Voice, I contend, brings the other into clearer view.

Another counter to the point I am trying to conclude on here is the idea of policing as an action oriented, heat of the moment enterprise, that precludes any deliberation based on dialogue and discussion. This is a tough one and I attempted to debunk it earlier, based on the fact that the premise is all but universally untrue (Rescher 1994), but I will try another tactic here. The idea that people pursue life, liberty and happiness may or may not be universally true, and it may or may not be statistically true, but it is a useful standardistic generalisation (Rescher 1994). As a quasi-universal proposition, it is a starting point for an internal or external conversation aimed at examining how others might choose to go about that pursuit. This done, the conclusion, for example, 'that these demonstrating parents ought to be baton charged' must, if it is to be ultimately defensible, rest on the finding that the protesters' actions are against the law and would not be positively sanctioned by their community, and that police action contributes to public order, would be consented to generally and as a rule, and that exceptions to this rule can be explained (Rescher 1994). Anything short of this, and a studied ignorance of dissenting voice is, can only be problematic for community policing as espoused here.

Police managers using voice gain valuable information, insight and insurance and they must be prepared for what Hirshman refers to as the 'heartbreak of voice' (1970 in Vickers 2000:519). Different voices will result in different stories and sometimes a precarious balance needs to be made between incompatible and even incommensurable values, but it is done at the community level. Similarly, legitimation is with the people rather than the police, or begrudgingly through the executive-minister-parliament-people path. Voice as a disposition is best learnt I argued, through the case study method. As a disposition it is not so much innate as it is a learnt capacity that remains open to further development through practice (Hager 2005:657). The case study method fits police practice (Birzer 2003) and it jells with how police practitioners informally, and sometimes uncritically, learn their craft. The method, as I have developed it here, uses a philosophical standardism that allows case study workers and students to orient themselves to their experience and the experience of others (Rescher 1994:36). This philosophy allows the sort of sub-universal and normative generalisations that inform good managerial practice and policing. Decisions subsequently made are defensible and defeasible and the price, the open-endedness of knowledge, is one that has to be paid in any art-and-science where knowledge serves practice (Mack 1962).

Police managers know and act. The difficulty for some is in the articulation of what they know, and in the subsequent criticism and confirmation. As an example: I worked a while ago with a police service in the Pacific and their commissioner was doing an MBA program by publication. Publication wasn't expected to be in the first string, international refereed journals but it was publication nevertheless. When the pressure of work made study more difficult, the commissioner was in the process of deciding to withdraw, when he asked me why he shouldn't. My reply centred on the twin benefits of first, him better understanding his own success, and he was very successful, through critical reflection on his own practice; and second, others in the field, educators and practitioners, having access to his stories of management.

Throughout this research I have used the word 'stories' because I think that is largely how we make sense of our world. I don't mean 'war stories', I essentially mean the basis of a case study, a measured, inclusive, multi-faceted story that can be unfolded and turned over.

Tilley (2006:70) makes out a list of features that mark a story out as what I call a war story and chief among them are:

   a) 'the stories will omit a large number of likely causes, necessary conditions and, especially, competing explanations of whatever happened';

   b) 'a few master stories … will recur, so much so that listeners will often guess what comes next'; and

   c) questions that challengers raise will much more often concern attributions of praise, blame or disposition … than the overall cause-effect structure of the story'.

Stories like this, folkloric, simplistic, abridged stories, can be used to start a case study but they aren't cases. 'A full story will sit on your brain like lead. They are difficult. They are long-winded. They are epic. They are like the stories God tells: full of impossibly particular information. You don't find them in the dictionary' (Smith 2000:252). 'Stories provide abstract concepts with a necessary tension, they suggest a way of entering the theoretical via the concrete and they show students the personal relevance of certain debates, which may have previously appeared remote and obscure' (Dewhurst & Lamb 2005:907). Reading the context of a story, examining the subjectivity of the storyteller, and making judgements in company based on the story, all practice students in making defensible decisions in sufficiently similar situations.

Policing does have an action orientation, and decisions need to be made in the absence of perfect information. The case study method allows the student manager to experience, vicariously, the processes of scanning, analysing, responding, and assessing the problems of practice. An epistemology of inquiry, built around philosophical standardism and critical pragmatism, and an almost ontological aspiration to wisdom as a police manager can be supported through appropriate education. More importantly, it can also be practiced in the field. Learning off-the-job is thus less alienating and irrelevant, and learning in the workplace is given its due. The educational quest is no longer for an Olympian objectivity and swag of propositional knowledge, it is towards learning to learn best in a complex and contested field of practice.

A 5-minute philosophy of police management education

It is possibly useful at this stage to summarise the steps of my research and the conclusions reached. This is done in the table below (Table 8.1) with all of the limitations that such depictions entail. The resulting 'five minute philosophy of police management education' has proved useful to me in my teaching and writing. Such a checklist can perform with utility in curriculum design and development and I have used the ideas articulated here in designing and developing education, training and development for police officers.

Ideal policing	Practice consent-based community policing in order to: • maintain public order, • prevent crime, • improve the quality of life of community members, • build community capacity, and • contribute to social cohesion.
Ideal police management	Aspire to wise, informed, moral and prudent action as a police manager by: • facilitating the work of staff, particularly discretionary problem-solving; • giving coherent accounts of their actions and plans; • being open to alternative accounts as to the nature and selection of problems; • providing frank advice to the executive; • engaging in personal and professional development; and • contributing to the art-and-science of policing.
Appropriate and possible dispositions	A disposition/open capacity to practice voice by: • facilitating it, • listening to it, and • modelling it. An orientation to: • build fidelity and good faith in relations with staff, • empower citizens as users and co-producers of policing, and • wise action and defensible decision-making.
Appropriate and possible teaching methods	Practice critical storytelling through the following techniques: • jointly develop, deliver and discuss cases; • cooperatively build, test and falsify standardistic generalisations; • practice and develop a disposition/open capacity based on knowledge, emotion and will to utilise, facilitate and listen to voice; • experiment with synthesising critical pragmatism and philosophical standardism into an inferentialist approach to practice; and • guided engagement in inquiry that engages the whole person – knowledge, emotion and will.

