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THE POLICE ON SKID-ROW: A STUDY OF PEACE KEEPING *

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Following the distinction proposed by Banton, police work consists of two relatively different activities: "law enforcement" and "keeping the peace." The latter is not determined by a clear legal mandate and does not stand under any system of external control. Instead, it developed as a craft in response to a variety of demand conditions. One such condition is created by the concentration of certain types of persons on skid-row. Patrolmen have a particular conception of the social order of skid-row life that determines the procedures of control they employ. The most conspicuous features of the peace keeping methods used are an aggressively personalized approach to residents, an attenuated regard for questions of culpability, and the use of coercion, mainly in the interest of managing situations rather than persons.

THE prototype of modern police organization, the Metropolitan Police of London, was created to replace an antiquated and corrupt system of law enforcement. The early planners were motivated by the mixture of hardheaded business rationality and humane sentiment that characterized liberal British thought of the first half of the nineteenth century.¹ Partly to meet the objections of a parliamentary committee, which was opposed to the establishment of the police in England, and partly because it was in line with their own thinking, the planners sought to produce an instrument that could not readily be used in the play of internal power politics but which would, instead, advance and protect conditions

favorable to industry and commerce and to urban civil life in general. These intentions were not very specific and had to be reconciled with the existing structures of governing, administering justice, and keeping the peace. Consequently, the locus and mandate of the police in the modern polity were ill-defined at the outset. On the one hand, the new institution was to be a part of the executive branch of government, organized, funded, and staffed in accordance with standards that were typical for the entire system of the executive. On the other hand, the duties that were given to the police organization brought it under direct control of the judiciary in its day-to-day operation.

The dual patronage of the police by the executive and the judiciary is characteristic for all democratically governed countries. Moreover, it is generally the case, or at least it is deemed desirable, that judges *rather than* executive officials have control over police use and procedure.² This preference is based

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¹ The bill for a Metropolitan Police was actually enacted under the sponsorship of Robert Peel, the Home Secretary in the Tory Government of the Duke of Wellington. There is, however, no doubt that it was one of the several reform tendencies that Peel assimilated into Tory politics in his long career. Cf. J. L. Lyman, "The Metropolitan Police Act of 1829," *Journal of Criminal Law, Criminology and Police Science*, 55 (1964), 141-154.

² Jerome Hall, "Police and Law in a Democratic Society," *Indiana Law Journal*, 28 (1953), 133-177. Though other authors are less emphatic on this point, judicial control is generally taken for granted. The point has been made, however, that in modern times judicial control over the police has been asserted mainly because of the default of any other general controlling authority, cf. E. L. Barrett, Jr.,

on two considerations. First, in the tenets of the democratic creed, the possibility of direct control of the police by a government in power is repugnant.³ Even when the specter of the police state in its more ominous forms is not a concern, close ties between those who govern and those who police are viewed as a sign of political corruption.⁴ Hence, mayors, governors, and cabinet officers—although the nominal superiors of the police—tend to maintain, or to pretend, a hands-off policy. Second, it is commonly understood that the main function of the police is the control of crime. Since the concept of crime belongs wholly to the law, and its treatment is exhaustively based on considerations of legality, police procedure automatically stands under the same system of review that controls the administration of justice in general.

By nature, judicial control encompasses only those aspects of police activity that are directly related to full-dress legal prosecution of offenders. The judiciary has neither the authority nor the means to direct, supervise, and review those activities of the police that do not result in prosecution. Yet such other activities are unavoidable, frequent, and largely within the realm of public expectations. It might be assumed that in this domain of practice the police are under executive control. This is not the case, however, except in a marginal sense.⁵ Not only are police departments generally free to determine what need be done and how, but

aside from informal pressures they are given scant direction in these matters. Thus, there appear to exist two relatively independent domains of police activity. In one, their methods are constrained by the prospect of the future disposition of a case in the courts; in the other, they operate under some other consideration and largely with no structured and continuous outside constraint. Following the terminology suggested by Michael Banton, they may be said to function in the first instance as "law officers" and in the second instance as "peace officers."⁶ It must be emphasized that the designation "peace officer" is a residual term, with only some vaguely presumptive content. The role, as Banton speaks of it, is supposed to encompass all occupational routines not directly related to making arrests, without, however, specifying what determines the limits of competence and availability of the police in such actions.

Efforts to characterize a large domain of activities of an important public agency have so far yielded only negative definitions. We know that they do not involve arrests; we also know that they do not stand under judicial control, and that they are not, in any important sense, determined by specific executive or legislative mandates. In police textbooks and manuals, these activities receive only casual attention, and the role of the "peace officer" is typically stated in terms suggesting that his work is governed mainly by the individual officer's personal wisdom, integrity, and altruism.⁷ Police departments generally keep no records of procedures that do not involve making arrests. Policemen, when asked, insist that they merely use common sense when acting as "peace officers," though they tend to emphasize the elements of experience and practice in discharging the role adequately. All this ambiguity is the more remarkable for the fact that peace keeping tasks, i.e., procedures not involving the formal legal remedy of arrest, were explicitly built into the program of the modern police from the outset.⁸

"Police Practice and the Law," *California Law Review*, 50 (1962), 11-55.

³ A. C. German, F. D. Day and R. R. J. Gallati, *Introduction to Law Enforcement*, Springfield, Ill.: C. C. Thomas, 1966; "One concept, in particular, should be kept in mind. A dictatorship can never exist unless the police system of the country is under the absolute control of the dictator. There is no other way to uphold a dictatorship except by terror, and the instrument of this total terror is the secret police, whatever its name. In every country where freedom has been lost, law enforcement has been a dominant instrument in destroying it" (p. 80).

⁴ The point is frequently made; cf. Raymond B. Fosdick, *American Police Systems*, New York: Century Company, 1920; Bruce Smith, *Police Systems in the United States*, 2nd rev. ed., New York: Harper, 1960.

⁵ The executive margin of control is set mainly in terms of budgetary determinations and the mapping of some formal aspects of the organization of departments.

⁶ Michael Banton, *The Policeman in the Community*, New York: Basic Books, 1964, pp. 6-7 and 127 ff.

⁷ R. Bruce Holmgren, *Primary Police Functions*, New York: William C. Cope, 1962.

⁸ Cf. Lyman, *op. cit.*, p. 153; F. C. Mather, *Public Order in the Age of the Chartists*, Manchester: Manchester University Press, 1959, chap-

The early executives of the London police saw with great clarity that their organization had a dual function. While it was to be an arm of the administration of justice, in respect of which it developed certain techniques for bringing offenders to trial, it was also expected to function apart from, and at times in lieu of, the employment of full-dress legal procedure. Despite its early origin, despite a great deal of public knowledge about it, despite the fact that it is routinely done by policemen, no one can say with any clarity what it means to do a good job of keeping the peace. To be sure, there is vague consensus that when policemen direct, aid, inform, pacify, warn, discipline, roust, and do whatever else they do without making arrests, they do this with some reference to the circumstances of the occasion and, thus, somehow contribute to the maintenance of the peace and order. Peace keeping appears to be a solution to an unknown problem arrived at by unknown means.

