

"At any rate, it is wrong to put up to the cop and his club, questions we won't or can't answer ourselves"



Police! Police!

By LINCOLN STEFFENS

Illustrated by Herb Roth

WHILE the brand-new Mayor of old New York was looking around for a police commissioner, I amused myself asking everybody I met a couple of foolish questions about it.

"Why doesn't anybody want that job?"

This I asked at a moment when it was reported that Mayor Mitchel couldn't get anybody to take it, and the amazing, encouraging answer was:

"Oh, it's an impossible job."

And then, again, when we all heard that there was a raft of candidates, some of them good strong men, I asked:

"Why does everybody want that job?"

And the answer good strong men made was, as before:

"Because it's an impossible job."

THE police job is indeed impossible, and one of the most hopeful signs visible in New York of progress in public intelligence is the recognition of that solid rock fact. It's a step toward making the job possible. For it's a step toward reform from the outside. And that's where police reform must begin: in public opinion; in the citizen; in us. We—you and I, have to rid ourselves of the silly superstition that there is some form of organization or some one good, strong man that will give us an honest, efficient police department. We shall never have that until our requirements of the police are made possible. They are not possible now.

"Come on up to City Hall and hear me commit perjury," said a cynical man who was about to be sworn in as chief of police. And when I laughed, he explained, very soberly:

"That's right," he said. "I'm a competent man. I know the business. So I know when I take a solemn oath to enforce the laws and ordinances,—I know that I

can't do it. The laws I'm bound to enforce are not enforceable."

He was not a New Yorker, but I am not writing of New York alone. I learned the police business in New York, so I know it is true there. I assisted in the exposures which brought on the Lexow investigation; I was at police headquarters all through the convulsions of that mountain; and I watched from that vantage-point the Roosevelt Board's honest, able effort to enforce the law, saw it anger public opinion, defeat the whole reform administration of Mayor Strong and enable the reflection of Tammany Hall. But since then I have studied seventeen cities. And standing upon the firm foundation of this experience I make this firm assertion: All police departments, like all cities, are essentially alike. Perjury is required in them all and not only from the chief, but from every member of every uniformed force. Honesty is difficult, dangerous, unprofitable and almost impossible. And the fault lies in public opinion. We require evil-doing.

Public morals demand police immorality.

The prerequisite for an honest, efficient police department, therefore, is that "honest, intelligent people" shall become honest and intelligent.

THIS may sound hopeless, but it is not. What the men in the street said about the impossibility of the job shows that it is not; it shows it both ways. It shows that we are facing the truth—we, the people; and it shows that the truth draws courage. Petty souls are all wrong about the truth. They call it "pessimism"; "destructive criticism"; "discouraging." Pessimism may discourage the weak; yes, but it challenges, it attracts the strong. I believe that a complete, detailed description of the dangers and difficulties of the police function would bring to Mr. Mitchel or any other earnest

mayor half-a-dozen of the ablest men in this country. Big men aren't looking for easy jobs; they are out for hard jobs. There's a divinity in them which seeks miracles to perform.

But miracles don't happen. And Mr. Mitchel's strong men would have to go at the police job from the outside in some such rational, roundabout way, as I am going to indicate. If they should tackle it from the inside, relying upon their own main strength and courage, they couldn't manage it. They would, by their very integrity and nerve, injure themselves and defeat the Mayor at the polls. Hypocrisy and educated ignorance won't stand for an honest, efficient police force. That has been proven many, many times in many, many cities. Hence I say:

The police problem is the problem of hypocrisy and cultivated ignorance.

"THERE ought to be a law against that!" Ever hear anybody say that? Ever say it yourself? It's the beginning of the trouble. I heard a man say it in a Western town a year or so ago. He had just been stabbed with a hat-pin—accidentally, of course—and the lady (so to speak) apologized. But he was no lady's man; he was a power in the land of his fathers, and he "had a law passed" against the ladies' hat-pins. He couldn't deal with it; his sex couldn't, and he knew no way to get women to deal with it; so he and his men-kind put up to the police the problem involved in the fine point of this passing fashion!

It's too much faith in the law that brings the law into contempt.

