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ARTICLE



Policing, politics, and democracy: David Bayley's enduring contributions

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ABSTRACT

This special issue pays tribute to the life and work of David Hume Bayley, professor emeritus in the School of Criminal Justice at the University at Albany, who passed away in May of 2020 at the age of 87. We regard Bayley as the world's pre-eminent comparative policing scholar. In this introduction to the special issue, we begin by providing a brief synopsis of his evolution as a scholar, from his Ph.D. training in political science to his most recent work on the role of policing in democracy. We then introduce the articles that appear in this special issue and highlight how they derive from or intersect with Bayley's scholarship.

ARTICLE HISTORY

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David bayley; democracy; police; politics

David Bayley earned his Ph.D. in political science from Princeton University in 1961. His dissertation examined “the problem posed for democracy in India by violent public protest and agitation” (Bayley, 1961, p. 1). While his dissertation did discuss the role of the police in handling protests and riots in India, the police were not a central focus of his dissertation. While Bayley would go on to become one of the world's leading policing scholars, he began his career as a comparative political scientist who focused primarily on Indian politics. His Ph.D. training and his early research in India planted the seeds for the unique scholarly trajectory that defined his career.

Although the police played only a bit part in his early scholarship, Bayley clearly recognised that police played an important role in the political process. When Indian citizens gathered to protest and make their voices heard, over-reactions by police could diminish trust, not only in police, but also in government and in the rule of law more generally (Bayley, 1961). Bayley was concerned that government leaders may “restrict too tightly the manner of political interaction, producing a stability based not on trust but on repression and fear” (Bayley, 1962, p. 99). These early observations predated influential theory and research on procedural justice and institutional legitimacy that would become dominant perspectives in criminal justice decades later (Tyler, 1990). Thus began a career that would bring Bayley all over the world in his pursuit of knowledge on the links between policing, politics, and democracy.

The word “police” did not appear in the title of Bayley's publications until seven years after he received his Ph.D. In 1968, together with Harold Mendelsohn, Bayley published *Minorities and the Police: Confrontation in America* (D. H. Bayley & Mendelsohn, 1968). In that book, based on survey data from Denver, Bayley and Mendelsohn examined the contentious issue of relationships between minorities and police. Another notable political scientist who studied the police, James Q. Wilson (1971), called the book “a refreshing analysis.”

The following year, Bayley published *The Police and Political Development in India*, based on his ambitious research in India (Bayley, 1969). The book launched what would become Bayley's career-long focus on the links between policing and politics, and especially the role of police "in the maintenance and development of a political system" (Bayley, 1969, p. 3). In this work, Bayley noted explicitly that he was writing as a political scientist, not as a criminologist or public administration scholar. His unique, big-picture perspective focused on the role of police in political life and the manner in which Indian society regulated itself. Bayley noted that although researchers had studied the links between politics and many institutions, the role of the police in political life had "curiously been neglected" (p. 3). Bayley would spend the rest of his career filling this gap.

In 1976, Bayley published the first edition of *Forces of Order: Policing Modern Japan*, a groundbreaking analysis of policing and crime in Japan (Bayley, 1976). Though the book came out fifteen years after completing his dissertation, Bayley's political science roots remained evident in *Forces of Order*. Bayley's mentor at Princeton was W.W. Lockwood, a noted political scientist who specialised in the study of Japan (see Lockwood, 1954). Bayley would go on to invest decades of research on policing and crime in Japan. In 2015, the government of Japan honoured him with the *Order of the Rising Sun* "for his outstanding and lifelong contributions in promoting the cooperation and mutual understanding between Japan and the United States in the field of policing." One of us (Maguire) has fond memories of the cohorts of Japanese police officials who came to the University at Albany to study under Professor Bayley because, as one student explained, "Professor Bayley is very famous in my country."

