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Exploring Lay People's Views on the Polish Police

Abstract

The Polish police have come a long way in transforming from highly politicised state policing that functioned under socialism (1949-1989), to that of a service to the public. The aim of this paper is to examine the views on Polish police and contextualise them within a broader, sociological framework by way of presenting selected findings from my doctoral research. My participants' opinions on the police formed a chronologically-constructed picture, which shed light on the pre- and post-1989 policing in Poland and corroborated Ian Loader's argument that there is a reciprocal relationship between lay people and the police/quality of policing, and that views on the police remain an avenue by which lay people of a given society share stories about themselves. In this article I argue that lay views on the Polish Police are embedded in a wider perception of the "world that they have lost", post-socialism nostalgia, remembering of the post-1989 transformation processes and constant comparison with the perception of Western standards in police work. The views also serve as an avenue to look into the notion of the Polish legal culture.

Keywords: lay views, Polish police, policing, public perception, transformation

Introduction

The police are the most noticeable and visible institution in a justice system (Hough *et al.* 2010). Although lay people may encounter police officers more frequently than any other criminal justice branches, Ian Loader (1997) has argued that the police are not just an instrument of social control; the police are a social institution comprising cultural mentalities and sensibilities, and people's views on policing can serve as an avenue to explore the condition of society they live in.

The Polish police have come a long way in transforming from highly politicised state policing, that functioned under socialism (1949-1989), to that of a service to the public. While Polish public opinion polls continue to show the growing confidence in the Polish police with approx. 70% of respondents assessing the work of the police favourably (CBOS 2017, p. 1), according to the 2010 European Social Survey less than 40% of respondents in Poland believed that police make fair and impartial decisions (Jackson *et al.* 2011, p. 6). The aim of this paper is to examine this paradox, demystify the opinion-poll based public confidence in the Polish police and contextualise it within a broader, sociological framework by way of presenting selected findings from my doctoral research.

Although the purpose of my doctoral research was to explore how Polish people understand punishment and justice, and how their narratives inform the viability of restorative approaches to justice, the qualitative exploration of this topic has also produced interesting narratives about lay people's views of the Polish police. My study was based on 10 focus groups and 55 in-depth interviews with participants located in urban and rural parts of Poland¹. Their opinions about the Polish police were expressed in such a way that they naturally formed a chronologically-constructed picture, which shed light on the pre- and post-1989 policing in Poland and corroborated Loader's argument that lay people's views on policing reflect the condition of society and the nature of policing it is addressing (Loader 1997).

¹ While focus group discussions are marked in the article as FG, interviews as I, all study participants were assigned individual codes starting with a letter P.

Lay people's views on the Polish police

Post-socialist nostalgia

One of the first characteristic features of participants' views on the Polish police was a nostalgia after the type of police (and policing) that functioned under socialism. Some study participants expressed a longing for the presence of a militia-like local community police officer² (*dzielnicy*). Although the institution of *dzielnicy* has remained in place over the years, people noticed a change in how the role is performed. The past image of such a policeman was of an officer who was known in the neighbourhood, was frequently deployed to conduct police patrols, (and was thus highly visible to local people), talked to ordinary people and was "known by name". The confidence in "the police that were seen as closer to ordinary people" was interwoven with another perceived advantage of the old system – people's personal sense of security. The following excerpt, which comes from a group discussion with senior participants in an urban area, illustrates this point:

P36: Under Komuna or the time of real socialism, or the previous era, in any case the time we complain a lot about, I think that people felt more confident when they were going out. The law was a bit different, even an ORMO officer³... //

P34: We didn't have any contact with the outside world.

P36: There was a saying "ORMO on alert, state militia on our tail, everybody else on remand".

P34: But P36 you didn't have any contact with the outside world... //

P35: Actually P34 did.

P36: Not at all! I didn't! [laugh].

P34: No thug from the East or somewhere else would now make it here.

P35: Bulgaria and the Golden Sands [laugh].

