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## The Asshole

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*John Van Maanen*

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*I guess what our job really boils down to is not letting the assholes take over the city. Now I'm not talking about your regular crooks . . . they're bound to wind up in the joint anyway. What I'm talking about are those shitheads out to prove they can push everybody around. Those are the assholes we gotta deal with and take care of on patrol. . . . They're the ones that make it tough on the decent people out there. You take the majority of what we do and its nothing more than asshole control.*

A veteran Patrolman<sup>1</sup>

### ❖ POLICE TYPIFICATIONS ❖

The asshole—creep, bigmouth, bastard, animal, mope, rough, jerkoff, clown, scumbag, wiseguy, phony, idiot, shithead, bum, fool, or any of a number of anatomical, oral, or incestuous terms—is a part of every policeman's world.<sup>2</sup> Yet the grounds upon which such a figure stands have never been examined systematically. The purpose of this article is to display the interactional origins and consequences of the label asshole as it is used by policemen, in particular, patrolmen, going about their everyday tasks. I will argue that assholes represent a distinct but familiar type of person to the police and represent, therefore, a part of their commonsense wisdom

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as to the kinds of people that populate their working environment. From this standpoint, assholes are analytic types with whom the police regularly deal. More importantly, however, I will also argue that the label arises from a set of situated conditions largely unrelated to the institutional mandate of the police (i.e., to protect life and property, arrest law violators, preserve the peace, etc.) but arises in response to some occupational and personal concerns shared by virtually all policemen.

According to most knowledgeable observers, nothing characterizes policing in America more than the widespread belief on the part of the police themselves that they are primarily law enforcers—perpetually engaged in a struggle with those who would disobey, disrupt, do harm, agitate, or otherwise upset the just order of the regime. And, that as policemen, they and they alone are the most capable of sensing right from wrong; determining who is and who is not respectable; and, most critically, deciding what is to be done about it (if anything). Such heroic self-perceptions reflecting moral superiority have been noted by numerous social scientists concerned with the study of the police. Indeed, several detailed, insightful, and thoroughly accurate mappings of the police perspective exist.<sup>3</sup> For instance, learned discussions denote the various “outgroups” perceived by the police (e.g., Harris, 1973; Bayley and Mendelsohn, 1969); or the “symbolic assailants” which threaten the personal security of the police (e.g., Skolnick, 1966; Neiderhoffer, 1967; Rubenstein, 1973); or the “suspicious characters” recognized by the police via incongruous (nonordinary) appearances (e.g., Sacks, 1972; Black, 1968). These reports provide the background against which the pervasive police tropism to order the world into the “for us” and “against us” camps can most clearly be seen.

Yet these studies have glossed over certain unique but together commonsensical properties of the police situation with the attendant consequence of reifying the police position that the world is in fact divided into two camps. Other than noting the great disdain and disgust held by many police officers toward certain predefined segments of the population they presumably are to serve, these studies fail to fully describe and explain the range and meaning attached to the various labels used by the police themselves to affix individual responsibility for particular actions occurring within their normal workaday world. Furthermore, previous studies do not provide much analytic aid when determining how the various typifications carried by the police are recognized as relevant and hence utilized as guides for action by a police officer in a particular situation. In short, if police typifications are seen to have origins as well as consequences, the popular distinction between “suspicious” or “threatening” and the almost mythologized “normal” or “respectable”

is much too simple. It ignores not only the immediate context in which street interactions take place, but it also disregards the critical signs read by the police within the interaction itself which signify to them both the moral integrity of the person with whom they are dealing and the appropriate recipe they should follow as the interaction proceeds.<sup>4</sup> Therefore, any distinction of the “types” of people with whom the police deal must include an explicit consideration of the ways in which the various “types” are both immediately and conditionally identified by the police. Only in this fashion is it possible to accurately depict the labels the police construct to define, explain, and take action when going about their routine and nonroutine tasks.

To begin this analysis, consider the following typology which suggests that the police tend to view their occupational world as comprised exhaustively of three types of citizens (Van Maanen, 1974). These ideal types are: (1) “suspicious persons”—those whom the police have reason to believe may have committed a serious offense; (2) “assholes”—those who do not accept the police definition of the situation; and (3) “know nothings”—those who are not either of the first two categories but are not police and therefore, according to the police, cannot know what the police are about.

This everyday typification scheme provides a clue to the expectations, thoughts, feelings, and behaviors of the police. For example, “suspicious persons” are recognized on the basis of their appearance in public surroundings. Such an appearance is seen as a furtive, nonroutine, *de trop*, or, to use Sacks’s (1972) nicely turned phrase, “dramatically torturous.” Crucially, such persons, when they provide the police reason to stop and interrogate them, are treated normally in a brisk, though thoroughly professional, manner. It is not their moral worth or identity which is at issue, but rather it is a possible illegal action in their immediate or not-so-immediate past which is in question. From the patrolman’s point of view, he is most interested in insuring that formal procedural issues are observed. Hence the personal production of a professional police performance is called for and is presented—at least initially.<sup>5</sup> On the other end of the continuum reside the “know nothings,” the “average” citizens, who most generally come under police scrutiny only via their request for service. The “know nothing” may be the injured or wronged party or the seeker of banal information and as such is treated with a certain amount of deference and due respect by the patrolman.