The following is an attempt to clarify conceptually the mandate and the practice of keeping the peace. The effort will be directed not to the formulation of a comprehensive solution of the problem but to a detailed consideration of some aspects of it. Only in order to place the particular into the overall domain to which it belongs will the structural determinants of keeping the peace in general be discussed. By structural determinants are meant the typical situations that policemen perceive as *demand conditions* for action without arrest. This will be followed by a description of peace keeping in skid-row districts, with the object of identifying those aspects of it that constitute a *practical skill*.

Since the major object of this paper is to elucidate peace keeping practice as a skilled performance, it is necessary to make clear how the use of the term is intended.

Practical skill will be used to refer to those methods of doing certain things, and to the information that underlies the use of the methods, that *practitioners themselves* view as proper and efficient. Skill is, therefore, a stable orientation to work tasks that is relatively independent of the personal feel-

ings and judgments of those who employ it. Whether the exercise of this skilled performance is desirable or not, and whether it is based on correct information or not, are specifically outside the scope of interest of this presentation. The following is deliberately confined to a description of what police patrolmen consider to be the reality of their work circumstances, what they do, and what they feel they must do to do a good job. That the practice is thought to be determined by normative standards of skill minimizes but does not eliminate the factors of personal interest or inclination. Moreover, the distribution of skill varies among practitioners in the very standards they set for themselves. For example, we will show that patrolmen view a measure of rough informality as good practice vis-a-vis skid-row inhabitants. By this standard, patrolmen who are "not rough enough," or who are "too rough," or whose roughness is determined by personal feelings rather than by situational exigencies, are judged to be poor craftsmen.

The description and analysis are based on twelve months of field work with the police departments of two large cities west of the Mississippi. Eleven weeks of this time were spent in skid-row and skid-row-like districts. The observations were augmented by approximately one hundred interviews with police officers of all ranks. The formulations that will be proposed were discussed in these interviews. They were recognized by the respondents as elements of standard practice. The respondents' recognition was often accompanied by remarks indicating that they had never thought about things in this way and that they were not aware how standardized police work was.

STRUCTURAL DEMAND CONDITIONS OF PEACE KEEPING

There exist at least five types of relatively distinct circumstances that produce police activities that do not involve invoking the law and that are only in a trivial sense determined by those considerations of legality that determine law enforcement. This does not mean that these activities are illegal but merely that there is no legal directive that informs the acting policeman whether what he does must be done or how it is to be done. In these circumstances, policemen act

ter IV. See also Robert H. Bremer, "Police, Penal and Parole Policies in Cleveland and Toledo," *American Journal of Economics and Sociology*, 14 (1955), 387-398, for similar recognition in the United States at about the turn of this century.

as all-purpose and terminal remedial agents, and the confronted problem is solved in the field. If these practices stand under any kind of review at all, and typically they do not, it is only through internal police department control.

1. Although the executive branch of government generally refrains from exercising a controlling influence over the direction of police interest, it manages to extract certain performances from it. Two important examples of this are the supervision of certain licensed services and premises and the regulation of traffic.⁹ With respect to the first, the police tend to concentrate on what might be called the moral aspects of establishments rather than on questions relating to the technical adequacy of the service. This orientation is based on the assumption that certain types of businesses lend themselves to exploitation for undesirable and illegal purposes. Since this tendency cannot be fully controlled, it is only natural that the police will be inclined to favor licensees who are at least cooperative. This, however, transforms the task from the mere scrutiny of credentials and the passing of judgments, to the creation and maintenance of a network of connections that conveys influence, pressure, and information. The duty to inspect is the background of this network, but the resulting contacts acquire additional value for solving crimes and maintaining public order. Bartenders, shopkeepers, and hotel clerks become, for patrolmen, a resource that must be continuously serviced by visits and exchanges of favors. While it is apparent that this condition lends itself to corrupt exploitation by individual officers, even the most flawlessly honest policeman must participate in this network of exchanges if he is to function adequately. Thus, engaging in such exchanges becomes an occupational task that demands attention and time.

Regulation of traffic is considerably less complex. More than anything else, traffic control symbolizes the autonomous authority of policemen. Their commands generally are met with unquestioned compliance. Even when they issue citations, which seemingly refer the case to the courts, it is common practice for the accused to view the allegation as a finding against him and to pay the

fine. Police officials emphasize that it is more important to be circumspect than legalistic in traffic control. Officers are often reminded that a large segment of the public has no other contacts with the police, and that the field lends itself to public relations work by the line personnel.¹⁰

2. Policemen often do not arrest persons who have committed minor offences in circumstances in which the arrest is technically possible. This practice has recently received considerable attention in legal and sociological literature. The studies were motivated by the realization that "police decisions not to invoke the criminal process determine the outer limits of law enforcement."¹¹ From these researches, it was learned that the police tend to impose more stringent criteria of law enforcement on certain segments of the community than on others.¹² It was also learned that, from the perspective of the administration of justice, the decisions not to make arrests often are based on compelling reasons.¹³ It is less well appreciated that policemen often not only refrain from invoking the law formally but also employ alternative sanctions. For example, it is standard practice that violators are warned not to repeat the offense. This often leads to patrolmen's "keeping an eye" on certain persons. Less frequent, though not unusual, is the practice of direct disciplining of offenders, especially when they are juveniles, which occasionally involves inducing them to repair the damage occasioned by their misconduct.¹⁴

The power to arrest and the freedom not to arrest can be used in cases that do not involve patent offenses. An officer can say to a person whose behavior he wishes to control, "I'll let you go this time!" without

¹⁰ Orlando W. Wilson, "Police Authority in a Free Society," *Journal of Criminal Law, Criminology and Police Science*, 54 (1964), 175-177.

¹¹ Joseph Goldstein, "Police Discretion Not to Invoke the Criminal Process," *Yale Law Journal*, 69 (1960), 543.

¹² Jerome Skolnick, *Justice Without Trial*, New York: Wiley, 1966.

¹³ Wayne LaFave, "The Police and Nonenforcement of the Law," *Wisconsin Law Review* (1962), 104-137 and 179-239.

¹⁴ Nathan Goldman, *The Differential Selection of Juvenile Offenders for Court Appearance*, National Research and Information Center, National Council on Crime and Delinquency, 1963, pp. 114 ff.

⁹ Smith, *op. cit.*, pp. 15 ff.

indicating to him that he could not have been arrested in any case. Nor is this always deliberate misrepresentation, for in many cases the law is sufficiently ambiguous to allow alternative interpretations. In short, not to make an arrest is rarely, if ever, merely a decision not to act; it is most often a decision to act alternatively. In the case of minor offenses, to make an arrest often is merely one of several possible proper actions.

