

The Changing on Social Control: Right and Obligation

Yiqian Guo¹, Xinju Wang^{2,*}

¹ WLSA Shanghai Academy, Shanghai, China

² Department of Criminology, University of Ottawa, Ottawa, Canada

* Corresponding Author Email: xwang586@uottawa.ca

Abstract. Under the ideology of Neo-liberalism, Citizen's social responsibilities were extended, leading to society's reflection on social control. This reflection causes people to question the legality of law enforcement when their actions are above their power. This research will study the relationship between the state and individuals on the division of rights and obligations, leading to an understanding of social control strategies. This research also presents the importance of finding the balance of social control and supports the idea that community-leading intervention cannot succeed by limiting the power of law enforcement. The article will be followed through with historical research and case study methods to prove the idea of the research. This research article noticed the trend of raising the social responsibility of individuals and decreasing the state's obligation to social control. Under the background of neoliberalism, the purpose of decentralization and power shifting isn't for better constructing future community plans; it's for retrenchment in public safety areas.

Keywords: Social control, policing, community intervention, rights, obligations.

1. Introduction

Police are a direct tool to enforce the law, facing pressure and conflict from society. From a micro perspective, police is a career or a role that has been given the power to enforce and punish other citizens under the name of law, which ensures the right of justice and stability of communities. This power to overwatch other citizens is based on the law, which is socially constructed and socially contracted; that is, people empower the law to do that. However, this "special citizen" seems unable to become part of society due to the power they own, which dissociates the group of police officers and allows them to build class between themselves and others [1]. This job provides them with a sense of privilege. Suppose society restrains these "privileges" from law enforcement by horizontalizing the chain of command between police and communities. In that case, it appears in a neighbourhood-watching situation that all ordinary people can investigate others with the authority that they shouldn't have or should they have this authority.

This research begins with the power abuse of law enforcement to communities in order to reconsider the range of police's power in enforcing the law. This uncertain use of power led to the confusion of modern citizen's rights and obligations. In other words, this study is about the reform of the structure of the justice system under current neo-liberalism, explaining the rise of decentralization.

2. Power of the Law Enforcement

2.1. The Influence of Police Subculture in Society That is Concerned with Social Sphere and Social Relation

The broad definition of the social sphere can be understood as the tool of actors to unite and share their understanding, rules and principles of activities within a specific field of activities under the constraints of rules and laws [2]. Just as in the police subculture, African Americans were told from childhood by adults how to avoid being in trouble with the police, so too are the street and law elders operating among residents of inner-city communities trying to indoctrinate young people with advice about the police. In interactions between adults and young people, adults are always trying to instill in young people a specific code of conduct for their interactions with the police. For a long time, in African-American interactions with the police, this has been the default. In the interaction between

citizens and the police, respect is very important in the norms of how people get along. Respect is a kind of constraint formed in the social sphere, requiring peers to abide by the standard. Respect here refers to respect for the police and thus leads to a difference in the rights of citizens in relation to the police [3]. Therefore, it is not difficult to conclude that in the social sphere, such as a street or a community, there are fixed norms and rules for the mode of getting along with the police. These are rules or principles that are summed up by actors participating together in a social sphere. The different principles between African Americans and white Americans in dealing with the police can also be reflected. In different social spheres, citizens have different attitudes towards the police. Therefore, it can also be seen that different social spheres have different influences on the formation and formulation of rules and principles.

For social relations, then, it is one of the most fundamental units of analysis in the social sciences. A social relationship is usually used to describe a relationship between two or more people or groups, and it also includes any relationship that occurs voluntarily or involuntarily. At the same time, social relations also include many aspects. Social relations are more than mere kinship or social organizations and institutions. Economic class, country, gender and so on are also included [2]. The police-citizen relations discussed in this document are also included in social relations. In the police-citizen relationship, citizens respect the police, and the police are endowed with certain powers to regulate and restrain the behaviour of citizens. However, because of the existence of special powers, some problems gradually appear in the police-citizen relationship, that is, the emergence of the police subculture. The emergence of police subculture means the relationship between police and citizens. The emergence of police subculture has changed citizens' view of police in the police-citizen relationship. The idea of the police is something of a generational change among modern youth. Most people distrust the police far more than they trust themselves. In kinship, parents also actively share their thoughts and concerns to the best of their ability. Although most people are not friendly to the police, most people still want the police and youth to form an organized, supervised setting to improve understanding and promote police-citizen harmony [3]. Based on the above-mentioned aspects of the social sphere and social relations, the police subculture has had a certain impact on it. Therefore, in order to improve society's attitude towards the police, it is necessary to take some measures to carry out social control. For the police subculture, the social control methods to be discussed include broken window theory and peacemaking criminology.

