

**ANALYSIS OF POLICE FORCES IN UNITED STATES AND EUROPE IN
THE 19TH CENTURY**

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ABSTRACT

Introduction: In modern policing, comparisons can be drawn between the British police and the American police; British police can be described as polite and practices great restraint in using deadly weapons while American police is less polite and does not shy away from using their weapons. These differences can be traced back to 1830-1870 when the heads of police in London and New York decided on the distinctive styles of authority that elicited different public responses. The differences were not only based on personal differences but also reflected divergent ideologies, politics, and class-relationships between the two countries.

Purpose of the Study: The paper analyzed the police forces in United States and Europe in the 19th century.

Findings and conclusion: From the discussion above, it is clear that only the British police have been able to establish legitimacy and acceptance from the public. Despite conducting less than desirable activities, they have been able to maintain a public image that paints them through a positive light. This has been achieved through great communication strategies and branding, which has proven to the public that the police exist to serve and protect them. The German and American police have not been able to achieve the same due to the fact that they are viewed as weapons of oppression who protect the interest of the upper classes at the expense of the poor and marginalized. Their inability to move away from this public image has led to hostile treatment and increased public scrutiny. Therefore, the major challenge that the German and American police face is to establish legitimacy and gain respect and acceptance from the public.

Keywords: *Police Forces, United States & Europe*

INTRODUCTION

In modern policing, comparisons can be drawn between the British police and the American police; British police can be described as polite and practices great restraint in using deadly weapons while American police is less polite and does not shy away from using their weapons. These differences can be traced back to 1830-1870 when the heads of police in London and New York decided on the distinctive styles of authority that elicited different public responses. The differences were not only based on personal differences but also reflected divergent ideologies, politics, and class-relationships between the two countries¹.

The London Metropolitan Police was established with the objective of preventing crime from occurring instead of merely detecting it after the fact. This, therefore, called for increased coordination and a collective effort among the officers. There was a lot of patrolling and surveillance to the point that police officers became familiar with the local residents. For prevention to be effective, there was also the need for visibility, police, therefore, had to be symbols of authority that were recognizable to all citizens' who needed help and to deter criminal activities by their presence².

America would eventually adopt the British system but adapt this system to suit a democratic society. Boston would become the first to be organized based on the preventative principle in 1837; New York would follow suit in 1845. The New York Police was, however, reorganized throughout the mid-19th century; the force was first of all put under a commission with three elected officials, the mayor, and two judges. In 1857 control shifted from the cities to the state, and in 1870 it would be returned back to the city. Therefore, while the London police were constant, the New York police were ever-changing and evolving to address the concerns that came up in the course of enforcement.³ A common challenge, however, was to win legitimacy among the citizenry who considered police surveillance as an invasion of their civil liberties. In American, for instance, the

¹ Miller, Wilbur R. *Cops and bobbies: Police authority in New York and London, 1830-1870*. Chicago: University of Chicago Press, 1977.

² Ibid

³ Garbarino, S., Guglielmi, O., Puntoni, M., Bragazzi, N. L., & Magnavita, N. (2019). Sleep quality among police officers: implications and insights from a systematic review and meta-analysis of the literature. *International journal of environmental research and public health*, 16(5), 885.

institution was considered too authoritarian for a democratic system. Due to the unequal distribution of wealth, the rich considered the police protective while the poor considered the police oppressive⁴. The police were, however, necessary due to population growth resulting from foreign migration, and the old informal system of hierarchy and neighborhoods were no longer sufficient for social control. Due to increasing crime levels in the slum districts and as the gulf between the poor and the rich widened, there was the need to manage relations between the upper and lower classes.⁵ The growth of industries also brought a lot of riots, and the police were necessary to manage these strikes and protect the property of corporations⁶. What's more, is that there was a lot of advocacy for the replacement of harsh physical punishments with imprisonment which was meant to reform the offender to fit in with the rest of society. This paper argues that the London Metropolitan police is the best police system since it was able to establish legitimacy and gain public acceptance unlike the German and American police.