There is too much faith in force. You see that in Labor. The good citizen is horrified during strikes at the scenes he sees of flying brickbats, beating up of scabs and violence in general. He doesn't stop to think that a police force is force, and that when he calls in the police to arrest the growth of strikes or hat-pins, he is acting upon the very same impulse that prompts strikers to throw bricks, plant a stick of dynamite or picket an unfair mill. Labor has no police force at its beck and call, and capital has. That's all that makes the difference there. Everybody believes in force, and the police force is merely the nicest, cleanest force to use. So the cleanest, nicest people use the police whenever they feel like clubbing somebody or something, like the lady and the hat-pin or the striker and his strike.

The police couldn't enforce the ordinance against the hat-pins—except while public opinion was sharp on that point; and it's bad police work to club strikers until public opinion has been got back of the club. And that's my point.

There's another, better force at hand than the police force: the power of public opinion.

The police are asked to do a thousand things which could be better done by the newspapers, by the pulpits, by ourselves, by right thinking and talking, by custom. When Theodore Roosevelt set out honestly to "enforce the laws because they were the laws," his critics threw up to him every day laws and ordinances as absurd as the hat-pin ordinance. "Enforce those," they said, and they made that policy ridiculous. Also, however, they made "the law" ridiculous, by showing how that sacred institution has an attic stuffed full of old, forgotten, idiotic relics of man's faith in the force of law. For the kind of laws I refer to now are, like the ordinance against hat-pins, legislation which was alive at a moment in the past when they expressed a public opinion the police could have enforced, because public opinion backed them. But having served their time, these laws are not repealed. They remain on the books, and from chief of police to patrolman, every member of the department is solemnly sworn to enforce them today. No wonder the police come to have a contempt for laws and—for an oath. And they have.

A policeman is believable, except when under oath.

I wish the courts knew that as well as we police reporters know it, but I'd rather have the public know it—and deal with the causes. And one of the causes

of police perjury, corruption and general inefficiency is the existence of dead and impossible laws. There ought to be "a law passed" to repeal such laws, to fight the enactment of more of them, and more generally to resist and turn backward the strange but human tendency to legislate, legislate, legislate. Which is what I'd have the new police commissioner of New York do.

A Reform Chief of Police should become a lobbyist.

FIRST, of course, he should organize his department, and he should do it so completely that he can leave it. While he is doing this, he should talk. That's against the rules, I know. It is regarded as political suicide to take the public into your confidence and tell the truth about police matters. But that's a rule of the old, corrupt and (consequent) reform days. It wouldn't have been wise of Big Chief Devery to tell the people what he was doing. Nor was it good politics for Roosevelt to be so honest as he was when he openly and volubly enforced the liquor laws. Mayor Gaynor was a wise man, and he may have been wise when he decided not to tell us that his Police Commissioner was ordered not to attempt to enforce certain laws. But now—now that the public is beginning to say that the police job is impossible,—it may be wise now to meet this honest public opinion half-way; accept it, trust it and cultivate it. It may not, of course. I'm really thinking more of the public than I am of the new police chief. That goes on forever, and the new chief of police is only one man. What's one in 90,000,000? His political death would be only a small, temporary loss. At any rate I would bravely suggest to him the interesting experiment of telling the people the truth.

Let him say right out plain that his job is impossible, that the books are all cluttered up with unenforceable laws. Show it in detail, and list those laws. Then, when he thinks the public see it so, go to Albany and, in the lobby there, with this ripe and ready public opinion behind him, let him labor diligently (though honestly) to repeal, repeal, repeal. It would be tremendously interesting to the rest of us to see how honest we, the public, are. And maybe it would work.

Maybe honesty is the best police policy.

But I'd go further. I mean I'd have some other man go further. If this policy of repealing dead and petty laws got any moral response, the police hero should take up the more salient, positively immoral laws that express our morality. Take, as an example, the most difficult of all to deal with: the law (or laws) against prostitution.

Prostitution is absolutely forbidden in all American cities.