“Assholes,” by way of contrast, are stigmatized by the police and treated harshly on the basis of their failure to meet police expectations arising from the *interaction situation itself*. Of course, street interaction may quickly transform suspicious persons into know nothings and know

nothings into assholes, or any combination thereof. But it is the asshole category which is most imbued with moral meaning for the patrolman—establishing for him a stained or flawed identity to attribute to the citizen upon which he can justify his sometimes malevolent acts. Consequently, the asshole may well be the recipient of what the police call “street justice”—a physical attack designed to rectify what police take as personal insult. Assholes are most vulnerable to street justice, since they, as their title implies, are not granted status as worthy human beings. Their actions are viewed by the police as stupid or senseless and their feelings as incomprehensible (if they can even be said to have feelings). Indeed, as I will show, the police consistently deny an asshole a rationale or ideology to support their actions, insisting that the behavior of an asshole is understandable only as a sudden or lifelong character aberration. On the other hand, suspicious persons are less likely candidates for street justice because, in the majority of cases, their guilt may still be in question, or, if their guilt has been in fact established, their actions are likely to seem at least comprehensible and purposeful to the police (i.e., a man steals because he needs money; a man shoots his wife because she “two-timed” him; etc.). Also, there are incentives for the suspicious person to cooperate (at least nominally) when subject to police attention. The suspicious person may well be the most cooperative of all the people with whom the police deal on a face-to-face basis. This is, in part, because he is most desirous of presenting a normal appearance (unafraid, unruffled, and with nothing to hide), and, in part, because if he is in fact caught he does not want to add further difficulty to his already difficult position. Finally, know nothings are the least likely candidates for street justice since they represent the so-called client system and are therefore those persons whom the police are most interested in impressing through a polished, efficient, and courteous performance.

At this point, I should note that the above ideal types are anything but precise and absolute. One purpose of this article is to make at least one of these categories more explicit. But since I am dealing primarily with interior, subjective meanings negotiated in public with those whom the police interact, such typifications will always be subject to severe situational, temporal, and individually idiosyncratic restriction. Hence, an asshole in one context may be a know nothing in another, and vice versa. In other words, I am not arguing in this article that a general moral order is shared by all policemen as their personalized but homomorphic view of the world. Indeed, the moral order subscribed to by police is complex, multiple, and continually shifts back and forth between that which is individual and that which is collective. What I will argue, however, is that particular situational conditions (i.e., provocations) predispose most

policemen toward certain perceptions of people which lead to the application of what can be shown to be rule-governed police actions. My objective, then, is simply to begin teasing out the underlying structure of police thought and to denote the features of what might be called the secondary reality of police work.

The remainder of this article is divided into four sections. The next section, “Patrol Work,” describes very briefly certain understandings shared by street-level patrolmen as to what is involved in their work. In a sense, these understandings are akin to behavioral rules that can be seen to mobilize police action; hence they represent the grounds upon which the figure of the asshole is recognized. The following section, “Street Justice,” deals with the characteristic processes involved in discovering, distinguishing, and treating the asshole. Some conclusions revolving around the relationship between the police and the asshole are suggested in the next section. And, finally, a few of the broad implications that flow from this analysis are outlined in the last section.

#### ◆ PATROL WORK ◆

Policing city streets entails what Hughes (1958) refers to as a “bundle of tasks.” Some of these tasks are mundane; many of them are routine; and a few of them are dangerous. Indeed, patrol work defies a general job description since it includes an almost infinite set of activities—dogcatching, first-aid, assisting elderly citizens, breaking up family fights, finding lost children, pursuing a fleeing felon, directing traffic, and so forth. Yet, as in other lines of endeavor, patrolmen develop certain insider notions about their work that may or may not reflect what outsiders believe their work to be. Such notions are of course attached firmly to the various experientially based meanings the police learn to regularly ascribe to persons, places, and things—the validity of which is established, sustained, and continually reaffirmed through everyday activity. Because these meanings are, to some degree, shared by patrolmen going about similar tasks, their collective representation can be detailed and linked to certain typical practices engaged in on the street by the police. Thus, to understand the police perspective on, and treatment of, the asshole, it is necessary also to understand the manner in which the policeman conceives of his work. Below is a very short summary of certain interrelated assumptions and beliefs that patrolmen tend to develop regarding the nature of their job.

### **Real Police Work**

Many observers have noted the pervasive police tendency to narrowly constrict their perceived task to be primarily—and to the exclusion of other alternatives—law enforcement. As Skolnick and Woodworth (1967:129) suggest evocatively, “when a policeman can engage in real police work—act out the symbolic rites of search, chase and capture—his self-image is affirmed and morale enhanced.” Yet, ironically, opportunities to enact this sequence are few and far between. In fact, estimates of the time police spend actually in real police work while on patrol vary from 0 percent (as in the case of the quiet country policeman for whom a street encounter with a bona fide “criminal” would be a spectacular exception to his daily tour of duty) to about 10 or 15 percent (as in the case of the busy urban patrolman who works a seamy cityside district in which the presence of pimps, dealers, cons, and burglars, among others, are the everyday rule). Nonetheless, most of the policeman’s time is spent performing rather dry, monotonous, and relatively mundane activities of a service nature—the proverbial clerk in a patrol car routinely cruising his district and awaiting dispatched calls (see Cain, 1971; Reiss, 1971; Webster, 1970; and Cummings, Cummings and Edell, 1965, for further discussion on how the police, spend their time).