3. There exists a public demand for police intervention in matters that contain no criminal and often no legal aspects.¹⁵ For example, it is commonly assumed that officers will be available to arbitrate quarrels, to pacify the unruly, and to help in keeping order. They are supposed also to aid people in trouble, and there is scarcely a human predicament imaginable for which police aid has not been solicited and obtained at one time or another. Most authors writing about the police consider such activities only marginally related to the police mandate. This view fails to reckon with the fact that the availability of these performances is taken for granted and the police assign a substantial amount of their resources to such work. Although this work cannot be subsumed under the concept of legal action, it does involve the exercise of a form of authority that most people associate with the police. In fact, no matter how trivial the occasion, the device of "calling the cops" transforms any problem. It implies that a situation is, or is getting, out of hand. Police responses to public demands are always oriented to this implication, and the risk of proliferation of troubles makes every call a potentially serious matter.¹⁶

4. Certain mass phenomena of either a regular or a spontaneous nature require direct monitoring. Most important is the controlling of crowds in incipient stages of disorder. The specter of mob violence frequently calls for measures that involve coercion, including the

use of physical force. Legal theory allows, of course, that public officials are empowered to use coercion in situations of imminent danger.¹⁷ Unfortunately, the doctrine is not sufficiently specific to be of much help as a rule of practice. It is based on the assumption of the adventitiousness of danger, and thus does not lend itself readily to elaborations that could direct the routines of early detection and prevention of untoward developments. It is interesting that the objective of preventing riots by informal means posed one of the central organizational problems for the police in England during the era of the Chartists.¹⁸

5. The police have certain special duties with respect to persons who are viewed as less than fully accountable for their actions. Examples of those eligible for special consideration are those who are under age¹⁹ and those who are mentally ill.²⁰ Although it is virtually never acknowledged explicitly, those receiving special treatment include people who do not lead "normal" lives and who occupy a pariah status in society. This group includes residents of ethnic ghettos, certain types of bohemians and vagabonds, and persons of known criminal background. The special treatment of children and of sick persons is permissively sanctioned by the law, but the special treatment of others is, in principle, opposed by the leading theme of legality and the tenets of the democratic faith.²¹ The important point is not that such persons are arrested more often than others, which is quite true, but that they are per-

¹⁷ Hans Kelsen, *General Theory of Law and State*, New York: Russell & Russell, 1961, pp. 278-279; H. L. A. Hart, *The Concept of Law*, Oxford: Clarendon Press, 1961, pp. 20-21.

¹⁸ Mather, *op. cit.*; see also, Jenifer Hart, "Reform of the Borough Police, 1835-1856," *English History Review*, 70 (1955), 411-427.

¹⁹ Francis A. Allen, *The Borderland of Criminal Justice*, Chicago: University of Chicago Press, 1964.

²⁰ Egon Bittner, "Police Discretion in Emergency Apprehension of Mentally Ill Persons," *Social Problems*, 14 (1967), 278-292.

²¹ It bears mentioning, however, that differential treatment is not unique with the police, but is also in many ways representative for the administration of justice in general; cf. J. E. Carlin, Jan Howard and S. L. Messinger, "Civil Justice and the Poor," *Law and Society*, 1 (1966), 9-89; Jacobus tenBroek (ed.) *The Law of the Poor*, San Francisco: Chandler Publishing Co., 1966.

¹⁵ Elaine Cumming, Ian Cumming and Laura Edell, "Policeman as Philosopher, Guide and Friend," *Social Problems*, 12 (1965), 276-286.

¹⁶ There is little doubt that many requests for service are turned down by the police, especially when they are made over the telephone or by mail, cf. LaFave, *op. cit.*, p. 212, n. 124. The uniformed patrolman, however, finds it virtually impossible to leave the scene without becoming involved in some way or another.

ceived by the police as producing a special problem that necessitates continuous attention and the use of special procedures.

The five types of demand conditions do not exclude the possibility of invoking the criminal process. Indeed, arrests do occur quite frequently in all these circumstances. But the concerns generated in these areas cause activities that usually do not terminate in an arrest. When arrests are made, there exist, at least in the ideal, certain criteria by reference to which the arrest can be judged as having been made more or less properly, and there are some persons who, in the natural course of events, actually judge the performance.²² But for actions not resulting in arrest there are no such criteria and no such judges. How, then, can one speak of such actions as necessary and proper? Since there does not exist any official answer to this query, and since policemen act in the role of "peace officers" pretty much without external direction or constraint, the question comes down to asking how the policeman himself knows whether he has any business with a person he does not arrest, and if so, what that business might be. Furthermore, if there exists a domain of concerns and activities that is largely independent of the law enforcement mandate, it is reasonable to assume that it will exercise some degree of influence on how and to what ends the law is invoked in cases of arrests.

Skid-row presents one excellent opportunity to study these problems. The area contains a heavy concentration of persons who do not live "normal" lives in terms of prevailing standards of middle-class morality. Since the police respond to this situation by intensive patrolling, the structure of peace keeping should be readily observable. Needless to say, the findings and conclusions will not be necessarily generalizable to other types of demand conditions.

THE PROBLEM OF KEEPING THE PEACE IN SKID-ROW

Skid-row has always occupied a special place among the various forms of urban life.

²² This is, however, true only in the ideal. It is well known that a substantial number of persons who are arrested are subsequently released without ever being charged and tried, cf. Barret, *op. cit.*

While other areas are perceived as being different in many ways, skid-row is seen as completely different. Though it is located in the heart of civilization, it is viewed as containing aspects of the primordial jungle, calling for missionary activities and offering opportunities for exotic adventure. While each inhabitant individually can be seen as tragically linked to the vicissitudes of "normal" life, allowing others to say "here but for the Grace of God go I," those who live there are believed to have repudiated the entire role-casting scheme of the majority and to live apart from normalcy. Accordingly, the traditional attitude of civic-mindedness toward skid-row has been dominated by the desire to contain it and to salvage souls from its clutches.²³ The specific task of containment has been left to the police. That this task pressed upon the police some rather special duties has never come under explicit consideration, either from the government that expects control or from the police departments that implement it. Instead, the prevailing method of carrying out the task is to assign patrolmen to the area on a fairly permanent basis and to allow them to work out their own ways of running things. External influence is confined largely to the supply of support and facilities, on the one hand, and to occasional expressions of criticism about the overall conditions, on the other. Within the limits of available resources and general expectations, patrolmen are supposed to know what to do and are free to do it.²⁴

²³ The literature on skid-row is voluminous. The classic in the field is Nels Anderson, *The Hobo*, Chicago: University of Chicago Press, 1923. Samuel E. Wallace, *Skid-Row as a Way of Life*, Totowa, New Jersey: The Bedminster Press, 1965, is a more recent descriptive account and contains a useful bibliography. Donald A. Bogue, *Skid-Row in American Cities*, Chicago: Community and Family Center, University of Chicago, 1963, contains an exhaustive quantitative survey of Chicago skid-row.

²⁴ One of the two cities described in this paper also employed the procedure of the "round-up" of drunks. In this, the police van toured the skid-row area twice daily, during the mid-afternoon and early evening hours, and the officers who manned it picked up drunks they sighted. A similar procedure is used in New York's Bowery and the officers who do it are called "condition men." Cf. *Bowery Project*, Bureau of Applied Social Research, Columbia University, Summary Report of a Study Undertaken under Contract Approved by the Board of Estimates, 1963, mimeo., p. 11.

Patrolmen who are more or less permanently assigned to skid-row districts tend to develop a conception of the nature of their "domain" that is surprisingly uniform. Individual officers differ in many aspects of practice, emphasize different concerns, and maintain different contacts, but they are in fundamental agreement about the structure of skid-row life. This relatively uniform conception includes an implicit formulation of the problem of keeping the peace in skid-row.