Table 8.1: A Summary

A checklist like this can be particularly useful in police management education in post conflict, post crisis and other major reform contexts. In these situations the quandary of 'nothing can be fixed, until everything is fixed' can only be overcome with the use of multiple parallel interventions, designed to produce various outputs that align to bring about the intended outcome. For example, a move to correct the traffic chaos in Dhaka, Bangladesh, might not initially involve traffic police, who are chronically under trained, under staffed and under equipped, but it could involve police in schools doing road safety and courtesy training. Children, as information 'vectors' and behavioural change agents, have after all been effective in fire safety and quit smoking campaigns in the West at least. Whatever the intervention, overarching ideals and goals, and a clearly articulated policing philosophy, serve as a coordinating vision of good policing that can direct and prioritise seemingly disparate and disconnected reform efforts. This is radically different work to, say, improving supervision in an agency already achieving good practice.

The 5 minute philosophy is a prescription for practice as a police management educator. It escapes what might be called the 'pedagogy of the oppressing' by shifting the focus from knowledge supply and acquisition, towards generative ideas of knowledge and knowing. The impetus is to 'action involving participation, transaction, and transformation' rooted in 'open, critical, and dialogic' inquiry (Delandshere 2002:1475). 'Such a learning concept takes account of the affective, moral, physical as well as the cognitive aspects of individuals' (Gonczi in Foley, Ed 2004:19). In the classroom, the *case* provides rich, practice-based curriculum content and the *study* employs the 'naturally occurring, talk-based, interactive routines of managers' (Samra-Fredericks 2003:291). The sort of 'safe talk' that Karp (2005) argues should be induced in policing, to circumvent the scandal-reform cycle, can be encouraged and facilitated.

The pervasiveness of Bloom's (1956) taxonomy of educational objectives, and the associated partition of cognition from the psychomotor and affective domains, has made it difficult to discuss learning as a whole person process. Disaggregation by a theorist, for the purposes of their special study, sometimes has this legacy and perhaps some few

dichotomies have this lineage. 'The danger here lies in treating theories as truths rather than as frames for temporary understanding' (Delandshere 2002:1469). Putting aside the more atomistic approaches, it is possible to find evidence of what could be called action learning, by whole people, in social situations, aimed at achieving expertise and even practical wisdom (Gonczi in Foley, Ed 2004; Hager and Haliday 2007; and McPherson 2005). This is fairly evocative stuff but it fits policing practice and education beautifully, and sights are accordingly lifted from knowledge acquisition and knowing more to the lofty heights of mastery, expertise and wisdom. This has obvious implications for police small group work practices and for learning at work, but what does it mean for teaching?

Beckett (2004:499) argues that individuals at work cope, learn and develop by coming to 'understandings of how to go on'. The wise practitioner reaches a state of unconscious competence and an inferential understanding of their work at the highest stages – expertise and practical wisdom – of Dreyfus' seven-stage account of learning (2001 cited in McPherson 2005:711). 'Stages 6 [expertise] and 7 [practical wisdom] involve increasing self-awareness and concern for some enhanced version(s) of personal coherence or integrity, all of which are aspects of reflexivity (Dreyfus 2001 cited in McPherson 2005:711). Practical wisdom is achieved when 'experience is added to knowledge and understanding to enhance the power to act or judge appropriately in the prevailing practical circumstances' (Hager & Halliday 2007:217). Facilitating the achievement of wisdom relies on the acknowledgement of some key differences between it and simply teaching management. First, 'intelligent practice is not a step-child of theory' (Ryle 1990 [1949]:27). Second, expert knowledge and practice have political and social dimensions (Beckett and Hager 2002:163). Third, wise action is based on knowledge that 'is situated in time and context and oriented to action [and] it is acquired through practice or reflection on practice' (Cervero 1992:98).

Wise action is largely a matter of the exercise of holistic, contextual, practical judgment that is technically and morally defensible, action- and problem-oriented, and defeasible in light of new information (Hager 1998; 2000). Competency, not cognitive repertoire, becomes the accepted aim of learning from and for practice, so much so that 'theorising is

[just] one practice amongst others and is itself intelligently or stupidly conducted' (Ryle 1990 [1949]:27). Inferential understanding and knowledge, developed and justified socially, becomes the standard for intelligent practice (Beckett 2004). The worked case study below (and see Appendices 2 to 5) gives some idea of how classroom practice can touch on some of the issues in developing inferential understanding, and exercising and critiquing practical judgment. The short case allows for a type of reflection on practice and it is my experience that students 'thicken' the set narrative, and constructively depart from it, with examples from their own experience. This example has stimulated many a discussion in police management development courses from China to Fiji.

Case Study

Eating your own Wounded

Preliminary instructions

This case study is staged with discussion required at a number of points. It is suggested that case text be released in appropriate stages. Text in capitals represents a separate stage in the case.