Within these boundaries, notions of real police work develop to provide at least a modicum of satisfaction to the police. To a patrolman, *real police work* involves the use of skills and special abilities he believes he possesses by virtue of his unique experience and training. Furthermore, such a perspective results in minimizing the importance of other activities he is often asked regularly to perform. In fact, an ethos of “stay-low-and-avoid-trouble-unless-real-police-work-is-called-for” permeates police organizations (Van Maanen, 1973, 1974, 1975). Only tasks involving criminal apprehension are attributed symbolic importance. For the most part, other tasks, if they cannot be avoided, are performed (barring interruption) with ceremonial dispatch and disinterest.

### **Territoriality**

A central feature of policing at the street level is the striking autonomy maintained (and guarded jealously) by patrolmen working the beat. All patrol work is conducted by solo officers or partnerships (within a squad to whom they are linked) responsible for a given plot of territory. Over time, they come to know, in the most familiar and penetrating manner, virtually every passageway—whether alley, street, or seldom-used path—located in their sector. From such knowledge of this social stage comes

the corresponding evaluations of what particular conditions are to be considered good or bad, safe or unsafe, troubled or calm, usual or unusual, and so on. Of course, these evaluations are also linked to temporal properties associated with the public use of a patrolman’s area of responsibility. As Rubenstein (1973) suggests, the territorial perspective carried by patrolmen establishes the basic normative standard for the proper use of place. And those perceived by patrolmen to be beyond the pale regarding their activities in space and time are very likely to warrant police attention.

### **Maintaining the Edge**

Charged with enforcing ambiguous generalized statutes and operating from an autonomous, largely isolated position within the city, it is not surprising that police have internalized a standard of conduct which dictates that they must control and regulate all situations in which they find themselves. At one level, police feel they have the right to initiate, terminate, or otherwise direct all encounters with members of the public. Yet such perceptions penetrate more broadly into the social scheme of things, for police feel furthermore that the public order is a product of their ability to exercise control. The absence of trouble on their beat becomes, therefore, a personalized objective providing intimate feedback as to one’s worth as a patrolman. Activity which may threaten the perceived order becomes intolerable, for it signifies to the patrolman that his advantage over the conduct of others (his “edge”) is in question. It is a source of embarrassment in front of a public audience, and sometimes it is considered a disgrace to the police uniform if it is viewed by one’s peers or departmental superiors. Clearly, such activity cannot be allowed to persist, for it may indicate both to a patrolman’s colleagues and to his superiors that the officer no longer cares for his job and has, consequently, lost the all-important respect of those he polices (endangering, it is thought, other policemen who might work the same district). Hence, to “maintain one’s edge” is a key concept vis-à-vis the “how to” of police work. And, as all policemen know, to let down the facade (for they do recognize the contrived nature of the front) is to invite disrespect, chaos, and crime.

### **The Moral Mandate**

In light of the above three features of the police frame, it should be clear that police are both representatives of the moral order and a part of it. They are thus committed (“because it is right”) to maintain their collective face as protectorates of the right and respectable against the wrong and

the not-so-respectable. Situations in which this face is challenged—regardless of origin—are likely to be responded to in unequivocal terms. For example, Cain (1971) writes that when the authority of an officer is questioned by a member of the nonpolice public, the officer has three broad responses available to him. He may (1) physically attack the offender; (2) swallow his pride and ignore the offender; or (3) manufacture a false excuse for the arrest of the offender. What this suggests is a highly personalized view on the part of the police as to their moral position and responsibility, one in which an attempt on the part of the citizen to disregard the wishes of a policeman may be viewed by the police as a profaning of the social and legal system itself. Such an act can also be seen to provoke moral and private indignation on the part of the officer as an individual, thus providing him with another *de rigueur* excuse to locate an appropriate remedy. Since the police personally believe that they are capable of making correct decisions regarding the culpability of an involved party, justice is likely, in the case of an offense to the moral sensibilities of a police officer, to be enacted quickly, parsimoniously, and self-righteously—whether it be the relatively trivial swift kick in the pants or the penultimate tragedy involved in the taking of a life. Thus, the moral mandate felt by the police to be their just right at the societal level is translated and transformed into occupational and personal terms and provides both the justification and legitimation for specific acts of street justice.

This truncated picture of the occupational frame involved in the doing of police work provides the rubric upon which we now can examine the making of an asshole. As one would expect, assholes are not afforded the protection of the more structured relationships police maintain with other of their categories of persons—the suspicious and the know nothings. Rather, they fall outside this fragile shelter, for their actions are seen as “senseless,” so “aimless” and “irrational” that recognizable and acceptable human motives are difficult for the police to discover (i.e., from the patrolmen’s perspective, there are not legitimate reasons to distrust, disagree with, make trouble for, or certainly hate the police). In this sense, it is precisely the “pointlessness” of an individual’s behavior that makes him an asshole and subjects him to the police version of street justice.