The broken window theory is a criminological theory of the norm-setting and signalling effects of urban disorder, crime and antisocial behaviour. Since chaos is often regarded as one of the main factors leading to the final result of the occurrence of crime, people's cognition and judgment of crime and chaos are always affected by the general state of a region. As a result, the broken window theory is seen as a tougher and harsher tool to apply between police and policy [4]. The purpose of the broken Windows theory is to control and prevent small crimes so as to maintain the overall urban environment. Therefore, according to this theory, some small problems that may cause large-scale adverse effects in society can be controlled through timely intervention of the police to effectively reduce the probability of the occurrence of crimes in society [4].

For peacemaking criminology, it is more about providing a more influential perspective on the criminal justice system. Peacemaking criminology is aimed at building peace rather than simply fighting crime [5]. In this respect, it is clearly different from the broken window theory. Peacemaking criminology offers a new perspective on crime for the justice system as a whole. In this perspective, crime is not based on violence but is rooted in peace. This theory reduces crime by adopting a peaceful attitude, that is, by minimizing the pain of crime [5]. However, in the present society, there still needs to be some changes in both the individual and the society to make the peacemaking criminology theory realized in real society. So, there needs to be a shift in how the justice system is used. Then, in policing, you need police, and you can't build on violence because the first step to peace is to achieve peace in the first place. Therefore, it is essential to clarify the scope of the rights and duties of the police and citizens [5].

2.2. Rights and Obligation in the Dimension of Social Governance

2.2.1. Relation to the social contract

Modern society's fundamental understanding of rights and obligations begins with the thinking of the social contract. People seek protection from the state and allow the state to control them as a whole. The protection can be regarded as a series of rights to keep an individual's property and dignity [6]. The consequence of the protection becomes the social order or rule that people need to follow and proceed, like law and moral standards. In addition, the consensus of the contract empowers the system of the state that can have abilities to lead people. For example, the Magna Carta stands for the right to freedom; the basic logic requires people to believe or yearn for the promise of freedom, which is protection in the social contract [7]. All democratic countries rely on those lines of promise to gain the power of consensus; then, it also becomes the chain for individuals who are part of this society.

Law and moral standards are the consequences of the social contract, and it is based on the social construct, whose consequences can be changed from time to time. It is also the method of maintaining the stability of society. Therefore, the consequences of social contracts can be understood as the individual's rights and obligations. Specifically, Law and moral standards ensure the promise of the state and also be the weapon or tool to push an individual's responsibility.

2.2.2. Social control with the rethinking of individual rights and responsibility

In recent years, people have started questioning the range or boundary of citizens' rights and obligations. This circumstance is not just because of the shifting of ideology; the rise of neo-liberalism is like the fuse that triggers all parts of society. Especially when things related to social control, like the questionable validity of police practice and the extension of the community's functions. Specifically, the rise of neoliberalism can be seen as the expansion of individual responsibilities. For example, the new Canadian healthcare system points out that people should be responsible for their own health, which is no longer the state's issue to maintain public health [8]. In addition, the economics go first background also restrains an individual's rights in gentrification situations by determining the definition of public and private spaces. The definition of public and private spaces also affects people managing their behaviours in different spaces, which offers a stigma for people who disobey this new rule or understanding [9]. For example, the Ontario Safe Street Act perfectly proves this point that applied law to criminalize certain persons' rights by their actions. This Ontario Safe Street Act is like a guidebook to teach people how to behave in different spaces [10]. In other words, individuals receive more social responsibility for homelessness, leading to specific groups of people becoming less protected because of the stigmatization by systematic persecution.

Those extensions of personal duty break the balance of society's social contract that people need to face more risk or less protection from the state. In the area of formal social control, the legality of law enforcement pushes the thinking of personal social obligation and rights. For example, one of the responsibilities in Canada is obeying the law that not a single group of people is above the law [7]. However, law enforcement's practices, including carding, detaining and starlight tours, all show the background of systematic discrimination; it's also clearly above the law and damages an individual's rights and safety.