In the view of experienced patrolmen, life on skid-row is fundamentally different from life in other parts of society. To be sure, they say, around its geographic limits the area tends to blend into the surrounding environment, and its population always encompasses some persons who are only transitionally associated with it. Basically, however, skid-row is perceived as the natural habitat of people who lack the capacities and commitments to live "normal" lives on a sustained basis. The presence of these people defines the nature of social reality in the area. In general, and especially in casual encounters, the presumption of incompetence and of the disinclination to be "normal" is the leading theme for the interpretation of all actions and relations. Not only do people approach one another in this manner, but presumably they also expect to be approached in this way, and they conduct themselves accordingly.

In practice, the restriction of interactional possibilities that is based on the patrolman's stereotyped conception of skid-row residents is always subject to revision and modification toward particular individuals. Thus, it is entirely possible, and not unusual, for patrolmen to view certain skid-row inhabitants in terms that involve non-skid-row aspects of normality. Instances of such approaches and relationships invariably involve personal acquaintance and the knowledge of a good deal of individually qualifying information. Such instances are seen, despite their relative frequency, as exceptions to the rule. The awareness of the possibility of breakdown, frustration, and betrayal is ever-present, basic wariness is never wholly dissipated, and undaunted trust can never be fully reconciled with presence on skid-row.

What patrolmen view as normal on skid-row—and what they also think is taken for

granted as "life as usual" by the inhabitants—is not easily summarized. It seems to focus on the idea that the dominant consideration governing all enterprise and association is directed to the occasion of the moment. Nothing is thought of as having a background that might have led up to the present in terms of some compelling moral or practical necessity. There are some exceptions to this rule, of course: the police themselves, and those who run certain establishments, are perceived as engaged in important and necessary activities. But in order to carry them out they, too, must be geared to the overall atmosphere of fortuitousness. In this atmosphere, the range of control that persons have over one another is exceedingly narrow. Good faith, even where it is valued, is seen merely as a personal matter. Its violations are the victim's own hard luck, rather than demonstrable violations of property. There is only a private sense of irony at having been victimized. The overall air is not so much one of active distrust as it is one of irrelevance of trust; as patrolmen often emphasize, the situation does not necessarily cause all relations to be predatory, but the possibility of exploitation is not checked by the expectation that it will not happen.

Just as the past is seen by the policeman as having only the most attenuated relevance to the present, so the future implications of present situations are said to be generally devoid of prospective coherence. No venture, especially no joint venture, can be said to have a strongly predictable future in line with its initial objectives. It is a matter of adventitious circumstance whether or not matters go as anticipated. That which is not within the grasp of momentary control is outside of practical social reality.

Though patrolmen see the temporal framework of the occasion of the moment mainly as a lack of trustworthiness, they also recognize that it involves more than merely the personal motives of individuals. In addition to the fact that everybody *feels* that things matter only at the moment, irresponsibility takes an *objectified* form on skid-row. The places the residents occupy, the social relations they entertain, and the activities that engage them are not meaningfully connected over time. Thus, for example, address, occupation, marital status, etc., matter much

less on skid-row than in any other part of society. The fact that present whereabouts, activities, and affiliations imply neither continuity nor direction means that life on skid-row lacks a socially structured background of accountability. Of course, everybody's life contains some sequential incongruities, but in the life of a skid-row inhabitant every moment is an accident. That a man has no "address" in the future that could be in some way inferred from where he is and what he does makes him a person of *radically reduced visibility*. If he disappears from sight and one wishes to locate him, it is virtually impossible to systematize the search. All one can know with relative certainty is that he will be somewhere on some skid-row and the only thing one can do is to trace the factual contingencies of his whereabouts.

It is commonly known that the police are expert in finding people and that they have developed an exquisite technology involving special facilities and procedures of sleuthing. It is less well appreciated that all this technology builds upon those socially structured features of everyday life that render persons findable in the first place.

Under ordinary conditions, the query as to where a person is can be addressed, from the outset, to a restricted realm of possibilities that can be further narrowed by looking into certain places and asking certain persons. The map of whereabouts that normally competent persons use whenever they wish to locate someone is constituted by the basic facts of membership in society. Insofar as membership consists of status incumbencies, each of which has an adumbrated future that substantially reduces unpredictability, it is itself a guarantee of the order within which it is quite difficult to get lost. Membership is thus visible not only now but also as its own projection into the future. It is in terms of this prospective availability that the skid-row inhabitant is a person of reduced visibility. His membership is viewed as extraordinary because its extension into the future is *not* reduced to a restricted realm of possibilities. Neither his subjective dispositions, nor his circumstances, indicate that he is oriented to any particular long-range interests. But, as he may claim every contingent opportunity, his claims are always seen as based on slight

merit or right, at least to the extent that interfering with them does not constitute a substantial denial of his freedom.

This, then, constitutes the problem of keeping the peace on skid-row. Considerations of momentary expediency are seen as having unqualified priority as maxims of conduct; consequently, the controlling influences of the pursuit of sustained interests are presumed to be absent.

THE PRACTICES OF KEEPING THE PEACE IN SKID-ROW

From the perspective of society as a whole, skid-row inhabitants appear troublesome in a variety of ways. The uncommitted life attributed to them is perceived as inherently offensive; its very existence arouses indignation and contempt. More important, however, is the feeling that persons who have repudiated the entire role-status casting system of society, persons whose lives forever collapse into a succession of random moments, are seen as constituting a practical risk. As they have nothing to forsake, nothing is thought safe from them.²⁵

The skid-row patrolman's concept of his mandate includes an awareness of this presumed risk. He is constantly attuned to the possibility of violence, and he is convinced that things to which the inhabitants have free access are as good as lost. But his concern is directed toward the continuous condition of peril *in the area* rather than *for society in general*. While he is obviously conscious of the presence of many persons who have committed crimes outside of skid-row and will arrest them when they come to his attention, this is a peripheral part of his routine activities. In general, the skid-row patrolman and his superiors take for granted that his main business is to keep the peace

²⁵ An illuminating parallel to the perception of skid-row can be found in the more traditional concept of vagabondage. Cf. Alexandre Vexliard, *Introduction a la Sociologie du Vagabondage*, Paris: Libraire Marcel Riviere, 1956, and "La Disparition du Vagabondage comme Fleau Social Universel," *Revue de L'Institut de Sociologie* (1963), 53-79. The classic account of English conditions up to the 19th century is C. J. Ribton-Turner, *A History of Vagrants and Vagrancy and Beggars and Begging*, London: Chapman and Hall, 1887.

and enforce the laws *on skid-row*, and that he is involved only incidentally in protecting society at large. Thus, his task is formulated basically as the protection of putative predators from one another. The maintenance of peace and safety is difficult because everyday life on skid-row is viewed as an open field for reciprocal exploitation. As the lives of the inhabitants lack the prospective coherence associated with status incumbency, the realization of self-interest does not produce order. Hence, mechanisms that control risk must work primarily from without.