In 1985, Bayley published *Patterns of Policing: A Comparative International Analysis* (Bayley, 1985). The book was quintessential Bayley, demonstrating what happens when a comparative political scientist applies his craft to understanding the police. The book was grand in its ambition and execution, examining the evolution, function, and politics of policing worldwide. In the book's preface, Bayley lamented the personal toll of comparative scholarship conducted outside one's own country, noting that it means a lot of time spent away from family and that "loneliness is an unavoidable part of this kind of work" (p. xii). The book cemented Bayley's reputation as the foremost scholar in the comparative study of policing.

Nearly a decade later, Bayley published his most widely cited book, *Police for the Future* (Bayley, 1994). In it, Bayley examined policing in five democracies: Australia, Canada, Great Britain, Japan, and the United States. He sought to look at the police institution as a whole and to examine "the choices democratic societies face about the police" (p. vii). His comparative research led him to conclude that democracies should broaden the functions of the police to make *crime prevention* their primary responsibility. He acknowledged that police alone cannot prevent crime; that no institution alone can be responsible for achieving such a broad mandate. However, Bayley argued that police should take the lead in preventing crime, enlisting the support of other institutions as needed.

In 1996, David Bayley and Clifford Shearing published an article entitled "The Future of Policing." The article focused on a latent but critical restructuring of policing that had begun to emerge in developed democracies. Bayley and Shearing (1996) argued that public police agencies no longer held a monopoly on the distribution of policing services. Instead, societies were turning to the marketplace "to compensate for the deficiencies of governmental control and social cohesion in controlling crime" (p. 601). Under such circumstances, market-based private security institutions increase in size relative to public policing. Bayley and Shearing argued that this commodification of security threatens foundational principles of equity, human rights, and democracy.

Bayley's later books and monographs focused primarily on the intersection between democracy and policing. In *Democratising the Police Abroad: What to Do and How to Do It* Bayley (2001, p. 3) provided a roadmap through which the U.S. government (or other donor nations) could "reform police forces abroad so as to support the development of democracy." In *Changing the Guard: Developing Democratic Police Abroad*, Bayley (2006) continued this line of research, drawing on his fieldwork in four countries – Bosnia-Herzegovina, El Salvador, South Africa, and Ukraine – to

distill lessons for building fairer and more effective police institutions that support democratic ideals. In *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime*, Bayley and Perito (2010) examined how to reform police institutions in post-conflict settings where police often played a key role in supporting repressive regimes. Their insights demonstrated the complexity of building democratic policing institutions in challenging environments where many people regard police as an institution to be feared, not trusted. Finally, in his last book, *Governing the Police: Experience in Six Democracies*, Bayley and Stenning (2016, p. 1) built on this theme by asking “how can elected governments create and manage police so that they act in the public interest while avoiding the temptation to use them for their own partisan advantage?” Based on interviews with senior police executives in six nations, they drew lessons about police independence and accountability in democracies.

This brief review of David Bayley’s contributions to the study of policing is incomplete by design, because a comprehensive review could easily occupy several volumes. However, it provides a basic sketch of Bayley’s research trajectory and his evolution as a scholar from his Ph.D. studies in political science at Princeton to his time spent as an emeritus scholar of criminal justice at Albany. In a career lasting nearly six decades, he made major contributions to generations of his students, to the scholarly study of police, and to the practice of policing worldwide. Bayley made a difference.

Contributions in this special issue

The articles in this special issue were all invited. We reached out to a handful of scholars, junior and senior, who have a serious interest in the comparative study of policing, a professional connection to David Bayley, or both. Little or no convincing was required to secure their commitment, and later their manuscripts.

The lead contributor, Otwin Marenin, had the good fortune to bump into David Bayley almost 40 years ago. As he explains in his personal reminiscence, the two of them had something rare in common – scholarly interest in the police and card-carrying membership in a discipline, political science, that all but ignored police, despite that field’s ostensible focus on the exercise of power in society. David (and Otto) eventually migrated to criminology and criminal justice, bringing along their abiding interest in the role that police play in politics, political development, governance, and democracy.

