

Violent Rationality: Police Violence as Instrumental Reason

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Abstract

Amidst the seemingly rapidly increasing international prevalence of police violence against black people, many have begun questioning the institution of policing and the rationale behind its existence. This public consciousness of police violence might be a new development in recent history, but many scholars have investigated policing and racism through the lens of a critical theory of race. This paper will analyse the mode of rationality supporting police violence among the perpetrators, identifying it as instrumental reason as described by Horkheimer and Adorno. The concept of instrumental reason will be discussed in the context of the Frankfurt School, after which police violence will be described in general, and connections between the theory and real-world examples will be drawn. The theoretical analysis will be used to attempt to provide insight into the function of police rationality. It will be shown, using the theoretical tools from the theory of instrumental reason, the manner in which the institution of policing utilises instrumental reason in order to subjugate humans – particularly black people – to an inscrutable end.

About the author

Paul Joubert is a bit of a syncretist and is interested in a wide array of topics including Xenofeminism, transhumanism, epistemology, and the philosophy of society, social organisation and transformation, identity, science, technology, and climate change. Currently, they have found a productive approach to all these issues in the field of cybernetics and complexity theory, and are researching an eco-cybernetic epistemology for the post-anthropocene. Paul is currently completing their Honours degree in Philosophy at Stellenbosch University and formatting the layout of this journal. In 2023, they will pursue a Master's in Philosophy at Stellenbosch University under the supervision of Prof. Minka Woermann. In their free time, Paul makes experimental electronic music, takes film photos, cooks for their friends, and downloads too many PDFs to ever read. If Philosophy doesn't work out, Paul plans to become a programmer.

1. Introduction

Amidst several compounding global crises and periods of involuntary solitude providing time and space for reflection, the year 2020 seemingly proved to be a political awakening for many. While it has quickly become trite to call the events since the start of the COVID-19 pandemic “unprecedented” (and indeed, that description seems to have all but disappeared from pandemic-discourse), the resulting heightened awareness about collective circumstances have not been felt this directly in perhaps several decades (at least in Western media). The exact mechanism that led to this awareness is up for debate, but the change in global discourse is undeniable.

One notable experience that has entered mainstream discourse is that of police violence. In the United States especially, given their media hegemony, but also in South Africa, both media and the public have become much more aware of the violence faced by communities, in particular by communities of colour, at the hand of the countries’ police forces. Importantly, along with this awareness came a suspicion of the police, both in specific circumstances as well as the institution of policing in general. Following the death of George Floyd, many have started vocally questioning the role of police; several mainstream media outlets and users of social networking platforms have started to engage in conversation about the alleged purpose — and actual functions — of policing. Human rights and prison/police abolitionist organisations and charities, most notably Black Lives Matter, have seen resurgences in activity.

Critical theory scholars across disciplines have often discussed policing.¹ There is thus a wealth of theoretical approaches to be taken, even when just considering the Marxist lineage. It might thus be useful to

return to the theoretical foundations of critical theory, and gauge what insights it might present to contemporary study. In this paper, I draw from the work of the “original” Critical Theorists, namely, the Frankfurt School – specifically, Horkheimer and Adorno’s investigation into the function and modes of reason on which the reigning conception of reality operates.

It is especially in a time of mass unrest that the work of the Frankfurt School seems all the more important, given the originating circumstances of the Second World War. The “critical” attitude and the overwhelming sense of suspicion of structural circumstances present a set of theoretical tools that seem uncannily prescient and prepared for current circumstances. Further, their candour about their normative ambitions and critique of purported objectivity offers a refreshing honesty that, combined with their theoretical insights, seems almost uniquely appropriate for what many have described as a return to the circumstances preceding the Second World War and the rise of the reactionary right.