P34: An ordinary Pole wouldn't go anywhere (...).

P36: Half a year and you could get a passport.

P34: Don't say it like that, it was only the elite who would get it (...).

² Also translated as a local patrolman (see Ivković, Habersfeld 2000).

³ ORMO (transl. Volunteer Reserve Militia) – a paramilitary unit of the police forces in operation under the communist regime.

P34: Our children are in New York now, before it would be unthinkable (...).

AM: Can I return to what P36 said at the beginning that people felt more confident. What did you mean by that?

P36: I meant they were more secure, because there weren't such you know, unless it wasn't all official (...) but you weren't bothered on the street.

P35: P37 can you tell how many rowdies you can see when you go out?

P37: Yes, yes, it wasn't like that before.

P36: Rowdies, baldies it's turning into a tragedy!

P34: We all lived the same life. There wasn't such freedom, there was greater pacification of society. And this is it. Everyone would get by in the same way. People didn't go abroad, and now the world is wide open...

P35: And you know what I remember? The role of a local police officer, he simply talked to people, he knew where they had fights... //

P37: Yes and he knew his own...

P35: They knew that they can turn to him, and when something was happening he knew where.

P37: Yes he knew immediately and now no way! Absolutely!

[FGUS]

Although this sense of security was often maintained by the militia through fear and the use of force, this finding echoes the nostalgia for socialism that has been well documented and recognized as a distinctive phenomenon in Central and Eastern European countries (see Todorova, Gille 2010). Participants' nostalgic views on the militia convey a broader longing for security, stability, prosperity, and a quest for dignity. This particular attitude occurs only because the past is irreversible, as argued by Pine (2002) when people evoke the "good socialist times" they only choose to remember the good aspects of the system (e.g. full employment, universal healthcare and education, economic security). Post-socialist nostalgic sentiments do not indicate that the bad aspects of the system were forgotten (e.g. corruption, food shortages, infringements of the state) (*Ibidem*).

The transformation period

The post-1989 transformation period was a time of significant reorganization of many Polish public institutions, including the police forces. The meaning of policing at this

time underwent significant adjustments, but there was a dearth of research documenting and explaining these transformations (Mawby *et al.* 1997). To the advantage of my research, the post-1989 transformations did not go unnoticed in my participants' narratives. The time that followed the collapse of the socialist regime was vividly discussed by some of my participants as the "Wild West", by which it was meant a time of unpredictability and lawlessness. This was for example discussed in a focus group conversation between two males from an urban area:

P40: It's better than before.

AM: Better than when?

P40: Than in the '90s. I think yes, I think now it's better than it used to be.

P41: Yep. The beginning of the '90s or throughout the '90s there was such a mess, unlawfulness!

P40: Wilfulness! This is how it was. The '90s was the Wild West.

P41: Exactly the Wild West.

P40: The police meant nothing to people. The police could do nothing; they didn't even want to do anything. They were bribers.

P41: Do you remember when this friend of ours said they were hiding in the bushes for weeks to catch some car thieves? And when they finally caught them, by the time they finished the report their boss had already discontinued the case...

P40: Right!

P41: They were in some sort of hand in glove with each other.

[FGUML]

Kozłowski (2007) emphasized that the Polish police at the beginning of the 1990s were in a poor state. Moreover, the performance of the Polish police was weakened at the time by a sudden increase in recorded crime rates, growing fear of crime, new types of crime (e.g. serious organised crime), criminalization of behaviour that previously was not punishable by law (e.g. drink driving), the early days of a new political populism (Krajewski 2004; Łoś 2002), but also the sudden race in chasing the capitalist Western standards. In sum, the institution had to redefine its objectives, establish new measures in order to develop the new concept of accountability, increase police transparency, and gain public trust in challenging circumstances.