- INTRODUCE THE SESSION
- OUTLINE THE PROCESS
- BRIEFLY DISCUSS PARTICIPANT'S EXPERIENCE WITH INTERNAL AFFAIRS

Introduction

It has been said by a number of commentators that police can be particularly aggressive when it comes to prosecuting their own. There is in some ways a turning point in proceedings against police by police. Police will close ranks and be defensive in the first instance, but once there is 'blood in the water' things rapidly escalate and quite often become personal, nasty and damaging in the longer term. Officers interviewed by internal affairs, or professional standards investigators almost inevitably tell stories of bullying and intimidation. Looked at from the other direction, internal affairs staff often celebrate and are even euphoric over the capture of a so called 'bent cop'.

- DISCUSS THE ASSERTIONS HERE
- EXAMINE VALIDITY CLAIMS
- INTRODUCE THE CASE

The following short case study, based on a 2004 court case, allows us to look at some of these issues. More importantly it poses major questions in relation to crime prevention, internal affairs, and developmental and supportive management versus judgmental and punitive.

- OUTLINE THE CASE

Theft or stress

The 30-year veteran police sergeant argued that accumulated and untreated stress meant that he was not of sound mind, when he twice stole items from the property room at his remote police station last year. Through his barrister, the accused told a story of witnessing many tragic events that resulted in him becoming ill with an undiagnosed stress disorder.

- SEE IF STUDENTS CAN ANTICIPATE OR INFER WHERE THIS CASE MIGHT GO

The sergeant pleaded guilty to two charges of theft and some other minor related charges. He is currently suspended from the police service. A disciplinary hearing will be convened in the coming weeks to decide if he will be reinstated.

The thefts were discovered after a colleague of the sergeant informed internal affairs. The colleague had seen the accused removing items from the property room. Investigators installed a hidden camera and recorded the sergeant, who later confessed, removing more property. The property stolen was described as mostly junk and the total cost might have amounted to $500.00. Regardless of the outcome of the disciplinary tribunal, the sergeant's career is effectively destroyed.

- TAKE QUESTIONS
- FACILITATE DISCUSSION OF THE FOLLOWING POINTS
- EXAMINE VALIDITY CLAIMS IN STUDENT COMMENTS
- USE THE IDEAS BELOW AS APPROPRIATE

Discussion

As a manager how would you expect to handle a situation like this?

As a subordinate how would you expect management to handle a situation like this?

As the officer involved, what action would produce the best professional outcome for you?

Is crime prevention more appropriate to internal affairs than achieving a perfect prosecution?

What of Peel's 1829 proclamation that crime prevention is more important than prosecution?

Are there specific cultural issues that we should consider here? What of the concepts of 'face' and 'shaming'?

Notes

Some students can be expected to be hostile to a focus on crime prevention rather than prosecution. Talk of 'entrapment' might bring this out. Talk of a 'failure' of management to supervise the sergeant will also assist.

The actual case outcome is very much a zero sum game with the prosecutor/internal investigator as the only 'winner'. This notion of competition in decision making should be addressed.

Police are well experienced when it comes to judgmental as opposed to developmental management. This can be discussed in relation to transactional and transformational leadership.

Students might not see that an alternative outcome preceded by the colleague confronting the sergeant could produce far more satisfactory results. Notions of team work, popular in the rhetoric of policing, might be discussed here.

Investigation of 'why' any of the courses of action available are appropriate should uncover some assumptions on management and internal affairs. Functional and situational leadership could be raised in this part of the discussion.

Welfare, police unionism, critical incident debriefing and remote posting issues can be discussed as they arise.

In using this case, it has always been my contention that a better all round outcome would be achieved by initially bringing the aberrant behaviour to the attention of the sergeant, rather than internal affairs. This 'ideal response situation' is usually universally rejected by police management students. Regardless, using Brookfield's (2005:355-358) critical methods – sociological imagination, conceptual reasoning, cultural uncoupling, and dialogic discussion – students sometimes get to see that something like this might be morally compelling, and logically possible, but empirically difficult. That can be enough because it introduces the notion of validity claims that is central to a critical approach to police management education and preparation. It also points to the possibility of reasoning to a new understanding outside direct experience.

In any classroom worthy of the name not everything is up for grabs and pronouncing on evidence and argument, critiquing the taken-for-granted, rationing 'seatwork', and assisting students meld formal and informal learning are all hallmarks of good teaching. While not every encounter in formal adult education can be a warm and mutually satisfying one, a key principle of good teaching in higher education is 'concern and respect for students and student learning' (Ramsden 2003:94). With that in mind, a resource for adjudicating between competing arguments in case deliberations is Habermas' notion of 'validity claims', drawn from his critical work on communicative action and touched on earlier in Chapter 6 (1984, 1989 cited in White in White, Ed 1995:7). As White notes, Habermas has no knockdown argument for his own case, but he does make a call relevant to policing in a democracy, by proposing a better self as one who uses voice and eschews coercion, markets, tradition and blind consensus (Warren in White, Ed 1995:171). This is an

ontological project, but its concomitant epistemology, and some idea of an appropriate and critical pedagogy, are provided for. Samra-Fredricks (2003:301) proposes that case study students be introduced to Habermas' ideas, and particularly to the making and taking of four types of validity claims routinely employed in communicative action:

a) means-ends rationality,

b) appeal to contextual norms and cultural standards,

c) expression of individual inner states, and

d) language selection and use.

Investigation and discussion of cases, using these four claims as an interpretive resource, overcomes the problems of theoretical obscurity, superior moralising, paucity of curriculum content, and the critique of assumptions/the taken-for-granted associated with teaching critically (Samra-Fredricks 2003:293-296).

