

CJE3110 - Law Enforcement

Ch. 1

Main Points and Topics

Introduction

Police institution did not exist in early times, instead people handled their issues and what was considered deviant behavior informally. When society became more complex and people became strangers to one another, the need for formal social control became necessary. This chapter covers important developments to early policing, how law enforcement grew in England, since much of the American criminal justice system evolved from their system. It was not until beginning of 20th century that law enforcement became a formalized entity.

Maintaining Social Order

Two major competing explanations over the debate on how social order is possible, they are the *consensus viewpoint*, and the *conflict perspective*. Consensus view emphasizes the degree to which people agree about what is right and what is wrong, that widely held beliefs or community standards guide the way people behave. Conflict perspective say that a small minority of powerful people manipulate the legal system in order to preserve their advantage, and that special interests control the types of activities the law prohibits and how the law is upheld.

Standards of behavior

Culture has a set of rules that governs how people act. *Norms* are these standards for how people should behave. Norms make interactions routine and predictable. Two major types, *folkways* and *mores*. Folkways are behavioral expectations that deal with minor norms, violation results in minor sanction. Examples of breaking folkways would be not hold the door open for people. Breaking a folkway would hardly result in the need to call the police. Mores are normative standards that evoke strong reactions if violated, a violator would receive harsh treatment for breaking these. Examples in the book include cannibalism, murder, incest, and

infanticide. These sometimes change overtime, for example witches used to be put to death, now obviously that doesn't happen. Putting differences aside and determining what people generally agree upon allows you to see the *common value system* in which people believe. This is the consensus about what actions constitute conformity and what people consider deviant behavior.

Controlling Social Behavior

The response to deviant behavior and the resulting punishments or sanctions are called *social control*. Social control takes two forms, formal and informal. *Informal Social Control* are actions taken by people to sanction behavior, gossip and ostracism are forms of trying to informally control someone's actions because they influence how other people react to an individual. Vigilantism is another form of this, in which people band together to provide greater security than the police can, i.e. Guardian Angels, patrolled NY subways to keep thugs from victimizing people. *Formal Social Control* tends to be the law and criminal justice system.

Types of Society

Two main types, *Gemeinschaft* and *Gesellschaft*. Ferdinand Toennies used these words to describe two polar types of societies. *Gemeinschaft* is a small network of people who interact with each other in primary relationships. *Gesellschaft* is a large network of people who mostly interact with each other through secondary relationships. *Primary relationships* are relationships in which people behave with each other in a close or intimate way. *Secondary relationships* describe social discourse between strangers or people who do not have a very close bonds. Informal social control will work just fine in a Gemeinschaft society, where formal social control will be a necessity for Gesellschaft society.

Societal Development

How did society go from Gemeinschaft to Gesellschaft style society? Durkheim links it to population size and density. Larger population, limited area, equals more complexity. The lack of attachment to society can lead people to anomie, or no longer feeling attached to others. One

consequence of this is a greater amount of crime and deviant behavior. Durkheim's thought process led others to conclude that city life and urbanization would deteriorate primary relationships, encourage deviance, and lead to higher crime rates.

****Early English Law Enforcement****

In early England the law enforcement burden fell on the people. The *Mutual Pledge System* came into effect under Alfred the Great (870-901 A.D.) This system worked by everyone being part of a system to keep crime under control. Everyone lived in *Tuns* or little villages. Each tun was subdivided into *tithings*, or units of ten families. Every male over 12 was part of the tithing. The tithing was responsible for the behavior of all its members. Tithings elected one member to be the head of the group. This person became known as *Chief Tithingman*. If a member committed deviant behavior that needed to be punished, Chief Tithingman would raise a *Hue and Cry*, or a posse, to search, locate, and either punish or detain the criminal. As villages and tuns grew larger, greater need for structure resulted in the creation of a hundred. A *Hundred* is a grouping of ten tithings, the leader of this grouping was called a *Reeve*. The reeve conducted meetings where he acted as a mediator, he also appointed a constable. The constable was responsible for the hundred's weapons, equipment, and belongings. With even more growth, reeves became grouped together and called a *Shire*. The person in charge of all the reeves in the shire, was given the title Shire-Reeve. This term and it's duties are the forerunner for today's Sheriff. Even today the Sheriff remains the highest ranking law enforcement officer in the country.

Pre-industrial city life was cramped and very condensed inside the city walls, roofs were often made of thatch, and heating, lighting, and cooking were done by fire. As a result the fear of fire was great as one fire and a gusty wind could create a huge catastrophe. This concern led to the development of the *night watch system*. This was a system that established voluntary surveillance of the city as well as watching the gates to the city. If something happened an alarm would be sounded to wake up the citizens.