#### ❖ STREET JUSTICE ❖

Policeman to motorist stopped for speeding:

“May I see your driver’s license, please?”

Motorist:

“Why the hell are you picking on me and not somewhere else looking for some real criminals?”

Policeman:

“Cause you’re an asshole, that’s why . . . but I didn’t know that until you opened your mouth.”

The above sea story represents the peculiar reality with which patrolmen believe they must contend. The world is in part (and, to policemen, a large part) populated by individuals to whom an explanation for police behavior cannot be made, for, as the police say, “assholes don’t listen to reason.” The purpose of this section is to explore the commonplace and commonsense manner in which the tag asshole arises, sticks, and guides police action during a street encounter. This stigmatization process is divided into three stages which, while analytically distinct, are highly interactive and apt to occur in the real world of policing almost simultaneously. For convenience only, then, these phases are labeled *affront*, *clarification*, and *remedy*.

Throughout this discussion it should be remembered that the asshole is not necessarily a suspected law violator—although the two often overlap, thus providing double trouble, so to speak, for the labeled. Importantly, the police view of the asshole as deviant is a product of the immediate transaction between the two and not a product of an act preceding the transaction. This is not to say, however, that certain classes in society—for example, the young, the black, the militant, the homosexual—are not “fixed” by the police as a sort of permanent asshole grouping. Indeed, they are. Yet such bounded *a priori* categories can do policemen little good—except perhaps when dealing with the racial or bohemian obvious—for such stereotypes are frequently misleading and dysfunctional (e.g., the “hippie” who is a detective’s prized informant; the black dressed in a purple jumpsuit who happens to be a mayor’s top aide; the sign carrying protestor who is an undercover FBI agent). And, even in cases in which *a priori* character judgments are a part of the decision to stop an individual, the asshole label, if it is to play a determining role in the encounter, must arise anew. That is to say, if the asshole distinction is to have a *concrete* as opposed to *abstract* meaning, it must in some manner be tied fundamentally and irresolutely to observable social action occurring in the presence of the labeling officer.

Certainly, a policeman’s past experience with an individual or with a recognizable group will influence his street behavior. For example, a rookie soon discovers (as a direct consequence of his initiation into a department) that blacks, students, Mexicans, reporters, lawyers, welfare workers, researchers, prostitutes, and gang members are not to be trusted, are unpredictable, and are usually “out-to-get-the-police.” He may even sort these “outsiders” into various categories indicative of the risk he

believes they present to him or the implied contrast they have with his own life-style and beliefs. Yet, without question, these categories will never be exhaustive—although the absolute size of what patrolmen call their "shit lists" may grow over the years. Consequently, to understand the police interpretation and meaning of the term "asshole" we must look directly into the field situations in which it originates.

### **Affront: Challenge**

When a police officer approaches a civilian to issue a traffic citation or to inquire as to the whys and wherefores of one's presence or simply to pass the time of day, he directly brings the power of the state to bear on the situation and hence makes vulnerable to disgrace, embarrassment, and insult that power. Since the officer at the street level symbolizes the presence of the Leviathan in the everyday lives of the citizenry, such interactions take on dramatic properties far different from ordinary citizen-to-citizen transactions (Manning, 1974a; Silver, 1967). In a very real sense, the patrolman-to-citizen exchanges are moral contests in which the authority of the state is either confirmed, denied, or left in doubt. To the patrolman, such contests are not to be taken lightly, for the authority of the state is also his personal authority, and is, of necessity, a matter of some concern to him. To deny or raise doubt about his legitimacy is to shake the very ground upon which his self-image and corresponding views are built.

An affront, as it is used here, is a challenge to the policeman's authority, control, and definition of the immediate situation. As seen by the police, an affront is simply a response on the part of the other which indicates to them that their position and authority in the interaction are not being taken seriously. It may occur with or without intent. Whether it is the vocal student who claims to "know his rights," the stumbling drunk who says he has had "only two beers," or the lady of the evening who believes she is being questioned only because she is wearing "sexy clothes," the police will respond in particular ways to those who challenge or question their motive or right to intervene in situations that they believe demand police intervention. Clearly, overt and covert challenges to police authority will not go unnoticed. In fact, they can be seen to push the encounter to a new level wherein any further slight to an officer, however subtle, provides sufficient evidence to a patrolman that he may indeed be dealing with a certifiable asshole and that the situation is in need of rapid clarification. From this standpoint, an affront can be seen, therefore, as disrupting the smooth flow of the police performance. The argumentative motorist, the pugnacious drunk, the sometimes ludicrous behavior of combatants in a "family beef" all interfere [with], and hence make more

difficult, the police task. Of course, some officers relish such encounters. In this sense, ironically, the asshole gives status to the police rather than takes it away. However, since the label is itself a moral charge (and it need not be made salient or verbally expressed), it is open theoretically for rebuttal and evidence may or may not be forthcoming which will substantiate or contradict the charge. Such evidence is gathered in the next analytic stage.