THE LONDON METROPOLITAN POLICE

The British police was built on the basis of impartiality with the end goal of gaining public acceptance. Rowan and Wayne, who were the first police commissioners in Britain, were not necessarily devoted to impartiality but the appearance of impartiality. The first step was to, therefore, remove the police from partisan politics from the police business. Furthermore, all appointments and promotions would be based on merit and seniority with greater emphasis on merit. They also established strict qualifications for admission into the force, which would change over the 19th century. To keep away from politics, in the beginning, the English bobbies were not even allowed to vote. Impartiality was, however, hard in an era where there were a lot of political protests, and the presence of the police was more likely to incite disorder instead of order. The commissioners, however, sought to maintain order with minimal provocation and violence. Rowan and Wayne effectively branded the English bobbies as impartial enforcers of the law who transcended the government, as well as economic and social conflicts that existed in society. To help sell this image, the English bobbies were expected to follow procedures religiously, operate

⁴ Ibid 5

⁵ Foner, N. (2018). Race in an era of mass migration: black migrants in Europe and the United States. *Ethnic and Racial Studies*, 41(6), 1113-1130.

⁶ Ibid 6

within the legal sanctions of the police, and limit personal discretion in the exercise of their duties⁷. Due to the fact that the London bobbies were such a disciplined group, they inspired obedience and loyalty; the bobbies were more like institutions instead of men.

THE NEW YORK POLICE

Even though The New York police emulated much of the London Metropolitan police, there were major differences in terms of the selection and the branding of the policemen. In New York, the police were more or less amateurs or ordinary citizens who had been delegated with legal power. While the London bobbies were formal and bureaucratic, The New York policemen were informal and approachable in order to conform with the existing democratic system. As such, a police officer in New York was more of a man than an institution, and the public response he got rested on the personal conduct of the officer and not the institution itself. The New York police officers, therefore, exercised greater personal discretion than their London counterparts⁸.

The New York Police was structured based on the sentiments of anti-professionalism which had been popularized by Andrew Jackson who was of the opinion that professional men would look at issues the ordinary person faced with indifference, as such the police profession was opened up to anyone who devoted time to learn the basics. The anti-professionalism sentiment would eventually breed the partisan control of the police⁹. Appointments and promotions in New York were, therefore, reliant on the mayor in office and his political views. Partisanship in the New York police can ultimately be attributed to American democracy

THE BERLIN POLICE

In Germany, the situation was much different; the police were basically modeled to be bureaucratic soldiers. The police had a background in military, and as such, their appearance, habits, attitudes, and behavior towards the public reflected military values. The hierarchical structure¹⁰ of the police was also similar to the military. Even the lowest police officer, therefore, saw themselves above

⁷ Ibid 12

⁸ Ibid 15

⁹ Ibid 16

¹⁰ Emsley, Clive, and Barbara Weinberger, eds. *Policing Western Europe: Politics, Professionalism, and Public Order, 1850-1940*. Vol. 33. Greenwood Publishing Group, 1991.

the public; as such, the public was supposed to followed orders given without question. This was a reflection of the fact that power in Germany rested in Prussia with its army and its administration. In the context of Germany's 19th-century politics, the king stood above any political, economic, and social issues and was believed to represent the common interests of all citizens. As such, the king's claims to obedience were beyond question, and the police were thought to represent the interests of the king. Even though the police would eventually become distinct from the military, it would nonetheless retain some of its military features.¹¹

THE LONDON POLICE COMPARED TO THE BERLIN POLICE

The English Bobby was considered the standard for good professional conduct when it came to policing. He, therefore, enjoyed a much better reputation compared to his European and North American counterparts who were considered rude, bossy, and boundlessly violent. As such, both German and American police modeled their police force after the British. History has, however, redeemed the German Schutzmannschaft (lowest ranking police officers in Germany) whose reputation is considerably worse than the actual reality. Within the early 1900s context, the Schutzmannschaft aggressiveness can be linked to understaffing, poor professional training, and the difficulties of imposing authority on a reluctant population. The London Metropolitan police was able to successfully maintain an image of Bobbies a well behaved, moderate in the use of force and honest while in fact there were questionable practices including violence, perjury, disregard for due process and corruption¹²

Policing is often very confrontational and controversial, building good public relations is very difficult, yet public trust can be lost very easily. The English bobbies are, however, able to maintain a good image leading to widespread public acceptance while the German Schutzmannschaft were feared and loathed by the public. The reason for this difference lies in the legal and institutional frameworks between the two police forces. The military nature of the Berlin police force work against the Berlin's police public relation while the civilian essence of the London police force works in their favor. The London rhetoric is able to strengthen the image of a disciplined,

¹¹ Foner, N. (2018). Race in an era of mass migration: black migrants in Europe and the United States. *Ethnic and Racial Studies*, 41(6), 1113-1130.