Professor Marenin also reflects on Bayley’s scholarly approach and manners. He regards *Patterns of Policing* (Bayley, 1985) as “a masterful, massive, and comprehensive piece of scholarship that has not been replicated.” He admires the combination of specific details and big ideas throughout David’s work. The result in books and articles is both rich description and thoughtful analysis, always presented without jargon or bravado and always situated in political, social, economic, and historical context. Otto ends his essay thus:

Bayley was a modest man, in his presentations, writings and talks. He did not preen or sit on his laurels. He was generous in giving credit to others and sparing and gentle in his criticism of ideas and writings he found unpersuasive. He will be missed and be remembered as one of the great thinkers on policing.

In this issue’s second article, Philip Stenning considers today’s policing crises in light of David Bayley’s extensive writings on the governance of policing. Bayley lamented reformers’ tendency to settle for top-down measures not informed by the ground truth of policing, and for one-off measures that fail to accomplish thorough, systematic, long-term change. Professor Stenning thinks David would have seen this playing out in the U.S. yet again in the response so far to the George Floyd tragedy and Black Lives Matter protests of 2020. Specifically on governance, the turbulent relations between political leaders and police executives over the last year illustrate points raised by Bayley and Stenning (2016). They showed how the boundaries between police chiefs and their bosses tend to be ambiguous and contested, inevitably contributing to conflict over accountability

and governance. A host of now-unemployed police executives would undoubtedly concur with these observations.

In the next article, Jacek Koziarski and Laura Huey also focus on the contemporary demand for police reform. Drawing inspiration from *Police for the Future* (Bayley, 1994), they discuss the “impossible mandate” handed to the police and the current momentum behind “defunding” and/or “re-funding.” They show how Bayley anticipated, more than 25 years ago, today’s debates around over-policing, under-policing, community policing, non-police responses to behavioural crises, and the public health approach to crime and disorder. Like David, Koziarski and Huey regard the various proposals for fixing the police with a healthy dose of scientific and practical scepticism. Their recommendation, which they argue is in line with Bayley’s trajectory of ideas, is for a stronger commitment to evidence-based policing “as a more fruitful driver of meaningful, long-term police reform as it not only enables the police to identify practices that are effective or even harmful, but it also can be used as means for police accountability.”

Robert Peacock’s article also focuses on police reform, but specifically in the international arena where donor countries seek to assist developing nations establish police services that engage in more than just regime protection. This was a topic of great interest to David Bayley, as reflected in his books *Democratising the Police Abroad* (Bayley, 2001) and *Changing the Guard* (Bayley, 2006). Professor Peacock reviews donor-assisted post-Soviet police reform in Georgia, Ukraine, and Armenia in terms of Bayley’s critical elements for developing democratic policing. The case studies demonstrate a close fit with David’s critical elements, both in relation to benefits achieved through adoption of specific reforms, and in relation to missed opportunities when other reforms proved too difficult or controversial to implement. The cases also show that new, foundational legislation may not always enable progress. All three post-Soviet countries already had written constitutions and human rights laws that met international standards, they were just in the habit of ignoring them.

The next paper also examines policing in three countries, or more specifically, three cities in different countries. Edward Maguire looks at police response to protest, a key indicator of commitment to democratic principles and the aspect of policing that first drew David Bayley’s attention during his dissertation research in India. According to Bayley (1995, p. 80), “The way the police carry out their duties, both collectively and as individuals, teaches powerful lessons about the nature of a government. What children learn about civic values and customs in schools, the police teach in the hurly-burly of the streets.” Professor Maguire reviews recent public order policing in Santiago (Chile), Hong Kong, and Portland (USA), all places in which citizens have the rights of free speech and assembly. The circumstances giving rise to protest in 2019 and 2020 differed across the three cities, but in each case heavy-handed tactics caused anger to be turned towards police, fuelling “intense backlashes that increased the level of destructive and violent behaviour among protesters.”