Enquiries are continuing

Major parts of this research story were devoted to arguing a case for the research, putting some order into the historical account of police-higher education engagement, and reasoning through a definition and a logic for a philosophy of critical police management education. Accordingly, space to explore the actual ideal of community policing and a supportive management approach, propose and defend a set or array of dispositions appropriate and able to be taught, and argue the case for a fitting method of higher education is limited. Nevertheless, the outline of each of these is provided and I consider the general ambit and tenor of each as technically and morally good. Everything proposed here is easily falsifiable and therefore useful. What subsequent researchers might do though is to expand on one or the other of the three main questions here and research community policing, community police management, and teaching and learning community police management more thoroughly.

Later researchers might also use the Mill (1925 [1843]) and Frankena (1970) framework to test or develop other philosophies of police management and general police education and even training. I have used the concept myself (see Appendix 1) in attempting to convince

colleagues of the requirement to go beyond course design built on historical assumptions, and a desire to keep students busy and out of trouble. Work can also be done on investigating the case study method in police education, and the applicability of Hirshman's (1970) idea of voice in managing community policing. Despite the age of the theory, voice receives almost no attention in the policing literature, yet it can be made central to the very notion of policing by consent. Finally, philosophical standardism as an epistemology, ethics and logic of police management and practice deserves investigation. Good police practitioners use knowledge in the service of practice every day yet in wider society, and in the academy, they often have difficulty claiming, even articulating, that knowledge. Standardism has the advantage of allowing non-universal knowledge to be claimed and articulated, and it has the added advantage of making such claims expressly open-ended: 'to be viable, contentions in [policing] discourse will ordinarily have to be framed as provisoed assertions' (Rescher 1994:8).

It wasn't like that when I got here

Police institutional success, in every country I have worked in, seems predicated, at least to some minds, on a larger police organisation. That usually isn't true, and may even be the reverse of the case, as I would argue in Bangladesh, but most governments are extremely reluctant to listen to 'doing more with more' arguments, anyway. There is also a paradox here, as more police usually means fewer teachers. In mature policing systems responsibility and capability merge, and managers are held to account for what they are responsible including staff performance. Higher education can assist police managers develop their dispositions and open capabilities, and can help them do good work which, in the public sector at least, means doing enough work with what you have got, before asking for more. To use a military analogy, the force multiplier is often morale. In policing, one of the best ways to improve staff performance is to offer staff opportunities to participate meaningfully in the conversations that make up practice, create it and comprise it, and eventually validate and critique it. 'Management is [after all] fundamentally a social practice' not a solitary one (Karpin 1995 cited in McTaggert 1997:177).

Most police practitioners don't do abstract theory well (Vickers 2000) but they will do case work and they can be taught critical storytelling. Writing and teaching that reifies theory by making it into a thing that exists independently of thinking about it, that has to be learnt and struggled with, in order to learn and struggle with experience, can alienate police students. The double or even triple remove from practice does not impress. To them, 'no real problem–no real thinking' (Pierce nd cited in Depew in Garver & Buchanan, Eds 2000:29). Case study research and learning also allows police to articulate and critique their own theories.

Policing can be learnt through experience, but not all experience is educational, not all education is based on direct experience, and experience can be a painful and expensive teacher. For example, it is the case that communication is central to every aspect of good police work – beat, patrol, investigation, internal affairs, emergency response and management – and yet, corruption and incompetence led enquiries into police, like the Scarman inquiry (1981) that resulted in legislation directing consultation, consistently find police don't communicate well internally or externally (see Harfield 1997; Edwards 2005; and Marenin 2004). Karp even notes that royal commissions produce an 'inevitable stream of recommendations that haven't changed over the years' (2005:35) and communication and education are two of the usual suspects. Higher education ought to have a new relationship with police, and particularly police managers, based on voice as a method and a disposition. This is a teachable point of view, a storyline that can inhabit our imaginations, and it allows that police managers as managers can learn, and that as students they can be taught.

A change the world hypothesis will always bump into the ship-at-sea metaphor. Regardless, policing can be improved and while it may not be able to be constructed anew, it can be colonised with good new ideals and practices and education is 'the most powerful instrument of good that has yet been placed in the hands of man' (Owen 1991 cited in Saul 1997:68). For police, 'the most unprofessional of professions' (Carter, Sapp & Stevens 1989 cited in Small 2002:3), higher education can assist managers to support line officers in the exercise of informed discretion, making hard choices, choosing between right-right

decisions, and listening to their communities. Good police managers do not labour with minds 'hopelessly filled with other people's conclusions' (Mill 1867:2). But their '…wise thinking always implies a certain sadness and a certain burden of experience, which nonetheless speaks to us of the possibility of a radically different order of things' (Blake & Masschelein in Blake et al, Eds 2003:53).

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APPENDIX 1

From Training Need to Learning Approach

Wall M.W. (2007) *From Training Need to Learning Approach: A Training Strategy for the Bangladesh Police*, United Nations Development Program, Dhaka, pp 15-21.

6.0 Training Needs Analysis

6.1 Training aim

A great deal of work has been done on identifying the training needs of the Bangladesh Police. Since 1994 these needs have been formally articulated by both outside observers and inside commentators. In a collection of 10 documents of significance, the training shortfall, both qualitative and quantitative, spans the gamut of police specialist and general training. Collated in the *Needs Assessment Report* (2003), which informs the ProDoc (2005), the training need covers the following topics:

- crime prevention,
- community policing,
- human rights,
- investigations,
- investigations management,
- forensic sciences,
- crime analysis,
- prosecutions,
- public order policing,
- policing youth and women,
- traffic management,
- management and supervision,
- contemporary issues,
- public and media relations,
- professional standards, and
- strategic planning and policy research.