In the narratives of study participants, much was said in relation to the economic malpractice and misconduct in privatization processes that occurred at the time. Thus,

the perception of police performance, which was expected to be more efficient and effective than previously, appeared even worse against these sudden and widespread privatisation processes and financial abuses. Niels Uildriks & Piet van Reenen (2003) argued that policing in transition is constantly challenged by political instability and all-encompassing changes. Policing during transformation is particularly difficult when police that have little experience in taking the initiative and bearing responsibility; police that are oriented towards direct political imperatives. In other words, the police “double struggle” consist of policing the transition while being subjected to the process of transformation themselves.

Views on the contemporary Polish police

Participants’ understandings of contemporary policing were that the Polish police of today are seen as invisible, constrained, ineffective and distant. The subject of the visibility of police patrols and their potential effectiveness has long been argued as overestimated. The Kansas City experiment, carried out in 1972/1973, looked at the impact of traditional routine patrol in marked police cars on crime rates and the public’s feeling of security. The study found that increasing or decreasing the level of police patrols had no significant effect on the level of crime, or people’s perception of safety. In other words, routine preventive police patrol has little value in preventing crime or making people feel safe (Kelling *et al.* 1974).

Furthermore, study participants also noticed that the administrative maladies such as staff shortage or bureaucratic procedures might influence the police’s visibility on the streets and as a result constrained their performance. In addition to this, police visibility (or lack of thereof) was discussed by participants on the basis that the Polish police have become “money-makers” and that one of the police’s current tasks is to generate revenue. For example, according to the following senior male focus group participants who lived in an urban area, the visibility of policing traffic offences has a hidden financial agenda:

P33: You can’t see them!

P32: You can’t, you can’t.

P33: Where can you see them? On the outskirts, in the bushes popping out with vehicle radar, then you can see them!

P32: Yes, yes. He takes his vehicle radar⁴ out just to catch [people] for speeding because it's the simplest thing to do. These are the consequences of how police officers get promoted. If he wants to get promoted he needs to show how many drivers he has checked, how many penalties he has issued. He won't get promoted when there is nothing in his notepad.

P32: It means that he hasn't been working, this is why they don't take into account giving someone a piece of advice, let's say you give someone a piece of advice (...) directions (...) and then write it down in your notepad, this doesn't count...

P33: This doesn't make money.

P32: Exactly, this doesn't make money!

P32: This [thing about] what makes money is linked with promotion, bonuses, and it shouldn't be like that.

[FGUMGW]

The financial dimension to policing also was highlighted by Sanja Ivković & Maria Haberfeld (2000), who suggested that poor salary is one of the main challenges faced by the Polish police.

Robert Reiner (2000, p. 136) has argued that there is a growing expectation of the police to be increasingly efficient, and the prevailing theme of "police ineffectiveness" in my research has led to a number of comments that ordinary people need to take matters into their own hands. This was expressed by a 70-year old female interviewee as:

[laugh] Fine. So what are my views on the Polish police? They don't really look like they hit the ground running. Because there are plenty of cases when, for example, people investigate things themselves, like when someone stole something from somebody else (...) by the time they get cracking, you know...

[P19/I]

This finding could be considered in the light of what Kurczewski (2007) has argued that "playing a lone hand" in resolving crime issues is part of Polish popular legal culture. Kurczewski describes popular legal culture as a set of general legal attitudes, perception of rights and duties as well as expectations of law and justice agents on the part of lay people. He argued that Polish popular legal culture is distinctive in claiming "one's own right", using legal and illegal means to achieve justice. The ambivalence of the

⁴ Polish original: *suszarka*, back translation: *hairdryer*.

attitude lies in the choice between trusting the authorities and respecting their decisions, and knowing the rights, not respecting them, even influencing their decisions (*Ibidem*).

The perception of police ineffectiveness in Poland was occasionally founded upon the perceived experiences of other countries. Such a “looking outwards” attitude assisted my participants to frame and address their perceptions of the police and the Polish criminal justice system at large. For instance, the image of the “weak” Polish police was set against the perception of the police in other Western countries, as in the following narrative with a male interviewee from a rural area:

AM: Now I am going to ask you a little bit (...) what do you think about the Polish police?
What is your view on this?