Research about the Halifax police service's carding issues mentioned that police officers will tend to detain black American citizens and ask for their ID to collect personal information illegally [11]. In addition, the Saskatoon Police Service has a long history of acting starlight tours, a practice in which police are going to leave innocent, unharmed indigenous people in the wild during the winter to persecute indigenous people [12]. It is hard to imagine that the Saskatoon Police Service still received reports of this brutal action in 2018 [13]. The research on this subject stated that indigenous people have been treated as deviants due to colonialism. The starlight tour was aiming to expel or marginalize First Nation people from major society [12]. Those unjust actions prove the blurry line between law enforcement's legality and the police's privileged social role. The social control that is dominant by law enforcement exists in problems of the legality of enforcing the law. Community intervention that relies on the community as a major part of social control seems to be the last answer.

2.3. Community Intervention's Horizontal Social Control

2.3.1. A new way to understand social control

In this topic, horizontal social control is described as a community-leading system that extends the power of community in society. Its focus is on the construction of citizen's morality and social bond with the neighbourhood. This construction is based on the thinking of community intervention theory that the connection between individuals and the local community can reduce the rate of crime; this connection can be employment and relationships [14]. Therefore, individuals can deeply fit into a group and share the common consensus that they are unwilling to disconnect from each other, which means individuals will maintain this bond to choose not to commit crime or keep the social order of the community. In another way to explain this idea, this community construction weakens the power of the state on an individual's right protection and extends the social responsibility for each citizen.

2.3.2. Clara Court's situation on social control issues

The Clara Court housing program shows a community under circumstances of less policing and unstable residents [15]. In Clara Court, residents find it hard to access assistance from public service; this place has a high crime rate. Under this condition, women who live there have a private group that can watch each other's back [15]. For example, they are looking after others' children and keeping an eye on the "hot spot", which is the place where crime always happens [15]. Like other neighbours on the watch program, it provides extra social responsibility to individuals. At the same time, this extra responsibility may also contain potential risks for individuals.

The idea of the community leading the social control is a good start; it keeps law enforcement power in a scope that is easy to control. However, it also presents a problem of social structure in the distribution of powers and obligations. The increasing responsibility of the community and individuals shows the sign of decentration, which makes government contribution less valuable than the citizen's payout on tax. The government cannot hold reliable unification under the unstable social structure.

3. Solution of the Conflict on Social Control

The conflict on social control is mainly between the government and individuals on the range of rights and responsibilities. Community intervention is the wave of modern society; it provides countless benefits in the area of social control. It also can be a milestone in the construction of the criminal justice system. However, this community intervention has to balance each side of power. Citizens cannot accept either the broken Window theory in policing strategies or the deficient police force. Specifically, the idea of retraining the power of law enforcement cannot simply defund the police or correction system; it has to balance the requirement of formal social control in the local community. Vertical control needs to be powerful enough to hit strike when the situation needs it so that an individual's rights can be protected by the power of the state, which best removes the risk that individuals need to face when they have to obey their extended responsibilities.

4. Conclusion

The emergence of today's police subculture means that the police are exercising a form of social control, which is the broken window theory and peacemaking theory mentioned in the article. However, whether the power of the police is abused or whether the rights of the citizens are violated is something that needs to be examined in this social control. Consider why police officers should have higher rights than others just because they are different, given that everyone is on the same footing. At the same time, in the cooperation between people and the community, each resident has certain rights. For example, in neighbour watching, neighbours will also help guard against foreign vehicles in the community, thus issuing a similar alarm to notify each other. In this process, whether there is an expansion of residents' rights is also something we need to consider from the aspect of

social contract theory. From the perspective of employment theory, citizens surrender certain rights to the state in exchange for certain protection. This protection is not only to protect the rights of citizens but also to protect the obligations of citizens. But if, on top of that, citizens act beyond their obligations, do we also need to consider whether the protection really works and whether the system is necessary at all? Therefore, it is necessary to consider whether decentralization, that is, anarchy, is feasible at the community-centric or at the national level.

Authors Contribution

All the authors contributed equally and their names were listed in alphabetical order.

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