### **Clarification: Confrontation**

Based upon a perceived affront, the patrolman must then attempt to determine precisely the kind of person with whom he is engaged. It is no longer an idle matter to him in which his private conceptions of people can be kept private as he goes about his business. But the patrolman is now in a position wherein he may discover that his taken-for-granted authority on the street is not exactly taken for granted by another. Two commonsensical issues are critical at this point in an encounter. *First*, the officer must determine whether or not the individual under question could have, under the present circumstances, acted in an alternative fashion. To wit, did the perceived affront occur by coercion or accident through no fault of the person? Did the person even know he was dealing with a police officer? Was he acting with a gun at his head? And so on. *Second*, and equally important, given that the person could have acted differently, the officer must determine whether or not the individual was aware of the consequences that might follow his action. In other words, was the action frivolous, naive, unserious, and not meant to offend? Did the person know that his actions were likely to be interpreted offensively by the police? The answers to these two questions, provide patrolmen with material (or lack of it) to construct and sustain an asshole definition. Let us examine in some depth these questions, for they raise the very issue of personal responsibility which is at the nexus of the asshole definition.<sup>6</sup>

McHugh (1969) argues persuasively that the social construction of deviant categories is a matter of elimination which proceeds logically through a series of negotiated offers and responses designed to fix responsibility for a perceived deviant act (i.e., a deviant act requires a charge before it can be said to have happened). Police follow a similar paradigm when filling, emptying, or otherwise attending to their person categories. Again, the first item to be determined in this process is the issue of whether or not the person had alternative means available to him of which he could reasonably be expected to be aware. For example, the speeding motorist who, when pulled to the side of the road, could be excused for his abusive language if it were discovered by the officer that the motorist's wife was

at the same time in the back seat giving birth to a child. Similarly, juveniles "hanging out" on a public street corner at certain times of the day may be sometimes overlooked if the police feel that "those kids don't have anyplace to go." On the other hand, if it can be determined that there is no unavoidable reason behind the affronting action, the individual risks being labeled an asshole. The drunken and remorseless driver, the wife who harangues the police officer for mistreating her husband after she herself requested police service to break up a family fight, or the often-warned teenager who makes a nuisance of himself by flagrantly parading in public after curfew are all persons whom the police believe could have and should have acted differently. Their acts were not inevitable, and it could be expected that they had available to them conventional alternatives.

Given that there are no compelling deterministic accounts readily available to the patrolman to excuse a particular affront, the officer must still make a judgment about the offender's motive. In other words, as the second issue listed above suggests, the policeman must decide whether or not the person knows what he is doing. Could the person be expected to know of the consequences which follow an affront to an officer of the law? Indeed, does the person even realize that what he is doing is likely to provoke police action? Could this particular person be expected to know better? All are questions related to the establishment of a motive for action. For example, the stylized and ceremonial upright third finger when attached to the hand of a thirty-year-old man is taken by the police very differently from the same gesture attached to the hand of a four-year-old child. Loud and raucous behavior in some parts of a city may be ignored if the police feel "the people there don't know any better." Or the claim that one is Jesus Christ resurrected and is out to do battle with the wages of sin may indicate to the police that they are either in the presence of a "dope-crazed radical hippie freak" or a "soft-brained harmless mental case," depending, perhaps, on the offender's age. If the person is young, for instance, responsibility is likely to be individualized—"it is his fault"; however, if the person is old, responsibility is likely to be institutionalized—"he can't help it, he's a nut."

Summarily, the police have available to them two principles of clarification. One concerns the means available to a person guilty of an affront, and the other concerns the purposes behind the affront itself. If the affront is viewed as unavoidable or unintended, the person is unlikely to be subjected to shabby or harsh treatment at the hands of the police. The asshole, however, is one who is viewed as culpable and blameworthy for his affronting action, and, as the next section details, he will be dealt with by the police in ways they feel appropriate.

### **Remedy: Solution**

The above portrait of the clarification principles utilized by police in labeling assholes suggests that certain typical police responses can be displayed by a simple fourfold typology. Figure 1 depicts the relationship between the police officer's assessment of responsibility for the affront and denotes, within each cell, the typical police response given the various possible assessments.

Figure 1

**Does the person know what he is doing?**

	Yes	No
Could the person act differently under the circumstances?	Yes <b>A</b> Castigate	No <b>B</b> Teach
	No <b>C</b> Ignore	Yes <b>D</b> Isolate

Cell A represents the subject case of this essay since it involves a flagrant (inexcusable) disregard for the sentiments of the police. To the police, those falling into this category are unmistakably assholes and are therefore prominent candidates to be the recipients of street justice—the aim of which is to punish or castigate the individual for a moral transgression. Persons placed in this category are also the most likely to be placed under questionable arrest. This is not so because of the original intent of the encounter (which often, by itself, is trivial) but rather because of the serious extralegal means utilized by the police to enforce their particular view of the situation upon the recalcitrant asshole—"hammering-up" or "thumping" (beating).<sup>7</sup> And, as Reiss (1971) suggests, the use of force is not a philosophical question to the police but rather one of who, where, when, and how much.