I43 By the Western police standards, London or France, our police forces are still a little weak, zero.

[I43/I]

Such a critical stance towards the Polish police mirrored my participants’ hope for fairer and more trustworthy justice institutions. However, research from the United Kingdom suggests that people think about their local police in ways less to do with the risk of victimization and more to do with judgments of social order, cohesion, trust and moral consensus. In other words, attitudes towards the effectiveness of the police are located in lay assessments of cohesion, social control and civility rather than concerns about safety and crime (see Jackson, Bradford 2009). An early statement in this regard can be found in *Justice without trial: law enforcement in democratic society* by Jerome Skolnick (1966).

Skolnick studied a police force in a Californian city and looked at the relationship between the ideal and the actual nature of police operations. He argued that law enforcement by the police is a product of three social forces: the legal rules governing police practice, police professional training and leadership, and the social environment that is being policed. Thus, police functioning is bound by limiting conditions that are beyond the reach of any policy reform, and police internal procedural laws will always conflict with public procedural law.

This is why perceptions of contemporary policing should not be discussed in isolation from the notion of legitimacy in post-communist societies. Niels Uildriks & Piet van Reenen (2003) argued that, contrary to western democratic countries where legitimacy is perceived as an essential requirement for the police to be able to operate in a predomi-

nantly non-violent manner, post-communist democracies face a difficult process of building legitimacy in the absence of the fear factor. Drawing on Jackson and Bradford's aforementioned argument I would add that the process of constructing legitimacy in the Polish context might be hindered by a dominant assumption that "elsewhere is better".

As Gorazd Meško and Goran Klemenčič (2007, p. 97) observed in the Slovenian context: "countries emerging from an authoritarian system of governance, in an effort to reform their law enforcement institutions in a short period of time, rush (or, as is often the case, are rushed by the international and donor community) to embrace »Western« models of policing without a complete comprehension of the underlying philosophy and requirements of such models". Similar sentiments towards "Western policing standards" permeated my participants' accounts.

For some of my study participants the contemporary Polish police represented a distant and out-of-touch institution. On the other hand, there is another way of interpreting these narratives, since what "police formality" meant to study participants could be just police officers performing their duties:

P15: In the past, frankly speaking, everything slipped through the fingers.

P14: Nowadays it is like that, bring me a man and I will serve him right.

AM: That's how it used to be?

P14: Before, now and it will continue this way.

P15: But let's say you were cycling, he saw that you had been drinking or something, he asked you to let out the air [from the tires], and end of story – and nowadays no chance!

[FGRM]

The above quotation comes from a group discussion between male participants who lived in a rural area. While one of the discussants (P14) said that there has been no change in the quality of justice administered in Polish courts, the other one (P15) suggested that in the past "everything slipped through the fingers" – meaning that the police under socialism were more "flexible" and willing to overlook law breaking, such as drink-cycling. Such a strong popular preference for the police to be "close and friendly" might also convey another preference, which is the longing for the police to use their discretion and turn a blind eye to citizens' misdemeanours. It is also worth looking into the following excerpt that comes from an interview with a young male participant from an urban area. His understanding of "distant policing" was noted as actually a positive feature:

Hmm I think that... it's different... the police have a definitely different approach in the cities. It's different than in a small town and when a police officer drives past, everyone knows him, they have like five police officers for a larger area... So when they arrive everyone knows who they are. And here they are more anonymous and perhaps it's a big advantage for them, because they don't have to bother if they offend someone or if they say something to someone and he doesn't like it. Perhaps it's a much better system when people don't know their local police officer.

[P22/I]

Although this young person sees the police as a constructive rather than restraining force, the above quotation demonstrates how strong the practice of “informal negotiations” remains in the Polish context, and how these expectations may be still projected onto instances of contact with the police. The Polish culture of “informal dealings” was described by Janine Wedel in her anthropological study entitled *The Private Poland: An Anthropologist's Look at Everyday Life*.