A different kind of challenge to freedom, and to policing, has arisen out of the Covid-19 pandemic. Lorraine Mazerolle and Janet Ransley analyse the ramifications of this new reality in line with David Bayley’s (2016) observation that modern policing has become dramatically more complex. In his view, as summarised by Mazerolle and Ransley, “new institutions would be needed for regularising the input of the public into police policy; senior police would need to be better prepared for increasingly complex leadership roles; and a new professionalism would be needed that embedded evidence into both strategic and managerial decision making.” So far, they argue, pandemic policing in Australia has not lived up to this prescription. Public input has been curtailed, new health-related responsibilities seem to have overwhelmed police leadership, and any sense of strategic and evidence-based policing has been supplanted by crisis management. Moreover, police have been thrust into the private lives of citizens in a new way that threatens the always fragile condition of police legitimacy.

In the ensuing article Elna van der Spuy credits David Bayley with yet another big idea, namely the rich insights into police integrity and accountability that can be gleaned from comparative review of Blue Ribbon commissions of inquiry, be they royal, presidential, or otherwise. Bayley provided just such a review in a 2014 presentation (based on Bayley & Perito, 2011). Since the work

of police is often dramatic and too often calamitous, official investigations into large-scale misconduct occur regularly in many countries. These kinds of inquiries are quite valuable for identifying and diagnosing policing missteps and failures, but as indicated by their periodic reoccurrence, not as good at generating lasting change. In her article, Professor Van der Spuy assesses the work of three such commissions in South Africa, two appointed in 2012 and one in 2018. These inquiries have taken place in the post-apartheid era and revealed how the country's police service continues to struggle in the midst of deep social and political conflict. Given the pattern and degree of corruption, organised crime, and state capture currently facing the country, her view is that "we have no option but to re-think what kind of interventions are required to resurrect and protect the ideas and practices associated with democratic accountability."

The final contribution in this special issue also considers commissions of inquiry. Geoffrey Alpert and Kyle McLean focus on the Fitzgerald Inquiry in Queensland, Australia, completed in 1989, which had an uncharacteristically positive outcome. They explain how that inquiry courageously reached into the highest ranks of the police and the political establishment, uncovering and revealing systemic corruption. By not settling for "low hanging fruit" and a few sacrificial lambs, the inquiry set the stage for more permanent and long-term reform. Alpert and McLean also show how the inquiry incorporated core lessons later enumerated by David Bayley in *Democratising the Police Abroad* (Bayley, 2001). The paper then critiques the often fragmented, ad hoc, and short-term nature of police reform efforts in the United States. Drawing from the Queensland example and Bayley's core lessons, a number of recommendations are offered to enhance reform efforts in the U.S., including the value of learning from the experiences of other countries. While context is always critically important, it is most certainly true that smart and well-intentioned people around the world are constantly working towards achieving more effective, accountable, and democratic policing in multiple contexts. This is a lesson that David Bayley took forward throughout his long and distinguished career. He understood that looking inward but not outward, for solutions was foolish and short sighted.

David, on behalf of the contributors to this issue, and all who have worked with you and been inspired by you and your deep caring for others, we say, Thank You.

Notes on contributors

Gary Cordner is Academic Director in the Education & Training Section, Baltimore Police Department. Dr. Cordner is Professor Emeritus at Eastern Kentucky University and Kutztown University, past editor of the *American Journal of Police* and *Police Quarterly*, and past president of the Academy of Criminal Justice Sciences.

Ed Maguire is a professor of criminology and criminal justice at Arizona State University in Phoenix, where he also serves as director of the Public Safety Innovation Lab. Dr. Maguire specializes in the study of policing and violence. He currently serves as chair of the research advisory board for the Police Executive Research Forum.

Clifford Shearing is Professor, School of Criminology and Criminal Justice, Griffith University, Brisbane, Australia. He is also Professor Emeritus at the University of Cape Town, an Adjunct Professor at the University of Montreal and a Visiting Professorial Fellow at the University of New South Wales. His current research explores the impacts of Anthropocene and cyber harmscapes on security professionals. His most recent book is *Criminology and Climate: Finance, Insurance and the Regulation of Harmscapes* (with Holley and Phelan, 2020).

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