External containment, to be effective, must be oriented to the realities of existence. Thus, the skid-row patrolman employs an approach that he views as appropriate to the *ad hoc* nature of skid-row life. The following are the three most prominent elements of this approach. First, the seasoned patrolman seeks to acquire a richly particularized knowledge of people and places in the area. Second, he gives the consideration of strict culpability a subordinate status among grounds for remedial sanction. Third, his use and choice of coercive interventions is determined mainly by exigencies of situations and with little regard for possible long range effects on individual persons.

The Particularization of Knowledge. The patrolman's orientation to people on skid-row is structured basically by the presupposition that if he does not know a man personally there is very little that he can assume about him. This rule determines his interaction with people who live on skid-row. Since the area also contains other types of persons, however, its applicability is not universal. To some such persons it does not apply at all, and it has a somewhat mitigated significance with certain others. For example, some persons encountered on skid-row can be recognized immediately as outsiders. Among them are workers who are employed in commercial and industrial enterprises that abut the area, persons who come for the purpose of adventurous "slumming," and some patrons of second-hand stores and pawn shops. Even with very little experience, it is relatively easy to identify these people by appearance, demeanor, and the time and place of their presence. The patrolman maintains an impersonal attitude toward them,

and they are, under ordinary circumstances, not the objects of his attention.²⁶

Clearly set off from these outsiders are the residents and the entire corps of personnel that services skid-row. It would be fair to say that one of the main routine activities of patrolmen is the establishment and maintenance of familiar relationships with individual members of these groups. Officers emphasize their interest in this, and they maintain that their grasp of and control over skid-row is precisely commensurate with the extent to which they "know the people." By this they do not mean having a quasi-theoretical understanding of human nature but rather the common practice of individualized and reciprocal recognition. As this group encompasses both those who render services on skid-row and those who are serviced, individualized interest is not always based on the desire to overcome uncertainty. Instead, relations with service personnel become absorbed into the network of particularized attention. Ties between patrolmen, on the one hand, and businessmen, managers, and workers, on the other hand, are often defined in terms of shared or similar interests. It bears mentioning that many persons live *and* work on skid-row. Thus, the distinction between those who service and those who are serviced is not a clearcut dichotomy but a spectrum of affiliations.

As a general rule, the skid-row patrolman possesses an immensely detailed factual knowledge of his beat. He knows, and knows a great deal about, a large number of residents. He is likely to know every person who manages or works in the local bars, hotels, shops, stores, and missions. Moreover, he probably knows every public and private place inside and out. Finally, he ordinarily remembers countless events of the past which he can recount by citing names, dates and places with remarkable precision. Though there are always some threads missing in the fabric of information, it is continuously woven and mended even as it is being used. New facts, however, are added to the texture,

²⁶ Several patrolmen complained about the influx of "tourists" into skid-row. Since such "tourists" are perceived as seeking illicit adventure, they receive little sympathy from patrolmen when they complain about being victimized.

not in terms of structured categories but in terms of adjoining known realities. In other words, the content and organization of the patrolman's knowledge is primarily ideographic and only vestigially, if at all, nomothetic.

Individual patrolmen vary in the extent to which they make themselves available or actively pursue personal acquaintances. But even the most aloof are continuously greeted and engaged in conversations that indicate a background of individualistic associations. While this scarcely has the appearance of work, because of its casual character, patrolmen do not view it as an optional activity. In the course of making their rounds, patrolmen seem to have access to every place, and their entry causes no surprise or consternation. Instead, the entry tends to lead to informal exchanges of small talk. At times the rounds include entering hotels and gaining access to rooms or dormitories, often for no other purpose than asking the occupants how things are going. In all this, patrolmen address innumerable persons by name and are in turn addressed by name. The conversational style that characterizes these exchanges is casual to an extent that by non-skid-row standards might suggest intimacy. Not only does the officer himself avoid all terms of deference and respect but he does not seem to expect or demand them. For example, a patrolman said to a man radiating an alcoholic glow on the street, "You've got enough of a heat on now; I'll give you ten minutes to get your ass off the street!" Without stopping, the man answered, "Oh, why don't you go and piss in your own pot!" The officer's only response was, "All right, in ten minutes you're either in bed or on your way to the can."

This kind of expressive freedom is an intricately limited privilege. Persons of acquaintance are entitled to it and appear to exercise it mainly in routinized encounters. But strangers, too, can use it with impunity. The safe way of gaining the privilege is to respond to the patrolman in ways that do not challenge his right to ask questions and issue commands. Once the concession is made that the officer is entitled to inquire into a man's background, business, and intentions, and that he is entitled to obedience, there opens a field of colloquial license. A patrolman

seems to grant expressive freedom in recognition of a person's acceptance of his access to areas of life ordinarily defined as private and subject to coercive control only under special circumstances. While patrolmen accept and seemingly even cultivate the rough *quid pro quo* of informality, and while they do not expect sincerity, candor, or obedience in their dealings with the inhabitants, they do not allow the rejection of their approach.

The explicit refusal to answer questions of a personal nature and the demand to know why the questions are asked significantly enhances a person's chances of being arrested on some minor charge. While most patrolmen tend to be personally indignant about this kind of response and use the arrest to compose their own hurt feelings, this is merely a case of affect being in line with the method. There are other officers who proceed in the same manner without taking offense, or even with feelings of regret. Such patrolmen often maintain that their colleagues' affective involvement is a corruption of an essentially valid technique. The technique is oriented to the goal of maintaining operational control. The patrolman's conception of this goal places him hierarchically above whomever he approaches, and makes him the sole judge of the propriety of the occasion. As he alone is oriented to this goal, and as he seeks to attain it by means of individualized access to persons, those who frustrate him are seen as motivated at best by the desire to "give him a hard time" and at worst by some darkly devious purpose.

Officers are quite aware that the directness of their approach and the demands they make are difficult to reconcile with the doctrines of civil liberties, but they maintain that they are in accord with the general freedom of access that persons living on skid-row normally grant one another. That is, they believe that the imposition of personalized and far-reaching control is in tune with standard expectancies. In terms of these expectancies, people are not so much denied the right to privacy as they are seen as not having any privacy. Thus, officers seek to install themselves in the center of people's lives and let the consciousness of their presence play the part of conscience.

When talking about the practical necessity of an aggressively personal approach, officers

do not refer merely to the need for maintaining control over lives that are open in the direction of the untoward. They also see it as the basis for the supply of certain valued services to inhabitants of skid-row. The coerced or conceded access to persons often imposes on the patrolman tasks that are, in the main, in line with these persons' expressed or implied interest. In asserting this connection, patrolmen note that they frequently help people to obtain meals, lodging, employment, that they direct them to welfare and health services, and that they aid them in various other ways. Though patrolmen tend to describe such services mainly as the product of their own altruism, they also say that their colleagues who avoid them are simply doing a poor job of patrolling. The acceptance of the need to help people is based on the realization that the hungry, the sick, and the troubled are a potential source of problems. Moreover, that patrolmen will help people is part of the background expectancies of life on skid-row. Hotel clerks normally call policemen when someone gets so sick as to need attention; merchants expect to be taxed, in a manner of speaking, to meet the pressing needs of certain persons; and the inhabitants do not hesitate to accept, solicit, and demand every kind of aid. The domain of the patrolman's service activity is virtually limitless, and it is no exaggeration to say that the solution of every conceivable problem has at one time or another been attempted by a police officer. In one observed instance, a patrolman unceremoniously entered the room of a man he had never seen before. The man, who gave no indication that he regarded the officer's entry and questions as anything but part of life as usual, related a story of having had his dentures stolen by his wife. In the course of the subsequent rounds, the patrolman sought to locate the woman and the dentures. This did not become the evening's project but was attended to while doing other things. In the densely matted activities of the patrolman, the questioning became one more strand, not so much to be pursued to its solution as a theme that organized the memory of one more man known individually. In all this, the officer followed the precept formulated by a somewhat more articulate patrolman: "If I want to be in control of my work and keep the

street relatively peaceful, I have to know the people. To know them I must gain their trust, which means that I have to be involved in their lives. But I can't be soft like a social worker because unlike him I cannot call the cops when things go wrong. I am the cops!"²⁷