¹² Johansen, Anja. "Keeping up appearances: Police Rhetoric, Public Trust and "Police Scandal" in London and Berlin, 1880-1914." *Crime, histoire & sociétés/Crime, history & societies* 15, no. 1 (2011): 59-83.

responsive, and accountable police force despite the reality of highly ineffective accountability mechanisms and a strong bias against complainants¹³. On the other hand, the rhetoric from the German police often ends up having the unintended effects of undermining public trust and confidence in accountability mechanisms. This, therefore, leaves the Berlin force more vulnerable to public criticism making every incidence of police misbehavior a scandal. Police behavior that generates scandal occurs in two stages. The first stage is the initial transgression while the second occurs when the police officers and relevant government officers seem unwilling or incapable of rectifying the error.¹⁴

What distinguishes London from Berlin is the willingness of the British police to engage in debates about boundaries of legitimate policing. This approach has been associated with popular acceptance of policing. What's more, is the fact that the London police make more of an effort to appear trustworthy. Strategic responses to criticism reassure the public that any allegations of malpractice are properly investigated and disciplined. This, therefore, leads to the implication that as long as accountability and control mechanisms appear credible, the occasional discovery of malpractice, if handled appropriately, can be leveraged to strengthen police legitimacy and increase public trust. The London police have therefore conditioned the residents to give them the benefit of the doubt and to consider any incidences of malpractice as aberrations from the norm. The British press, therefore, does not challenge the conclusions made by the police reports that the problems were marginal and concentrated among a few individuals¹⁵. However, after investigating various incidences surrounding police harassment, violence, and corruption, there was evidence of dubious and outright illegal activities as well as inadequate accountability and complaints mechanisms. When the same allegations were brought towards the Berlin police, an overwhelming majority of the public criticized the force

The reason why the British police have been so successful in constructing trust and legitimacy is due to consistency between internal police instructions and orders, public declarations, and the rhetoric concerning accountability mechanisms. As a result, they seem to practice what they

¹³ Ibid 65

¹⁴ Foner, N. (2018). Race in an era of mass migration: black migrants in Europe and the United States. *Ethnic and Racial Studies*, 41(6), 1113-1130.

¹⁵ Ibid 70

preach. The official rhetoric, complaint procedures, and the courts form a coherent set of arguments which are mutually sustaining and legitimize each other. The communication and procedures in place constantly reassure the public that the police are there to serve and protect them and that the police would approach them with politeness and enforce the law with discretion and proportionality and operate within the boundaries of the law. In reality, however, many policing strategies with dubious legality were outrightly ignored by management and were not revealed to the public. The majority of these allegations were refuted and contained before they attracted any major media attention. When defending the actions of an accused officer, they would join the public in condemning actions as outrageous and unacceptable while still maintaining the innocence of the accused. They would then proceed to paint a less severe version of events from the policeman's perspective, which appeared legitimate and moderate. In cases where police malpractice was undeniable, the police manager would publicly condemn the action then form a commission which was intended to investigate and discipline the actions. This would allow the police manager to shape and direct the investigation in any way he wanted. When police officers were acquitted by the courts, they would also use this as a testimony of the high moral standard and discipline of the entire force. A guilty verdict, on the other hand, would be twisted as a testimony of the effectiveness of the control and accountability mechanisms present in the force. The public was therefore always presented with an image of a police force that is transparent and effective¹⁶

While the British win by appearing to lose, the Berlin forces were adamant on maintaining an impenetrable public façade and, as such, refused to recognize fault. Even when the German police decided to be more conciliatory, they still held back, and as a result, the communication came across as fragmented and pointed in different directions. They are in one moment tough but fair, but in the next, they are threatening extreme actions for anyone who does not comply with instructions. The German police have, therefore, not structured their communication in a manner that is consistent with their objectives and their overall structure. Furthermore, even though the police are required to operate within the law, legally, there is very limited protection against questionable police practices. When incidences of police violence have been brought forward, the force has been very unwilling to allow transparency and meaningful investigations to occur. Former Interior Minister Von De Recke in 1898, for instance, expressed his regret for police

¹⁶ Ibid 72

brutality, stating that he would investigate and discipline the errant officer. In the same breath, he would, however, mention that such cases were “inevitable.”¹⁷ He seemed to suggest that indiscriminate and disproportionate violence against members of the public was justified if the goal the police was pursuing was worth it. Through such communication, the public has grown to think that the police do not have their best interests at heart. Police brutality hence becomes the norm, and over the years as small incidences of malpractice are brought to light, the public immediately turns on the police since they have witnessed such actions before. The police, therefore, always seem to be hiding some dark secrets even in cases where they may not be at fault. As such, they have not been able to generate the English level of trust, respect, and acceptability.¹⁸