As mentioned above, additional contemporary issues and special training topics are picked up as cross cutting issues in the ProDoc (2005). The analysis leading to this collection of training topics is based on performance appraisal (empirical and anecdotal), survey, workshop and interview techniques using good practice policing and stakeholder expectations as benchmarks. While there is specific allowance within the ProDoc (2005) for a national training needs analysis (BL017.14 and A3.2.1), in light of the work already done, particularly as addressed in the UNDP's *Human Security in Bangladesh* (2002) report, the *Needs Assessment Report* (2003), and the ProDoc (2005), further analysis of general need seems redundant. Instead, what is required is a Training Capacity Analysis (TCA) whereby the

training being conducted by the Bangladesh Police is examined critically in a summative sense. The extent of fit between the training need relating specifically to a prescribed function or role, the training being conducted, and the organizational review and job analysis/design exercise (see A3.5.1 to 3.5.3) will then dictate future training design and development.

This can only usefully be done on a case by case basis and the exercise is different for remedial and initial training. For example, current police prosecutor performance can be critically evaluated and then considered against prosecutor training, as conducted by DTS, and prosecutor selection criteria. The information generated can then be considered against any revised and prescribed duties, before the prosecutor training course is redeveloped. Specialist training like prosecutions and investigations are not problematic under this method, as criteria for the job design and performance appraisal of, say, an investigator are largely functionally based and not likely to be contested. This is not the case for role or position based courses, such as supervisory and staff courses and the three entry point courses at the ranks of constable, SI and ASP.
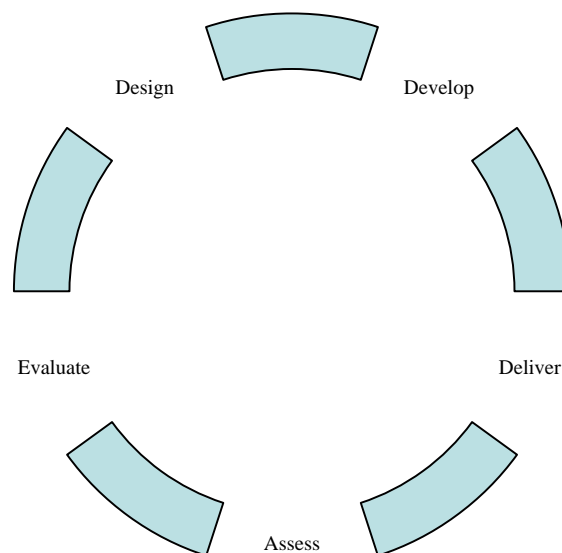
6.2 Training cycle

Diagram 1 Basic Training Cycle

The typical five step training cycle – design, develop, deliver, assess and evaluate training – does not compass the complexities of a police organization undergoing reform, nor does the standard training needs analysis. During reform the strategy of the police organization is under critical review and this will have structural implications and job design consequences. Job competencies are themselves open to review particularly for general, role and post based positions, as opposed to functional/specialist ones. The redesign of the constable, SI and ASP generalist courses is therefore slowed by the call within the ProDoc (2005 A4.1.1) for the PRP to 'identify and publish the vision, mission and core functions of Bangladesh Police (value system)'. Similarly, the *Needs Assessment Report* (2003:7) calls for '…consensus at the highest levels on what type of police service Bangladesh wants.
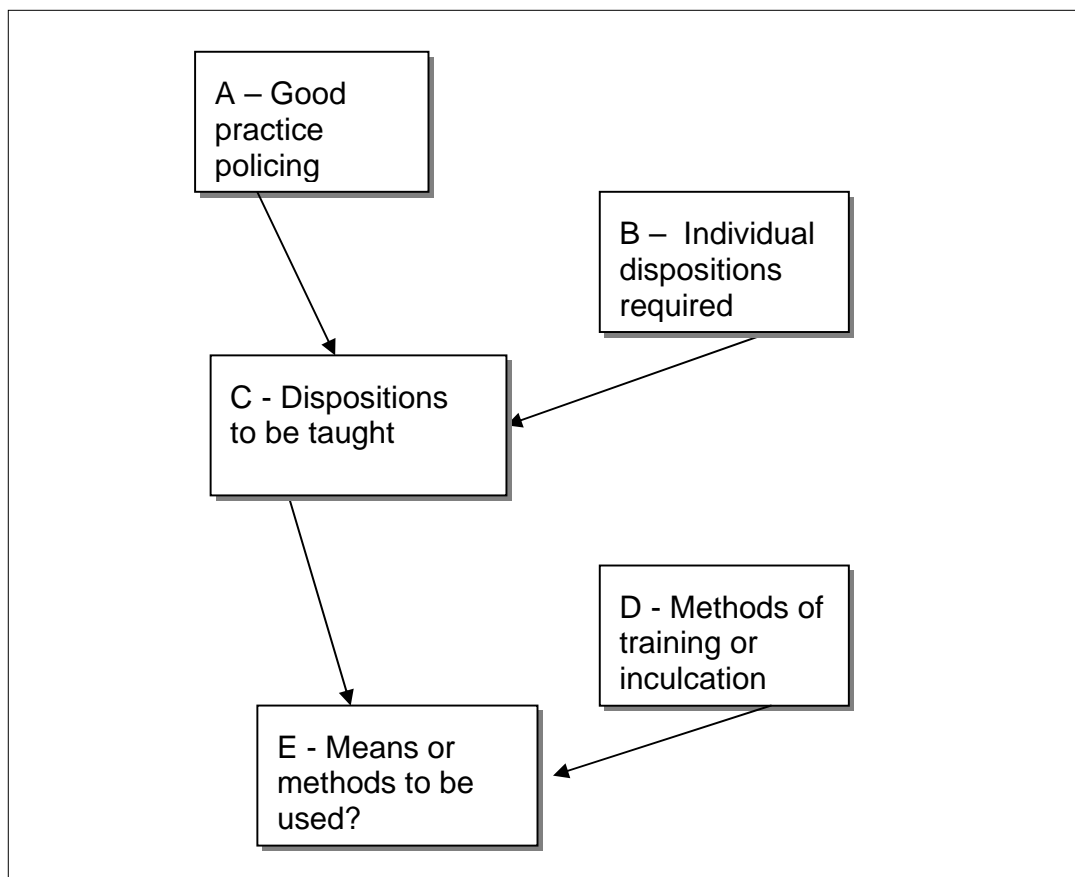

Diagram 2 The Logic of Training Design

This is a pre-requisite for successful and sustainable reform. A clear vision, mission and strategic direction for Bangladesh Police can then be articulated based on the needs and expectations of the government and the community'.