THINK of it! Why not forbid tuberculosis? They're both diseases; and except in individual cases taken early and treated with light and fresh air, both are incurable. But both are preventable. They are social diseases, traceable to economic and social conditions for which society is responsible. And by society I mean you and me. Why not treat the conditions which produce the evil of prostitution? Well, I know why. We don't know how. By "we" I mean, this time, you and the other fellow. I think I know how to prevent both tuberculosis and prostitution, but I'll not tell, because that is constructive criticism—and it is the custom of the race to kill or ridicule or ignore constructive critics. But it would be interesting to have Mayor Mitchel's police commissioner try it. The public might kill him, but only politically—and that is the natural end for a police commissioner. So I would suggest that this (or some other) brave, able and honest chief of police tell the people that the laws against prostitution are unenforceable; that they, the people, must first abolish poverty and easy money; but that meanwhile they should change the laws upon the subject so as to save him and his force from perjury, remove the irresistible temptation to be dishonest—and make the laws enforceable. I don't say this would work, but it would be an education for the educated and a moral bath for the moral; and—and it would prepare the way for constructive criticism.

It would compel the public mind to look at the facts and consider what it really wishes its police to do.

BUT let's take an easier reform: the liquor business. The Raines law stands on the New York Law Books now, a monument to hypocrisy and educated ignorance. There's a piece of legislation which was one of the mice born out of the convulsions of the Lexow mountain. It charges a high fee for a license, and so tempts or compels liquor dealers to offer cheap, bad stuff to drink. And it requires, in return for certain profitable privileges, that saloons shall run as adjuncts "hotels" with at least ten rooms. So most of our saloons have hotel rooms on the side, which they are sorely tempted to let out for purposes of prostitution; and, despite their well-known virtue, some saloon-keepers yield to the temptation.

Why do we make vice pay so well, and virtue so unprofitable?

I think it's because we all believe, like the McNamarras, in dynamite, in force—in the police force. It's because, like the I. W. W.'s, we are all for "direct action." The proper way to deal with the liquor problem is to look around us scientifically and see who drink too much and who don't. It might appear then that the excessively rich and the excessively poor and the excessively bored drink too much, and that well-to-do people who are busily interested in their day's work don't. That might suggest to a very superficial mind that the cure for the drink evil is, like the diseases of prostitution and tuberculosis, in some sense economic. But I'll not go down that path. The truth might appear at the end of it—and the truth puts a reporter in a hole. I'll do what the dear public does. I'll go at it by direct action—logically, with common sense. It's an evil, isn't it? No doubt of that. What is the thing to do to an evil? Hit it on the head or get the police to. I'll put the liquor problem up to the police.

Let the new police chief of New York go to Albany with a club, and get that Raines law repealed, demanding instead

a law that can be enforced without enforcing prostitution, bribery and political action by the liquor interest.

This isn't easy; no, but I didn't say it was. I said it was impossible—this, and the rest. But I am pleading, not for "morality," but for morality; not for law and order, but for public education, especially of the "educated"; and not by me, but by a brave and able and honest chief of police. Taking his life in my hands, I urge him to tell the public, already prepared for it, the truth about police corruption.

The police everywhere are corrupted by the privilege they enjoy of selling the privilege to break the law.

AND they have to let some laws be broken because some laws can't be enforced anyhow. All laws are unenforceable which express, not the settled, general, living will of the people, but only the good impulse of the few "better people." The people's representatives are afraid not to pass such laws, and the people don't know or mind; they think they are good, too. But when those laws are enforced, the people won't stand it. Even the better people are disgusted. So some bad people—some liquor dealers, some gamblers, some prostitutes—are to be exempt from the enforcement of the law. Which ones? The police have to decide. They have to discriminate. On what basis will they discriminate? The money basis, of course. And I say "of course," because I know that human nature can't resist for long the amount of money the masters and mistresses of vice offer in cash for the privilege of breaking the law.

The police power of discrimination in the reasonable enforcement of unnatural, immoral laws in New York City, is worth more than five millions of dollars a year.

The "impossibility" of the police problem lies in that sentence, and so the possibility of it is in this one:

The people, not the police—public opinion, not force—must decide what to do about our social evils.

At any rate, it is wrong to put up to the cop and his club questions we won't or can't answer ourselves.



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