The Restricted Relevance of Culpability. It is well known that policemen exercise discretionary freedom in invoking the law. It is also conceded that, in some measure, the practice is unavoidable. This being so, the outstanding problem is whether or not the decisions are in line with the intent of the law. On skid-row, patrolmen often make decisions based on reasons that the law probably does not recognize as valid. The problem can best be introduced by citing an example.

A man in a relatively mild state of intoxication (by skid-row standards) approached a patrolman to tell him that he had a room in a hotel, to which the officer responded by urging him to go to bed instead of getting drunk. As the man walked off, the officer related the following thoughts: Here is a completely lost soul. Though he probably is no more than thirty-five years old, he looks to be in his fifties. He never works and he hardly ever has a place to stay. He has been on the street for several years and is known as "Dakota." During the past few days, "Dakota" has been seen in the company of "Big Jim." The latter is an invalid living on some sort of pension with which he pays for a room in the hotel to which "Dakota" referred and for four weekly meal tickets in one of the restaurants on the street. Whatever is left he spends on wine and beer. Occasionally, "Big Jim" goes on drinking sprees in the company of someone like "Dakota." Leaving aside the consideration that there is probably a homosexual background to the association, and that it is not right that "Big Jim" should have to support the drinking habit of someone else, there is the more important risk that if "Dakota" moves in with "Big Jim" he will

²⁷ The same officer commented further, "If a man looks for something, I might help him. But I don't stay with him till he finds what he is looking for. If I did, I would never get to do anything else. In the last analysis, I really never solve any problems. The best I can hope for is to keep things from getting worse."

very likely walk off with whatever the latter keeps in his room. "Big Jim" would never dream of reporting the theft; he would just beat the hell out of "Dakota" after he sobered up. When asked what could be done to prevent the theft and the subsequent recriminations, the patrolman proposed that in this particular case he would throw "Big Jim" into jail if he found him tonight and then tell the hotel clerk to throw "Dakota" out of the room. When asked why he did not arrest "Dakota," who was, after all, drunk enough to warrant an arrest, the officer explained that this would not solve anything. While "Dakota" was in jail "Big Jim" would continue drinking and would either strike up another liaison or embrace his old buddy after he had been released. The only thing to do was to get "Big Jim" to sober up, and the only sure way of doing this was to arrest him.

As it turned out, "Big Jim" was not located that evening. But had he been located and arrested on a drunk charge, the fact that he was intoxicated would not have been the real reason for proceeding against him, but merely the pretext. The point of the example is not that it illustrates the tendency of skid-row patrolmen to arrest persons who would not be arrested under conditions of full respect for their legal rights. To be sure, this too happens. In the majority of minor arrest cases, however, the criteria the law specifies are met. But it is the rare exception that the law is invoked merely because the specifications of the law are met. That is, compliance with the law is merely the outward appearance of an intervention that is actually based on altogether different considerations. Thus, it could be said that patrolmen do not really enforce the law, even when they do invoke it, but merely use it as a resource to solve certain pressing practical problems in keeping the peace. This observation goes beyond the conclusion that many of the lesser norms of the criminal law are treated as defeasible in police work. It is patently not the case that skid-row patrolmen apply the legal norms while recognizing many exceptions to their applicability. Instead, the observation leads to the conclusion that in keeping the peace on skid-row, patrolmen encounter certain matters they attend to by means of coercive action, e.g., arrests. In doing this,

they invoke legal norms that are available, and with some regard for substantive appropriateness. Hence, the problem patrolmen confront is not which drunks, beggars, or disturbers of the peace should be arrested and which can be let go as exceptions to the rule. Rather, the problem is whether, when someone "needs" to be arrested, he should be charged with drunkenness, begging, or disturbing the peace. Speculating further, one is almost compelled to infer that virtually any set of norms could be used in this manner, provided that they sanction relatively common forms of behavior.

The reduced relevance of culpability in peace keeping practice on skid-row is not readily visible. As mentioned, most arrested persons were actually found in the act, or in the state, alleged in the arrest record. It becomes partly visible when one views the treatment of persons who are not arrested even though all the legal grounds for an arrest are present. Whenever such persons are encountered and can be induced to leave, or taken to some shelter, or remanded to someone's care, then patrolmen feel, or at least maintain, that an arrest would serve no useful purpose. That is, whenever there exist means for controlling the troublesome aspects of some person's presence in some way alternative to an arrest, such means are preferentially employed, provided, of course, that the case at hand involves only a minor offense.²⁸

The attenuation of the relevance of culpability is most visible when the presence of legal grounds for an arrest could be questioned, i.e., in cases that sometimes are euphemistically called "preventive arrests." In one observed instance, a man who attempted to trade a pocket knife came to the attention of a patrolman. The initial encounter was attended by a good deal of levity

²⁸ When evidence is present to indicate that a serious crime has been committed, considerations of culpability acquire a position of priority. Two such arrests were observed, both involving check-passers. The first offender was caught *in flagrante delicto*. In the second instance, the suspect attracted the attention of the patrolman because of his sickly appearance. In the ensuing conversation the man made some remarks that led the officer to place a call with the Warrant Division of his department. According to the information that was obtained by checking records, the man was a wanted checkpasser and was immediately arrested.

and the man willingly responded to the officer's inquiries about his identity and business. The man laughingly acknowledged that he needed some money to get drunk. In the course of the exchange it came to light that he had just arrived in town, traveling in his automobile. When confronted with the demand to lead the officer to the car, the man's expression became serious and he pointedly stated that he would not comply because this was none of the officer's business. After a bit more prodding, which the patrolman initially kept in the light mood, the man was arrested on a charge involving begging. In subsequent conversation the patrolman acknowledged that the charge was only speciously appropriate and mainly a pretext. Having committed himself to demanding information he could not accept defeat. When this incident was discussed with another patrolman, the second officer found fault not with the fact that the arrest was made on a pretext but with the first officer's own contribution to the creation of conditions that made it unavoidable. "You see," he continued, "there is always the risk that the man is testing you and you must let him know what is what. The best among us can usually keep the upper hand in such situations without making arrests. But when it comes down to the wire, then you can't let them get away with it."