AMERICAN POLICING AND THE USE OF DEADLY FORCE

The American police tendency to use deadly weapons can best be observed in Chicago, where there is an incentive for reporting cases where deadly force was employed since the local justice system was very lenient. For killings in which police officers used deadly force, prosecutors secured convictions in only 1% of the cases¹⁹. With the knowledge that they will receive sympathetic treatment from jurors, prosecutors and coroners, police officers who used deadly force had every reason to come forwards since the legal proceedings would be in their favor and the file would be closed

Even though Chicago grew faster, experienced greater political corruption and violence than any other city in America, the development of law enforcement and police homicide in the city emulated national patterns. Current data suggest that policemen in Chicago took three times as many lives as the local gangsters in the late 19th century²⁰. This can be attributed to the fact that policemen in the city were expected to maintain order yet lacked legitimacy and were tied to institutional structures that encourage the use of influence and muscle for political ends. The late 19th century was characterized by increased violence and riots, due to social divisions, the police

¹⁷ Ibid 75

¹⁸ Foner, N. (2018). Race in an era of mass migration: black migrants in Europe and the United States. *Ethnic and Racial Studies*, 41(6), 1113-1130.

¹⁹ Adler, Jeffrey S. "Shoot to kill: The use of deadly force by the Chicago police, 1875–1920." *Journal of Interdisciplinary History* 38, no. 2 (2007): 233-254

²⁰ Ibid 235

were tasked with protecting the rich from the poor. This was the case in most American cities, due to the fact that the poor were the majority, the police were not necessarily liked and hence worked in a hostile environment. They, therefore, had to command respect in order to control the streets, which perhaps led to the increased use of deadly force. The Haymarket bombing of 1886 essentially shaped the cop culture in Chicago; during a labor protest, 200 officers gathered to control the crowd; one person, however, hurled a bomb at the police killing one officer and launching gunfire that killed six more and injured sixty²¹. The death of these officers hardened the force's resolve to gain control of the streets, which led to increased use of deadly force, which was legal under common law. The law states that if the police officer experienced resistance and felt justified in using force to protect himself or prevent the escape of a suspect, he was allowed to do so. This tradition would come to define American policing all over the country; the subjective interpretation of resistance and self-defense would, however, bring up a lot of ambiguity in terms of legality. This can also be observed in New Orleans, where police officers would shoot at any provocation. American police are therefore plagued with the problem of giving police officers the power to protect themselves without allowing for the abuse of power²²

In the South, they even used black police officers to continue the racist and discriminatory targeting of African Americans after the end of slavery. Policing became the ultimate tool to oppress the disadvantaged African Americans and ensure that they did not pose a threat to the white majority. African American police officers were therefore exposed to hostility among their own people even in the Northern cities; this is because they were a reminder of a society dedicated to ensuring their oppression²³

STRENGTHS AND WEAKNESSES

The British police is by far the best due to the fact that it was able to establish legitimacy and gain acceptance from the public, it is also well-structured and hires officers based on merit, what's more, is that the force practices great restraint from using deadly force. Its major weaknesses

²¹ Ibid 238

²² Rousey, Dennis C. "Cops and guns: Police use of deadly force in nineteenth-century New Orleans." *Am. J. Legal Hist.* 28 (1984): 41.

²³ Dulaney, W. Marvin. *Black police in America*. Indiana University Press, 1996.

emanate from the fact that it has not addressed most of the problems in its systems since it is devoted to covering them up. Furthermore, its formality limits the discretion of the officers in the course of duties.

The German system has no discernable strength. It is rigid and hence unable to adapt to changing times, and due to a cemented negative public perception it has been unable to establish legitimacy

The biggest strength of the American police is the fact that it is informal, and as such, officers have more discretion and can trust their instincts in the course of their duties. This, however, lies the biggest weakness of the system since the discretion given to officers has allowed for the abuse of power. Other weaknesses include the fact that the police have become politicized and the hiring process is not focused on attracting quality talent to work as police officers

CONCLUSION

From the discussion above, it is clear that only the British police have been able to establish legitimacy and acceptance from the public. Despite conducting less than desirable activities, they have been able to maintain a public image that paints them through a positive light. This has been achieved through great communication strategies and branding, which has proven to the public that the police exist to serve and protect them. The German and American police have not been able to achieve the same due to the fact that they are viewed as weapons of oppression who protect the interest of the upper classes at the expense of the poor and marginalized. Their inability to move away from this public image has led to hostile treatment and increased public scrutiny. Therefore, the major challenge that the German and American police face is to establish legitimacy and gain respect and acceptance from the public.

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