The use of such means requires of course that the officer manufacture post facto a legally defensible account of his action in order to, in the vernacular of the day, "cover his ass."<sup>8</sup> Such accounts in legalese most often take the form of "disorderly conduct," "assaulting a police officer," "the use of loud and abusive language in the presence of women and children," "disturbing the peace," or the almost legendary—due to its frequent use—"resisting arrest." The asshole from this position is subject to a police enactment of double jeopardy—justice without trial in the streets and justice, perhaps with trial, in the courts. And regardless of the outcome

in the latter case, there is usually only one loser. I should emphasize, however, that I am not saying the behavior of the asshole may not be brutish, nasty, and itself thoroughly vicious. I am simply suggesting that behavior violating extralegal moral codes used by police to order their interactions—whether it be inconsiderate, barbarous, or otherwise—will be responded to in what police believe to be appropriate ways.

Cell B of Figure 1 also represents a serious affront to police integrity, and it too may be an affront which calls for an extra-legal response. An illustration provided by the remarks of a patrolman is useful in this context:

Those goddamn kids got to learn sooner or later that we won't take a lot of shit around Cardoza (a local college campus). Next time I see one of those punks waving a Viet Cong flag I'm gonna negotiate the little bastard back into an alley and kick his rosy red ass so hard he ain't gonna carry nothing for awhile. Those kids gotta be made to see that they can't get away with this type of thing.

Whether or not such a prediction was actually carried out does not matter, for the quotation itself indicates that "teaching" occupies a particularly prominent position in the police repertoire of possible responses. Thus, the uncooperative and surly motorist finds his sobriety rudely questioned, or the smug and haughty college student discovers himself stretched over the hood of a patrol car and the target of a mortifying and brusque body search. The object of such degradation ceremonies is simply to reassert police control and demonstrate to the citizen that his behavior is considered inappropriate. Teaching techniques are numerous, with threat, ridicule, and harassment among the more widely practiced. Other examples are readily available, such as the morally-toned lectures meted out to those who would attempt to bribe, lie, or otherwise worm their way out of what a policeman sees to be a legitimate traffic citation, the traditional—but vanishing—"kick in the ass" administered to a youngster caught stealing an apple or cutting school. The intent in all these cases is clear. The person must be taught a lesson. And whether the teaching occurs in public or in the back of an alley, the person must be shown the error of his ways. He has acted perhaps out of ignorance, but nevertheless the police feel they must demonstrate that they will not casually overlook the action. However, I should note that the person in this category will remain an asshole in the eyes of the police until he has apparently learned his lesson to the satisfaction of the officers on the scene. Here a display of remorse is no doubt crucial to the police.<sup>9</sup>

Cell C represents the case in which the police are likely to excuse the affront due to the extenuating circumstances surrounding the affront. When it is clear to the police that there are indeed mitigating conditions,

their response is to ignore the error—pretend, as it were, that such an affront never happened. For example, it is understandable to the police that the victim of a mugging may be somewhat abusive toward them when they interrogate him just after the crime (although there is a fine line to be drawn here). Similarly, if a teenage male vigorously defends the chaste and virtuous intentions of he and his girlfriend while questioned by the police in a concealed and cozy corner of a public park, it is understood by the police that the boy has few other acceptable alternative lines available. The police response is typically to adopt a somewhat bemused tolerance policy toward actions which under different circumstances may have produced the orb and scepter.

Finally, cell D in Figure 1 concerns the case of an affront which police take to lie beyond the responsibility of the actor. While such action cannot normally be allowed to continue, the moral indignation felt by police is tempered by the understanding that the person is not aware nor could be easily made aware of the rule-breaking nature of his actions. The police response is to isolate the offender, not to punish him. Thus, the "mental case" is shipped to the county hospital for observation and treatment; the "foul-mouthed child" is returned to those responsible for his behavior; the out-of-state tourist prowling an area close to his hotel but frequented by prostitutes is informed of his "oversight" and told in unmistakable terms to vacate the territory. It is important to note that police feel justified in using only enough force or coercive power to seal off the offender from public (and, by implication; their own) view. To use more force would be considered unreasonable.

It has been my purpose here to suggest that much of what the general public might see as capricious, random, or unnecessary behavior on the part of the police is, in fact, governed by certain rather pervasive interpretive rules which lie close enough to the surface such that they can be made visible. Certain police actions, following the model presented above, can be seen, then, to be at least logical if not legal. Furthermore, much of the power of these rules stems from their tacit or taken-for-granted basis. Indeed, were the rules to be questioned, the game could not continue. However, while these rules are applied in a like fashion by all police in a given interactional episode, the specific situated behavior of a citizen that is taken as a sign which leads to isolating, ignoring, teaching, or castigating a given individual is no doubt quite different across patrolmen. Here, the police game continues as it does because, in part, the asshole label swallows up and hides whatever individual differences exist across patrolmen. Thus, language neatly solves the problem of misunderstanding that would arise among the police were the rules to be articulated and standards sought as to how they should be applied.



### ◆ SOME CONCLUSIONS ◆

It is possible, of course, to see the preceding ritualized sequence as an isolated and rarely indulged propensity of the police. However, in this section, I will argue that indeed such a sequence and the corresponding identification and treatment of the asshole is intimately related to the police production and represents an aspect of policing that is near the core of the patrolman's definition of his task. In essence, the existence of an asshole demonstrates and confirms the police view of the importance and worth of themselves both as individuals and as members of a necessary occupation. However, several other, somewhat more practical and everyday features of police work insure the ominous presence of the asshole in the police world.