Finally, it must be mentioned that the reduction of the significance of culpability is built into the normal order of skid-row life, as patrolmen see it. Officers almost unflinchingly say, pointing to some particular person, "I know that he knows that I know that some of the things he 'owns' are stolen, and that nothing can be done about it." In saying this, they often claim to have knowledge of such a degree of certainty as would normally be sufficient for virtually any kind of action except legal proceedings. Against this background, patrolmen adopt the view that the law is not merely imperfect and difficult to implement, but that on skid-row, at least, the association between delict and sanction is distinctly occasional. Thus, to implement the law naively, i.e., to arrest someone *merely* because he committed some minor offense, is perceived as containing elements of injustice.

Moreover, patrolmen often deal with situa-

tions in which questions of culpability are profoundly ambiguous. For example, an officer was called to help in settling a violent dispute in a hotel room. The object of the quarrel was a supposedly stolen pair of trousers. As the story unfolded in the conflicting versions of the participants, it was not possible to decide who was the complainant and who was alleged to be the thief, nor did it come to light who occupied the room in which the fracas took place, or whether the trousers were taken from the room or to the room. Though the officer did ask some questions, it seemed, and was confirmed in later conversation, that he was there not to solve the puzzle of the missing trousers but to keep the situation from getting out of hand. In the end, the exhausted participants dispersed, and this was the conclusion of the case. The patrolman maintained that no one could unravel mysteries of this sort because "these people take things from each other so often that no one could tell what 'belongs' to whom." In fact, he suggested, the terms owning, stealing, and swindling, in their strict sense, do not really belong on skid-row, and all efforts to distribute guilt and innocence according to some rational formula of justice are doomed to failure.

It could be said that the term "curb-stone justice" that is sometimes applied to the procedures of patrolmen in skid-rows contains a double irony. Not only is the procedure not legally authorized, which is the intended irony in the expression, but it does not even pretend to distribute deserts. The best among the patrolmen, according to their own standards, use the law to keep skid-row inhabitants from sinking deeper into the misery they already experience. The worst, in terms of these same standards, exploit the practice for personal aggrandizement or gain. Leaving motives aside, however, it is easy to see that if culpability is not the salient consideration leading to an arrest in cases where it is patently obvious, then the practical patrolman may not view it as being wholly out of line to make arrests lacking in formal legal justification. Conversely, he will come to view minor offense arrests made solely because legal standards are met as poor craftsmanship.

The Background of Ad Hoc Decision Making. When skid-row patrolmen are

pressed to explain their reasons for minor offense arrests, they most often mention that it is done for the protection of the arrested person. This, they maintain, is the case in virtually all drunk arrests, in the majority of arrests involving begging and other nuisance offenses, and in many cases involving acts of violence. When they are asked to explain further such arrests as the one cited earlier involving the man attempting to sell the pocket knife, who was certainly not arrested for his own protection, they cite the consideration that belligerent persons constitute a much greater menace on skid-row than any place else in the city. The reasons for this are twofold. First, many of the inhabitants are old, feeble, and not too smart, all of which makes them relatively defenseless. Second, many of the inhabitants are involved in illegal activities and are known as persons of bad character, which does not make them credible victims or witnesses. Potential predators realize that the resources society has mobilized to minimize the risk of criminal victimization do not protect the predator himself. Thus, reciprocal exploitation constitutes a preferred risk. The high vulnerability of everybody on skid-row is public knowledge and causes every seemingly aggressive act to be seen as a potentially grave risk.

When, in response to all this, patrolmen are confronted with the observation that many minor offense arrests they make do not seem to involve a careful evaluation of facts before acting, they give the following explanations: First, the two reasons of protection and prevention represent a global background, and in individual cases it may sometimes not be possible to produce adequate justification on these grounds. Nor is it thought to be a problem of great moment to estimate precisely whether someone is more likely to come to grief or to cause grief when the objective is to prevent the proliferation of troubles. Second, patrolmen maintain that some of the seemingly spur-of-the-moment decisions are actually made against a background of knowledge of facts that are not readily apparent in the situations. Since experience not only contains this information but also causes it to come to mind, patrolmen claim to have developed a special sensitivity for qualities of appearances that allow an

intuitive grasp of probable tendencies. In this context, little things are said to have high informational value and lead to conclusions without the intervention of explicitly reasoned chains of inferences. Third, patrolmen readily admit that they do not adhere to high standards of adequacy of justification. They do not seek to defend the adequacy of their method against some abstract criteria of merit. Instead, when questioned, they assess their methods against the background of a whole system of *ad hoc* decision making, a system that encompasses the courts, correction facilities, the welfare establishment, and medical services. In fact, policemen generally maintain that their own procedures not only measure up to the workings of this system but exceed them in the attitude of carefulness.

In addition to these recognized reasons, there are two additional background factors that play a significant part in decisions to employ coercion. One has to do with the relevance of situational factors, and the other with the evaluation of coercion as relatively insignificant in the lives of the inhabitants.

There is no doubt that the nature of the circumstances often has decisive influence on what will be done. For example, the same patrolman who arrested the man trying to sell his pocket knife was observed dealing with a young couple. Though the officer was clearly angered by what he perceived as insolence and threatened the man with arrest, he merely ordered him and his companion to leave the street. He saw them walking away in a deliberately slow manner and when he noticed them a while later, still standing only a short distance away from the place of encounter, he did not respond to their presence. The difference between the two cases was that in the first there was a crowd of amused bystanders, while the latter case was not witnessed by anyone. In another instance, the patrolman was directed to a hotel and found a father and son fighting about money. The father occupied a room in the hotel and the son occasionally shared his quarters. There were two other men present, and they made it clear that their sympathies were with the older man. The son was whisked off to jail without much study of the relative merits of the conflicting

claims. In yet another case, a middle-aged woman was forcefully evacuated from a bar even after the bartender explained that her loud behavior was merely a response to goading by some foul-mouth youth.

In all such circumstances, coercive control is exercised as a means of coming to grips with situational exigencies. Force is used against particular persons but is incidental to the task. An ideal of "economy of intervention" dictates in these and similar cases that the person whose presence is most likely to perpetuate the troublesome development be removed. Moreover, the decision as to who is to be removed is arrived at very quickly. Officers feel considerable pressure to act unhesitatingly, and many give accounts of situations that got out of hand because of desires to handle cases with careful consideration. However, even when there is no apparent risk of rapid proliferation of trouble, the tactic of removing one or two persons is used to control an undesirable situation. Thus, when a patrolman ran into a group of four men sharing a bottle of wine in an alley, he emptied the remaining contents of the bottle into the gutter, arrested one man—who was no more and no less drunk than the others—and let the others disperse in various directions.

The exigential nature of control is also evident in the handling of isolated drunks. Men are arrested because of where they happen to be encountered. In this, it matters not only whether a man is found in a conspicuous place or not, but also how far away he is from his domicile. The further away he is, the less likely it is that he will make it to his room, and the more likely the arrest. Sometimes drunk arrests are made mainly because the police van is available. In one case a patrolman summoned the van to pick up an arrested man. As the van was pulling away from the curb the officer stopped the driver because he sighted another drunk stumbling across the street. The second man protested saying that he "wasn't even half drunk yet." The patrolman's response was "OK, I'll owe you half a drunk." In sum, the basic routine of keeping the peace on skid-row involves a process of matching the resources of control with situational exigencies. The overall objective is to reduce the total amount of risk in the area. In this,

practicality plays a considerably more important role than legal norms. Precisely because patrolmen see legal reasons for coercive action much more widely distributed on skid-row than could ever be matched by interventions, they intervene not in the interest of law enforcement but in the interest of producing relative tranquility and order on the street.