From the starting point of a clear description of what good policing is, and a sound prescription of what police service best suits Bangladesh, it is possible to design and develop relevant and rigorous training. The diagram above depicts a logic of training design (following Frankena 1970).

The starting point, shown at A, is a fully fledged description of good policing and an analysis of the functions, roles, and responsibilities that make that possible. From this normative ideal it is possible to identify individual roles and the knowledge, skills and attitudes, the cognitive, conative and affective dispositions in other words, that equip an individual to carry out that role. Within a good practice police service, with a focus on crime prevention and community policing, a competent detective, for example, would require the personal qualities of fairness, thoroughness and discretion, the skills to actively listen, effectively communicate and critically analyse, and a good knowledge of crime scene management, evidence collection, interview techniques, and brief preparation. These would be shown at B. Other functional and hierarchical roles can also be critically examined, mapped and similarly depicted.

The dispositions that can be usefully, economically and effectively taught are then shown at C and these form the basis of the training course syllabus. Interviewing and crime scene searching, for example, are skills that can be relatively easily taught, and are not usually available in any general population from which police detectives may be recruited. On the other hand, dispositions like the tendency to be thorough, and the propensity to be fair, are not easily taught and may better be identified during recruitment and selection. Assessment center methods may be particularly suitable here.

Physical fitness provides a good if simple example of selection v training decision-making. It is possible to train an unfit person to be fit, but the opportunity cost of doing so is high and the problem of maintenance of the level of fitness required, given the student's history of being unfit, emerges. Selecting a fit recruit and facilitating their maintaining that level of fitness is eminently more practical as opportunity costs are reduced, and past behavior is a good indicator of future behavior. Individuals who have built and maintained a

suitable level of fitness, in their own time and at their own cost, are unlikely to abandon that personal ideal when it also becomes a professional one. This is particularly the case when the employer provides some concessions, such as sports equipment or training time.

Once the dispositions to be taught are identified, the methods that can be used to inculcate the particular knowledge, skill or attitude are then identified.

These are shown at D. The tendency in Bangladesh Police is for any shortfall in knowledge, skills or attitude to be treated by police-provided, face-to-face, classroom-based training. However, there are numerous other education, training and development options and methods that deserve consideration. Additionally, positive reinforcement whereby appropriate behavior is rewarded, and zero tolerance approaches may produce suitable results. For example, very few police need to be trained not to mistreat prisoners, although they can be sensitized to the plight of the prisoner, and can be encouraged to empathise with the prisoner's lot. What is required to stop prisoner abuse, are proper processes of accountability whereby practitioners learn on the job through the logical consequences of their own behavior. If police know that they are responsible for prisoners in their care, and that the systems are in place to hold them accountable, they will learn not to mistreat prisoners.

In moving from the dispositions to be taught, shown at C, and the various methods available to inculcate them, shown at D, what results are the specific methods that should be used to formally teach the knowledge, skills and attitudes required, shown at E. Methods like the case study, formal lecture, workshop and simulation are all available and all have various advantages and disadvantages. Normative and analytic decisions throughout the logic of training design, at A, B, C, D, and E, must hold together in the form of a standard argument such that, if A and B, therefore C, also, if C and D, therefore E. For example:

If A) – The police service Bangladesh wants does not rely solely or even mainly on confessional and other testimonial evidence in investigations, because of the obvious risks including collusion, fabrication, vindictiveness, mistake and even torture.

And B) – An investigator should be expert at identifying, collecting,

securing and presenting physical evidence that might support or falsify any investigative hypothesis.

Therefore C) – Investigators should be taught how to identify, seize, and document exhibits; to ensure the chain of custody and the security of all physical evidence; and to comply with the legislative and administrative procedures regarding the handling, recording, storing and disposal of all *alamat*.

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and to comply with the legislative and administrative procedures regarding the handling, recording, storing and disposal of all *alamat*.

And D) – Methods best used to teach the identification, collection, security and presentation of evidence include: face to face lecture for the legislative and administrative procedures; case study for the identification and presentation; and simulation, exercise and work based training for collection, custody and disposal. Other methods to inculcate the desire and ability to collect and properly handle physical evidence include positive and negative reinforcement on the job, modeling, and resourcing.

Therefore E) – Multiple complementary methods should be used over a period of time to assist the student to know, comprehend and apply (Bloom 1956) the rules and procedures in relation to the proper collection and handling of physical evidence.