First, the labeling of individuals as assholes can be seen as a technique (although invisible to most) useful to patrolmen in providing distance between themselves and their segmented audiences—to be liked by the people in the street is, in the defensive rhetoric of patrolmen, a sign of a bad cop. By profaning and degrading the actions of another, social distance can be established and maintained—a guarantee, so to speak, that the other will not come uncomfortably close. Thus, the asshole simplifies and orders the policeman's world and continually verifies his classification scheme regarding those who are "like him" and those who are "unlike him." Relatedly the labeling serves also as an immediate call to action, denoting a consensually approved, (by the police culture) means for remedying "out-of-kilter" situations.

Second, the label not only describes and prescribes but it also explains and makes meaningful the statements and actions of others. In fact, an entire set of action expectations (i.e., "they are out to make the police look bad") can be ascribed as motives to the asshole. In this sense, the police function in street interaction is not unlike that of a psychiatrist diagnosing a patient. Both explain perceived deviancy in terms of a characterological genesis. Hence, the label implies that a different, inappropriate, and strange motivational scheme is used by the "type of person" known as an asshole. In this manner, an act is made understandable by stripping away whatever meaning might be attributed to it by the actor. Thus, to make sense of the act is to assume that it does not make sense—that it is stupid, irrational, wrong, deranged, or dangerous. Any other assumption would be too threatening.

Third, the labeling process must be viewed as serving an occupational purpose. I suggested previously that the urban policeman is primarily a keeper of the peace yet he defines his job in terms of law enforcement. Furthermore, as others have noted, many patrolmen try to convert

peacekeeping situations to those of law enforcement (e.g., Bittner, 1967, 1970; Wilson, 1969; Piliavin and Briar, 1964). Since real police work is seldom available, marginally legitimate arrests of assholes provide a patrolman excitement and the opportunity to engage one's valued skills. Perhaps the police cliché, "a good beat is full of deadbeats," reflects structural support for the asshole-labeling phenomena.

Fourth, the discovery and subsequent action taken when the police encounter the asshole provides an expressive outlet—almost ceremonial in its predictability—for much of the frustration policing engenders. To the patrolman, one particular asshole symbolizes all those that remain "out there" untouched, untaught, and unpunished. Such emotional outbursts provide, therefore, a reaffirmation of the moral repugnance of the asshole. Whether the officer responds by placing the handcuffs on the person's wrists such that they cut off circulation (and not incidentally cause intense, almost excruciating pain) or pushes a destitute soul through a shop window, these actions release some of the pent-up energies stored up over a period in which small but cumulative indignities are suffered by the police at the hands of the community elites, the courts, the politicians, the uncaught crooks, the press, and numerous others. The asshole stands, then, as a ready ersatz for those whom the police will never—short of a miracle—be in a position to directly encounter and confront.

Finally, the asshole can be seen as a sort of reified other, representing all those persons who would question, limit, or otherwise attempt to control the police. From this standpoint, knowing that there are assholes at large serves perhaps to rally and solidify police organizations around at least one common function. Thus, the police are, to a limited degree, unified by their disdain of those who would question their activities. Perhaps one could say that the police represent what Simmel (1950) referred to as an "invisible church" in which the faithful are fused together through their common relation to an outside phenomenon.

Consequently, assholes are not simply obscure and fanciful figments of the bedeviled imagination of the police. On the contrary, they define to a surprising degree what the police are about. And while the internal satisfactions and rewards involved in "slamming around" an asshole may seem esoteric if not loathsome to the outsider, to the patrolman who makes his living on the city streets it is not.

### ◆ POSTSCRIPT ◆

The foregoing description and explanation of an overlooked aspect of urban policing highlights the fact that the police officer is anything but a Weberian

bureaucrat whose discretion and authority are checked rigidly. The collective myth surrounding the rulebound "policeman-as-public-servant" has no doubt never been very accurate. By virtue of their independence from superiors, their carefully guarded autonomy in the field, their deeply felt notions about real police work and those who would interfere with it, and their increasing isolation from the public they serve (as a result of mobile patrol, rotating shifts, greater specialization of the police, and the growing segmentation of the society at large with its own specialized and emerging subcultures), police-community "problems" will not disappear. And, since the police view their critics as threatening and as persons who generally should be taught or castigated, one could argue that the explosive potential of citizen-police encounters will grow.

Additionally, if the police become more sensitive to public chastisement, it could be expected that something of a self-fulfilling prophecy may well become a more important factor in the street than it is presently. That is to say, if the police increasingly view their public audience as foes—whose views are incomprehensible if not degenerate or subversive—it is likely that they will also magnify clues which will sustain the stereotype of citizen-as-enemy escalating therefore the percentage of street interactions which result in improper arrest and verbal or physical attack. Thus, the fantasy may well become the reality as stereotypes are transformed into actualities. In fact, the future may make prophetic Brendan Behan's half-jesting remark that he had never seen a situation so bad that a policeman couldn't make it worse.