Wedel researched the private exchanges between Polish people under socialism and argued that these “informal exchanges” held together the economic tapestry, as well as were the source of pride for many Poles interviewed by her (Wedel 1986). Therefore, my participants' understanding that Polish police are “out of touch” with lay people might also be interpreted as an intended consequence of a deliberate police policy designed to make a break with the socialist past and the culture of “informal dealings”.

“We have the police we deserve”

Contrary to Haberfeld's (1997) argument that in post-communist Poland the police were never the public and the public were never the police, I would now like to return to Loader's argument on how views on policing reflect the condition of societies, and challenge Haberfeld's observation by presenting a comment made in a face-to-face interview by a male study participant who said the following:

The police they are... as I am saying, the same people as we are.

[P14/I]

Finally, a very powerful comment came up in an interview with a senior male participant. While discussing the Polish police performance he turned his attention to Polish society

at large, defining it as a society with certain “deficiencies” – a society that is not easy to “be policed”:

P35: I think that we have the kind of police we deserve.

AM: What do you mean by that?

P35: We are a specific society (...). We are a terrible society.

AM: Could you expand on your remark?

P35: I suspect that we are a difficult society to bring discipline to, that's what I think.

AM: Yes?

P35: Throughout all those years we have been taught how to circumvent, evade. Law is there to wangle benefits, report something somewhere, leave, then come back, and register. That's what I think, that... We have the police that... We have the kind of police that have a problem with it. Because these are difficult cases.

[P35/I]

I would like to once again highlight the significance of the interviewee's words:

Throughout all those years we have been taught how to circumvent, evade. Law is there to wangle benefits, report something somewhere, leave, then come back, and register – as this particular excerpt strongly resonates with Janine Wedel's study findings. She observed that “[Polish] people operate in both legal and illegal levels of the system. In the mind of the average consumer, the distinctions are not only blurred, they are unimportant. In a society in which people find it necessarily to slight the system, the boundaries between legal and illegal are understandably fuzzy” (Wedel 1986, p. 61).

This particular observation also reflects Kurczewski's (2007) point about the Polish popular legal culture, who in a different publication says “as for law and justice in the communist system, it led a double life” (Kurczewski 2014, p. 212).

Klicperova-Baker (1999) has argued that the double standard of truth and confusion about the reality in totalitarian societies led to double standards of morality cultivated by “totalitarian minds” – lay people. The “totalitarian mind” varies in subtypes, however, it is defined by Klicperova-Baker as a set of specific cognitions, attitudes and behaviours developed in order to adapt to life under the socialist regime. Klicperova-Baker observed that the roots of the “totalitarian mind” originated in people's attitudes towards previous regimes.

Similarly to Kurczewski's view of the Polish legal culture, Klicperova-Baker says that with regard to justice, “totalitarian minds” accept immoral behaviours and favour

benevolent law “non-enforcement” that results in letting criminals go unpunished. The reason why people in socialist countries perceive stealing from businesses, not as a reprehensible act but as a natural retaliation against the state, is this totalitarian heritage of “double legal standards”.

Summary

In order to interpret my participants’ attitudes towards the Polish police, I predominantly draw on Loader’s sociological framework that relates to the social meanings of policing. In this article I have argued that lay views on the Polish police provide avenues to explore the broader socio-political and legal context in which Polish society has functioned – something that was argued by Loader as a reciprocal relationship between lay people and the police/quality of policing, and that views on the police remain an avenue by which lay people of a given society share stories about themselves (Loader 1997).

It is evident that participants’ views on policing are embedded in a wider perception of the “world that they have lost”, post-socialism nostalgia, remembering of the post-1989 transformation processes and constant comparison with the perception of Western standards in police work. As this paper has demonstrated, views on policing can serve as an interesting mechanism to mirror society’s legal culture – which can be an idea for future research.

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