The chain of logic A – B – C – D – E is fully made out above and it holds together as a valid, true and sound argument. Note that it wouldn't do so if, say, E did not follow from C and D, or if C did not follow A and B. Take an example from almost any Bangladesh Police investigations syllabus whereby a complex subject, like the collection of tool mark and foot, finger and tyre print evidence, is treated in one 50 minute session. At the most, the indecent haste with which such a body of knowledge is treated can only result in a student becoming aware that they don't know enough about the subject. Some instructors have falsely justified this as sensitization. Unfortunately, achieving an affective learning outcome in an area requiring a high order cognitive one is highly unsatisfactory. Any training development must therefore explore the topics to be taught and the levels to which they should be learnt. In the example above, the investigator in a good practice police organisation must be expert at identifying, collecting, securing and presenting physical evidence that might

support or falsify any investigative hypothesis. The minimum

requirement therefore is that the investigator can apply the appropriate procedures and practices. This is well beyond sensitization, and it is beyond simply having knowledge of the procedures. This is clearly shown in the classification of ascending levels of learning (Bloom 1956):

- Level 1 – knowledge (recall);
- Level 2 – comprehension (understand);
- Level 3 – application (use);
- Level 4 – analysis (compare)
- Level 5 – synthesis (substitute); and
- Level 6 – evaluation (assess).

Decisions to teach a practitioner an operational skill are resource intensive. Skimping on resourcing is tantamount to denying the skill.

6.3 Training strategy

The *Needs Assessment Report* (2003) points to a lack of a training strategy in the Bangladesh Police, and criticizes the training as opposed to learning philosophy. Training, it is argued, is seen as the province of the training institutions not workplace supervisors and managers. Yet the training establishments lack capacity and coordination, are poorly resourced, operate using largely outdated programs and materials, their staff require development as trainers, and relationships with outside experts and institutions of higher education are all but non-existent.

The training need within Bangladesh Police is substantial, well researched and documented, and consistently identified across a number of documents and a number of years. What is not as well captured is the actual content and effectiveness of training being delivered by the agency at this time. However, given the above, there is much room for improvement in both capacity and quality. For these reasons, and in the interests of sustainability, the training effort directed through this plan is primarily aimed at building the capacity of the Bangladesh Police to design, develop, deliver, assess and evaluate flexible and cost effective training. Training that targets individuals in a position to formally pass on the knowledge, skills and attitudes learnt is therefore preferred. In most instances these individuals will be the staff of the various specialist and general police training establishments.

APPENDIX 2

Case Study: Phone Home?

Introduction

This case study is included in Bartol K. Tein M. Matthews G. and Martin D. (2005) Management a Pacific Rim Focus, 4th ed, McGraw-Hill Irwin, New York. It is based on an investigation I carried out in South East Asia in the early 1990s.

The implied rule

Most employees with access to a company phone have made personal calls in business hours and without the explicit permission of their employer. Indeed, these calls in all but the very few organisations that expressly forbid them are considered, if not exactly as a right, then as a basic privilege of employment. This largely tacit deal between the employer and the employee hinges on notions of what is reasonable in the circumstances. The employer seems to concede that a blanket prohibition on the use of company phones for personal calls would be a mean-spirited and ultimately counterproductive rule to impose. On the other hand, the employee's concession is that calls will not be too frequent or too long, and they will not be trivial or time wasting.

So it seems that the employment relationship can tolerate the implied terms that are encompassed in the employee making the occasional, short and important call from work. But what happens when a large contingent of employees is temporarily located overseas, in a developing and post-conflict country, and with telephone access only to an extremely expensive satellite communications network? Let's see.

A new context

In response to one of the world's more recent humanitarian disasters, an international relief effort, including an in-country infrastructure rebuilding program, was undertaken. Aid organisations from all over the world deployed to assist. Among these was one group with

the responsibility of establishing the backbone of a national telecommunications capability. In light of the devastation of the host country's hard-wire or trunk network, the decision was made to use expensive but highly efficient and portable satellite communications technology. The equipment utilised effectively acted as independent ground stations that communicate through a satellite link and on to permanent facilities, in this case offshore, where calls can be trunked via land line to their eventual destination. Thus a telecommunications capability could be quickly put in place while the longer-term work of rebuilding the network took place.

The first five or six months of the relief effort resulted in a blur of activity. Hours worked were long and hard, but slowly some semblance of order was coming to a country and a society that had suffered years of warfare and terror. Similarly, some order was emerging in the operations of the aid organisations. Now that death from disease, injury or starvation was at least not commonplace for the local population, aid workers could go back to some of the tasks that were put aside or passed over in the rush to save lives. Unfortunately, the paperwork was about to catch up with a vengeance.

One of the more pressing post-emergency tasks was to get a clear picture on aid expenditure so far and to begin settling with some very patient creditors. Almost immediately this work began, alarm bells started to ring. Invoices for international telephone calls were way up on estimates. In fact they were hundreds of thousands of US dollars over what was considered appropriate. After itemised accounts were procured, it was revealed that a massive number of calls had been placed to one Pacific Rim country in particular. Of these, so many different numbers had been used that it was obvious that these could not be work related calls to, say, suppliers or parent organisations.

As the investigation began to uncover more of the story, it soon became clear that the numbers called were largely private and centred on one particular urban area. This area was easily identified as the one from which the staff operating the satellite communications equipment had been drawn. Further enquiry revealed that these staff had been making personal calls with sometimes alarming frequency.

Eventually it came to be known that most staff with access to the satellite phone system had made personal calls to their home country. Of these, a small number could be classified as high-order users with one notable for making two or more half-hour calls per day for a total cost equivalent to a reasonable annual salary. Mid-order users, with two or three calls per week, comprised a much larger group; however, it was the low-order users, with an average of one short call each fortnight, that formed the majority.

Prior behavior

At this stage, it needs to be pointed out that while management had never given permission for staff to make personal calls, on the other hand it had not been expressly denied either. Additionally, the facts that some managers were themselves making personal calls, and that most managers and supervisors were aware of the practice need to be considered. Similarly it should be remembered that this was an organisation that quietly acquiesced to personal calls in its home country.