To conclude, this article has implied that there is a virtual—if unintended—license in this society granted to police. In particular, when it comes to the asshole, police actions are not governed at all, given the present policies of allowing the watchers to watch themselves. It would seem that something is amiss, and, if the practical morality in urban areas is not exactly inverted, it is at least tilted. If the asshole is indeed a critical aspect of policing, then there is serious risk involved in the movement to "professionalize" the police. As other observers have remarked, successful occupational professionalization inevitably leads to increased autonomy and ultimately increased power for members of the occupation (Becker, 1962; Hughes, 1965). Professionalism may well widen the police mandate in society and therefore amplify the potential of the police to act as moral entrepreneurs. From this perspective, what is required at present is not professional police but accountable police.

## Notes

- <sup>1</sup> All police quotes are taken from field notes I compiled of conversations and observations taking place during a year of participant observation in what I have referred to anonymously in my writings as the Union City Police Department (a large, metropolitan force employing over 1,500 uniformed officers). The quotes are as accurate as my ear, memory, and notes allow. . . . I should note, also, that in this essay I use the terms "police," "police officer," "patrolman," and "policemen" somewhat interchangeably. However, unless I indicate otherwise, my comments are directed solely toward the street level officer—the cop on the beat—and not toward his superiors, administrators, or colleagues in the more prestigious detective bureaus.
- <sup>2</sup> I chose the term "asshole" for the title of this essay simply because it is a favorite of working policemen (at least in Union City). The interested reader might check my assumption by a casual glance at what several others have to say about this linguistic matter. Most useful in this regard are the firsthand accounts police have themselves provided and can be found, for example, in Terkel (1968, 1974); Drodge, (1973); Mass (1972); Olsen (1974); Whittemore (1973); Walker (1969). I should note as well that such labeling proceeds not only because of its functional use to the police but also because it helps officers to capture perceptual distinctions (i.e., labels are "good to think"). Thus assholes are conceptually part of the ordered world of police—the statuses, the rules, the norms, and the contrasts that constitute their social system.
- <sup>3</sup> See, for example: Rubenstein's (1973) report on the Philadelphia police; Westley's (1970) study of a midwestern police department in the late 1940s; Wilson's (1968) global accounting of the police perspective; Reiss's (1971) research into police-community interactions; LaFave's (1965) treatment of the police decision to arrest; Cain's (1973) and Banton's (1964) observations on the British police; and Berkeley's (1969) cross-cultural view of policing in democratic societies. What comes out of these excellent works is tantamount to a reaffirmation of Trotsky's famous dictum, "There is but one international and that is the police."
- <sup>4</sup> For example, Skolnick's (1966) idea that policemen are "afraid" of certain categories of persons distorts the nature of the occupational perspective. More to the point, policemen are disgusted by certain people, envious of others, and ambivalent toward most. At times they may even vaguely admire certain criminals—those that the British police call "good villains" (Cain, 1971). Fear must of course be given its due, but the occasion of fear hangs more upon unforeseen situational contingencies (the proverbial dark alley, desolate city park, or underlife tavern) than upon certain individuals.
- <sup>5</sup> Certainly this may not always be the case. For example, some "suspected persons," due to the nature of their alleged crime (e.g., child molestation, drug dealing, indecent exposure, political sabotage, assault [or worse] upon a police officer, etc.) are likely to provide a strong sense of moral indignation on the part of the arresting (or stopping) officers. In such cases, once identity has been established to the satisfaction of the police (and it should be noted that errors are not unknown—particularly in these volatile cases), the person suspected is transformed immediately into an asshole and is subject to a predictably harsh treatment. Thus, in effect the label arises from an offense which occurred outside the immediate presence of the officers. However, since the spoiled identity must be reestablished anew in the immediate surroundings, the properties of the "affront" correspond analytically to the more familiar case outlines in the text. And

while the distinction has theoretical value regarding the norms of the police culture (i.e., that it is not the denounced per se that is important, but rather it is the denouncer that matters—"says who?"), its practical implications are questionable because patrolmen rarely encounter such situations.

- <sup>6</sup> In most regards, the asshole is a classic case of the deviant—although not transititionally so. See Matza (1969), Becker (1963), and Cohen (1965) for a systematic elaboration of the ideas which underpin this analysis.
- <sup>7</sup> By the term "extralegal" I am merely implying that the formal police mandate excludes such moral considerations from actions inducing decisions made by officers on the street. The notion of professional policing makes this explicit when it is suggested that patrolmen must act impersonally without regard to individual prejudice.
- <sup>8</sup> The "cover-your-ass" phenomena associated with urban policing is described in more depth in Van Maanen (1974). See also Manning (1974b) for a theoretical view of the more general construct, the police lie; and Chevigny (1968) for a presentation of numerous disturbing case studies.
- <sup>9</sup> Arrests are, of course, sometimes used to teach someone a lesson. However, police believe that in many cases the asshole will arrange his release before the patrolman will have completed the paperwork necessitated by the arrest. And since the affront was moral, the legal justification to "make the case" in court may be lacking. Thus, the classroom more often than not is in the street. Given the opportunity to teach the asshole either by "turning him in" or "doing him in," most police would choose the latter.

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