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All Law Enforcement is Local
with Lance Eldridge

April 27, 2011

The misapplication of military theory in law enforcement

Human and moral vices such as greed, anger, power, and cruelty — which motivate criminal activity — can easily become lost in the language of the academic

Over the last several years, a number of articles have emerged in the popular law enforcement press that have attempted to apply military theory to law enforcement. Articles applying military theory to law enforcement have emerged because of three interrelated factors. First, since the 1980s police departments — especially in urban centers — have paramilitarized equipment and training, which, in turn, has led to what one researcher has argued to be a “shared mindset” between police and the military.¹ A natural consequence has been an interest in all things military, to include strategic thought and theory.

Second, as a result of the belief that the police are “at war” on the home front (which includes the worn metaphors of “war on crime,” and “war on drugs”) many officers have adopted a “warrior mindset.” Though this promotes officer safety — especially at a time when officer deaths by violence have increased dramatically — it does little to bolster the public servant nature of law enforcement. The “warrior mindset” can superficially fail to differentiate between criminals as an abstract “enemy” and the citizens that law enforcement in a republic should serve. In a republic, criminals and gangs can “declare war” on police with impunity and use whatever means are available to wage that war. The law enforcement response to these outrages remains constrained by both law and practice.

Third, some officers have also found temporary employment with security firms that have privatized selected nation-state military activities. This controversial experience has brought them in contact with military professionals who have discussed theory and generated a bit of intellectual curiosity about the subject in the bargain.



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Expert Analysis

Ancient military thinkers and modern law enforcement

By Lance Eldridge

Cherry-picking quotes from complex strategic military thinkers and shoehorning their “lessons” into a tactical law enforcement context ignores the important cultural and historical conditions in which these men wrote. Though quoting a military theorist may be trendy and sound cool, without studied application it has little real meaning or use outside the larger military context in which it was written.

So how should we even consider the likes of Sun Tzu, Clausewitz, and Jomini? Let's look at each one individually.

Sun Tzu

Sun Tzu was a military commander — if he existed at all — who found employment with the King of Wu during China's “Warring States” period (roughly 475 BC to 221 BC). Sun Tzu is

It's unlikely, however, that any broad and serious discussion on strategy will occur among law enforcement officers outside the patrol room. It's fair to state that such theoretical musings will find little permanent purchase among even the most curious, whose focus is rightly on policing's more tactical and practical aspects.

Local police chiefs and sheriffs are also so overwhelmed with negotiating the maze of local politics, budgets, recruitment, hiring, retention, and the application of technology to their departments, that they don't have time to give these weighty issues much thought either.

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period (roughly 425 BC to 221 BC). Sun Tzu is probably the most popular military theorist to find his way onto the pages of law enforcement journals, in part because he's been widely translated and his ideas, at first glance, appear clear and concise. What has attracted law enforcement attention has been Sun Tzu's emphasis on man's moral strength, discipline, and what Liddell Hart has called the "indirect approach," an idea that in its simplest form means subduing one's enemy without actually fighting. The application of violent action is only a last resort.

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through crime.

The problem, however, is that the voice of the departments, where real policing occurs, will be lost in the cacophony of politicians and social scientists Human and moral vices, such as greed, anger, power, and cruelty — which motivate criminal activity — can easily become lost in the language of the academic especially criminologists, sociologists, psychologists, and public administrators

Human and moral vices, such as greed, anger, power, and cruelty — which motivate criminal activity — can easily become lost in the language of the academic who have well-established outlets for their work.

For the most part, the law enforcement profession looks at crime through the lens of the social scientist. Though the social research approach is critical to improving policing tactics and techniques, it does little to create the competing strategies necessary to prompt a healthy debate among law enforcement professionals.

Instead, the social sciences cling to the ideal that if we can only gather and analyze enough data, we can understand criminal behavior and reduce crime as a result. This ignores the more complex clash of differing moral standards that officers encounter daily. Human and moral vices, such as greed, anger, power, and cruelty — which motivate criminal activity — can easily become lost in the language of the academic. The success of law enforcement does not occur in the classroom or the meeting room.

The Common Thread

What the military and law enforcement have in common is the threat and application of violence to achieve political ends. The problem with using military theory to fill the void between social science and what officers observe on the street is that the soldier is fighting an "enemy" whereas law enforcement officers are working within a general population that has enduring constitutional rights and liberties. U.S. soldiers in the 21st Century adhere to general laws of war often captured in flexible rules-of-engagement. Law enforcement officers abide by a more rigid set of established legal constraints.

Law enforcement professionals should look instead toward the profession's own rich and often localized heritage for guidance. For a republic, there is nothing really novel in the idea that a combination of persuasion and credible force are necessary to keep the peace, even in contemporary urban environments where physical and moral decay make neighborhoods look more like Grozny in 1996 than any shining city on the hill. The only real difference between past and present policing methods is what changing moral and legal constraints will tolerate.

The challenge that terrorism and organized and violent criminal activity offers law enforcement is not new. The ancient Greeks, Romans, Chinese, etc. all faced similar problems and, unsurprisingly, arrived at similar solutions that contained both a combination and, when most successful, a flexible balance between persuasion and coercion. One can safely say that when someone identifies a new threat to our citizens and a wholly new solution, he or she is being less than forthright, though possibly out of ignorance, not malice.

The truth is that there is nothing really new about policing. At best law enforcement can hold the hordes at bay, but a study of our professional past can only lead to a better understanding of the most effective ways and means to accomplish this seemingly impossible task.

¹Diane Cecilia Weber, "Warrior Cops: The Ominous Growth of Paramilitarism in American Police Departments," Cato Institute Briefing Papers, August 26, 1999.

About the author

After having completed more than 20 years of active military service, Lance Eldridge retired from the US Army and is currently a patrol officer in Craig, Colorado. While in the military, he held leadership positions in a variety of organizations and has written extensively about US military strategy operations, and history. He is a graduate of the US Army's Command and General Staff College and the Norwegian Staff College. He holds a Masters Degree in History and a Masters Degree in Strategic Intelligence. He has taught graduate and undergraduate courses in national security strategy, European regional security, US history, and terrorism.

The opinions expressed herein are those of the author and not of his or any other law enforcement agency.

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