In the fullness of time it was decided to separately bill individuals for all personal calls attributable to them and to issue a written instruction prohibiting all future calls. While pressure had been brought to bear to initiate criminal charges against all users, it was the restraint of the entirely reasonable low-order users and the fact that calls were common knowledge that argued against this. Unfortunately, in the clamour to lay blame, the magnificent effort of those that resisted temptation day to day while operating in often dangerous and lonely outposts went unacknowledged.

Discussion

Most of us would probably agree that those who refrained from using the communications system to make personal calls were in the right in this case study. However, what can be said about those who did use the system and in particular the low-order users?

From the case study it is clear that managers and supervisors were not only aware of the fact that staff were making personal calls, they were also making their own. Does this somehow excuse or at least mitigate the behaviour of the staff?

From the perspective of the management of groups, what might be done to ensure that this problem is resolved without causing undue divisiveness in the work teams involved, and retaining the group cohesiveness required in this type of organisation?

If itemised international accounts had not been available, what techniques might management have employed to identify the cause of the exorbitant call costs?

Reactive management is one thing; however, is there something management might have done to prevent this situation from arising? What might have been reasonable in the circumstances?

Additional analysis

The executive manager of the organisation described here stated that he was unaware of the practice of staff using the satellite communications equipment for personal reasons. Assuming this to be true, what might it say about the man?

The caller making two or more half-hour calls per day fitted a well-recognised profile for high-order phone users that you might be familiar with. Any ideas?

APPENDIX 3

Case Study: The Caftan Constable

Introduction

The following case is based on two separate industrial disputes in two jurisdictions. These cases were decided on the matters of being ready and willing to work (a police case), and on dress and grooming at work (a public service case). Combined they provide an interesting supervisory study that touches on duty of care, privacy, discrimination and access, and the scope of lawful orders.

Unfit for duty

The facts of the matter are that two years ago Constable Lister, a police officer with over 15 years experience, was transferred to the western suburbs at his request. Not long before this, Lister had been divorced from another serving member of the police service, after 10 years of marriage.

Always a big man, Lister began to put on weight at a fairly alarming rate, as he apparently failed to settle into his new domestic and residential routines. Technically classified as obese, with a Body Mass Index of 30, on his arrival at the station, Lister went on to become, at 175 kilograms, seriously overweight. Colleagues, supervisory, and management staff at the station were mostly aware of Lister's domestic situation, and the evidence of his escalating weight problem was before their eyes. It is fair to say that there was a level of unease among all station staff, and even a morbid fascination, at Lister's situation.

The jurisdiction has a formal Employee Management Plan in place, and Lister was appraised under that twice with no mention made of his weight. The jurisdiction also has an Employee Assistance Plan in place although Lister did not avail himself of its services. There is no expressed clause in any instrument relating to Lister's employment relating to weight.

Lister is now unable to operate out of a standard police vehicle, such as a Toyota dual-cab divisional van. He is also unable to obtain a police uniform that fits, and has recently taken to wearing a caftan or mumu style of dress to work.

Discussion

Does Hirshman's (1970) concept of voice have any relevance here?

APPENDIX 4

Case Study: How Far Do You Go?

Introduction

International police cooperation presents some moral difficulties as addressed in this next case based on the Bali Nine arrests in 2005. The issue of cooperation between jurisdictions, where the crime being investigated could result in the death penalty in one jurisdiction but not the other, is the main issue here. Underlying that, though' is a question on the very idea of public police and their role in preventing crime or prosecuting criminals.

Father used as informer

The father of one of a number of alleged drug couriers instructed his lawyer to tell Australian police that he believed his son was travelling overseas to commit drug offences. Apparently, his intention was for police to intervene by warning the young man that he was under surveillance.

Police assured the father, through his lawyer, that they would intervene.

Subsequently, police did not warn the accused man who now faces the possibility of a death sentence, after he was arrested with heroin strapped to his body.

Prosecutors want all of the couriers to be executed by firing squad because of the large amounts of heroin seized. Public policy there is based on the common sense premise that the death penalty is a serious deterrent to prospective traffickers.

The Australian Government will not normally assist in death penalty cases. Australia will not even extradite foreign nationals to their country, if they face risk of execution.

Civil liberties advocates have suggested that the Australian police should have waited for the couriers to arrive back in Australia with heroin.

Discussion

Fielding's (1996) service style of policing would give what result here?

Case Study: Keep the Peace or Enforce the Law?

Introduction

This case study looks at the three strands of knowledge that support professional police practice: knowing what to do, knowing how to do it, and knowing why it should be done. The first two lend themselves to a technical and instrumental analysis. The third is more normative in character.

When police respond to a situation they typically go through the three stages of contact, processing, and exit. Researchers have found that each of these stages typically presents police with at least 10 options. Develop a list of alternatives for the patrol officers under your management as you work through the case study. Identify which options rely on which type of knowledge.

Why not?

On a routine foot patrol at about 10.00pm on a very hot Sunday night, two officers of your command round a corner to see a group of about 10 male youths, aged 16 to 24, skylarking under the blast of water from an opened fire hydrant. The youths are all locals and the area is predominately public housing occupied by immigrant families. There have been complaints of over-policing in this neighbourhood for some time, and police have also been accused of racial profiling.

It is an offence under city ordinances for any person not properly authorised to open a fire hydrant. The offence is based on the fact that water from the hydrant is not metered, and therefore can be stolen, and that an open hydrant significantly lowers downstream water pressures and can render downstream hydrants inoperative. In emergency situations, multiple hydrants can be operational if the water authorities are informed and subsequently boost line pressure.

Discussion

What would you advise patrol officers to do at each step of contact-processing-exit?

Lord Scarman's (1981) proposition that public order must be maintained as a priority over upholding the law is wrong here. Why?