Taking the perspective of the victim of coercive measures, one could ask why he, in particular, has to bear the cost of keeping the aggregate of troubles down while others, who are equally or perhaps even more implicated, go scot-free. Patrolmen maintain that the *ad hoc* selection of persons for attention must be viewed in the light of the following consideration: Arresting a person on skid-row on some minor charge may save him and others a lot of trouble, but it does not work any real hardships on the arrested person. It is difficult to overestimate the skid-row patrolman's feeling of certainty that his coercive and disciplinary actions toward the inhabitants have but the most passing significance in their lives. Sending a man to jail on some charge that will hold him for a couple of days is seen as a matter of such slight importance to the affected person that it could hardly give rise to scruples. Thus, every indication that a coercive measure should be taken is accompanied by the realization "I might as well, for all it matters to him." Certain realities of life on skid-row furnish the context for this belief in the attenuated relevance of coercion in the lives of the inhabitants. Foremost among them is that the use of police authority is seen as totally unremarkable by everybody on skid-row. Persons who live or work there are continuously exposed to it and take its existence for granted. Shopkeepers, hotel clerks, and bartenders call patrolmen to rid themselves of unwanted and troublesome patrons. Residents expect patrolmen to arbitrate their quarrels authoritatively. Men who receive orders, whether they obey them or not, treat them as part of life as usual. Moreover, patrolmen find that disciplinary and coercive actions apparently do not affect their friendly relations with the persons against whom these actions are taken. Those who greet and chat with them are the very same men who have been disciplined, ar-

rested, and ordered around in the past, and who expect to be thus treated again in the future. From all this, officers gather that though the people on skid-row seek to evade police authority, they do not really object to it. Indeed, it happens quite frequently that officers encounter men who welcome being arrested and even actively ask for it. Finally, officers point out that sending someone to jail from skid-row does not upset his relatives or his family life, does not cause him to miss work or lose a job, does not lead to his being reproached by friends and associates, does not lead to failure to meet commitments or protect investments, and does not conflict with any but the most passing intentions of the arrested person. Seasoned patrolmen are not oblivious to the irony of the fact that measures intended as mechanisms for distributing deserts can be used freely because these measures are relatively impotent in their effects.

SUMMARY AND CONCLUSIONS

It was the purpose of this paper to render an account of a domain of police practice that does not seem subject to any system of external control. Following the terminology suggested by Michael Banton, this practice was called keeping the peace. The procedures employed in keeping the peace are not determined by legal mandates but are, instead, responses to certain demand conditions. From among several demand conditions, we concentrated on the one produced by the concentration of certain types of persons in districts known as skid-row. Patrolmen maintain that the lives of the inhabitants of the area are lacking in prospective coherence. The consequent reduction in the temporal horizon of predictability constitutes the main problem of keeping the peace on skid-row.

Peace keeping procedure on skid-row consists of three elements. Patrolmen seek to acquire a rich body of concrete knowledge about people by cultivating personal acquaintance with as many residents as possible. They tend to proceed against persons mainly on the basis of perceived risk, rather than on the basis of culpability. And they are more interested in reducing the aggregate total of troubles in the area than in evaluating individual cases according to merit.

There may seem to be a discrepancy between the skid-row patrolman's objective of preventing disorder and his efforts to maintain personal acquaintance with as many persons as possible. But these efforts are principally a tactical device. By knowing someone individually the patrolman reduces ambiguity, extends trust and favors, but does not grant immunity. The informality of interaction on skid-row always contains some indications of the hierarchical superiority of the patrolman and the reality of his potential power lurks in the background of every encounter.

Though our interest was focused initially on those police procedures that did not involve invoking the law, we found that the two cannot be separated. The reason for the connection is not given in the circumstance that the roles of the "law officer" and of the "peace officer" are enacted by the same person and thus are contiguous. According to our observations, patrolmen do not act alternatively as one or the other, with certain actions being determined by the intended objective of keeping the peace and others being determined by the duty to enforce the law. Instead, we have found that *peace keeping occasionally acquires the external aspects of law enforcement*. This makes it specious to inquire whether or not police discretion in invoking the law conforms with the intention of some specific legal formula. The real reason behind an arrest is virtually always the actual state of particular social situations, or of the skid-row area in general.

We have concentrated on those procedures and considerations that skid-row patrolmen regard as necessary, proper, and efficient relative to the circumstances in which they are employed. In this way, we attempted to disclose the conception of the mandate to which the police feel summoned. It was entirely outside the scope of the presentation to review the merits of this conception and of the methods used to meet it. Only insofar as patrolmen themselves recognized instances and patterns of malpractice did we take note of them. Most of the criticism voiced by officers had to do with the use of undue harshness and with the indiscriminate use of arrest powers when these were based on personal feelings rather than the require-

ments of the situation. According to prevailing opinion, patrolmen guilty of such abuses make life unnecessarily difficult for themselves and for their co-workers. Despite disapproval of harshness, officers tend to be defensive about it. For example, one sergeant who was outspokenly critical of brutality, said that though in general brutal men create more problems than they solve, "they do a good job in some situations for which the better men have no stomach." Moreover, supervisory personnel exhibit a strong reluctance to direct their subordinates in the particulars of their work performance. According to our observations, control is exercised mainly through consultation with superiors, and directives take the form of requests rather than orders. In the background of all this is the belief that patrol work on skid-row requires a great deal of discretionary freedom. In the words of the same sergeant quoted above, "a good man has things worked out in his own ways on his beat and he doesn't need anybody to tell him what to do."

The virtual absence of disciplinary control and the demand for discretionary freedom are related to the idea that patrol work involves "playing by ear." For if it is true that peace keeping cannot be systematically generalized, then, of course, it cannot be organizationally constrained. What the seasoned patrolman means, however, in saying that he "plays by ear" is that he is making his decisions while being attuned to the realities of complex situations about which

he has immensely detailed knowledge. This studied aspect of peace keeping generally is not made explicit, nor is the tyro or the outsider made aware of it. Quite to the contrary, the ability to discharge the duties associated with keeping the peace is viewed as a reflection of an innate talent of "getting along with people." Thus, the same demands are made of barely initiated officers as are made of experienced practitioners. Correspondingly, beginners tend to think that they can do as well as their more knowledgeable peers. As this leads to inevitable frustrations, they find themselves in a situation that is conducive to the development of a particular sense of "touchiness." Personal dispositions of individual officers are, of course, of great relevance. But the license of discretionary freedom and the expectation of success under conditions of autonomy, without any indication that the work of the successful craftsman is based on an acquired preparedness for the task, is ready-made for failure and malpractice. Moreover, it leads to slipshod practices of patrol that also infect the standards of the careful craftsman.

The uniformed patrol, and especially the foot patrol, has a low preferential value in the division of labor of police work. This is, in part, at least, due to the belief that "anyone could do it." In fact, this belief is thoroughly mistaken. At present, however, the recognition that the practice requires preparation, and the process of obtaining the preparation itself, is left entirely to the practitioner.