2. Enlightenment and instrumental reason

Policing is an inherently violent institution: its origin and function has from inception been to enact “legitimate(d)” violence upon citizens (the military being usually reserved for non-citizens). This core fact is obscured by an “eclipse of reason”, a phrase which serves as the title for Horkheimer and Adorno’s 1947 book (Bohman, 2019, sec. 2.1). This alludes to a foundational realisation by the aforementioned philosophers: that, in the oft-cited phrase, “myth is already enlightenment; and enlightenment reverts to mythology” (Horkheimer & Adorno, 1989: xvi). This is a central thesis of *Dialectic of Enlightenment* (1944) – a text which circulated among the friends and colleagues of

¹ See, for example: Marenin (1982); Neocleous (2000); O’Neill (2010); Schinkel (2010); Johnson (2014); Campesi (2016); McMichael (2016); Khatib (2018); Martin (2018); McDowell and Fernandez (2018); Rae and Ingala (2018); Brucato (2020); Jackson (2020);

McQuade (2020); Durán and Shroulote-Durán (2021); Jenkins, Tichavakunda and Coles (2021); Williams (2021).

the Frankfurt School as an attempt to understand, stated plainly, “where it had all gone so horribly wrong” – in which Horkheimer and Adorno traced their circumstances back to the Enlightenment (and enlightenment more generally) and explained the ways in which enlightenment undermines its own project. They show, as they painfully witnessed, through “deep historical treatment ... the genesis of modern reason and freedom and how they turn into their opposites” (Bohman, 2019, sec. 2.1). Indeed, they “set [themselves] nothing less than the discovery of why mankind, instead of entering into a truly human condition, is sinking into a new kind of barbarism” (Horkheimer & Adorno, 1989: xi), and wanted to “prepare the way for a positive, emancipatory notion of enlightenment” (Held, 1980: 148).

Importantly, Horkheimer and Adorno explicitly did not want to establish a “systematic” philosophy (thus the subtitle “Philosophical Fragments”), arguing that it is systematisation, the attempt to subsume all things into a single coherent all-encompassing philosophical system, which leads to domination. Instead, they offer a *critical* philosophy that aims to pick apart the systems that claim to explain everything. As such, their thought can be difficult to understand because of this extreme reluctance to make specific recommendations (ibid., 150).

Any emancipatory project, however, should probably begin with a diagnosis and explanation if it were to have any chance to succeed. Horkheimer and Adorno identified enlightenment as sprouting from the “mythic” fear of nature and the consequent drive to dominate it. Enlightenment “gives itself an absolute status over and against its objects, thereby constantly collapsing into new forms of the very conditions of primeval repression which it earlier set out to overcome” (ibid., 151). In this drive to overcome the alleged domination of nature over humanity, it allows humanity’s

domination to run wild.² The lack of regulation and reflection subsequently allows for the extension of domination over nature to the domination of other human beings (Horkheimer & Adorno, 1989: 4). The Frankfurt School theorised in a Marxist lineage and thus saw capitalism and the rapid rise of industry as a core feature of this domination, which continually reaches out and searches for new domains to dominate and exploit (Held, 1980: 154).

Horkheimer and Adorno identified the philosophical expression of this enlightenment-myth as that of positivism. Positivism, they argued, posited the mythical belief of “a purely rational, ideational world as the only true reality” and the claim that this reality can only be accessed through the mechanisms *it* provides, namely, science (ibid., 160; Horkheimer & Adorno, 1989: x, 7, 16, 23). This claim of the “structure of knowledge, and, therefore, of reality is as rigid for any positivist as for any dogmatist” (Held, 1980: 165). Scientific rationality is thus completely ignorant of the scientific observer’s interpretive role and the dependence of the nature of reality on the object–observer relation (ibid., 164). Because of its assertion of an objective, independent, and codifiable reality, scientific reason can only ever be descriptive; it obscures from possibility any question of normative value, i.e., whether something *should* be a certain way. It thus reduces to a purely *instrumental* mode of reason, meaning that it is always only utilised to achieve a pre-established goal – a goal about which positivist science claims there is definitionally no reasoning to be done (ibid., 169; Horkheimer & Adorno, 1989: xii, 4).

Adorno (2004: 309) also discussed instrumental reason or rationality in the context of the legal system. He identifies the negative dialectic of law as its opposing functions as both that which protects life as well as that which destroys it through violence. The instrumental rationality of the law forcibly reduces that for

² This is quite similar to the later Marcuse’s reassessment in a preface to a new edition of *Eros and Civilization* (1966) of his “surplus

repression” theory, where he asks whether humanity’s destructive drives have perhaps been allowed to run wild.

which it cannot account into a manipulable form (ibid.), just as positivistic science does to phenomenal reality and as capitalism does to the objects in commodity exchange (Horkheimer & Adorno, 1989: 7). For the legal system to be universal, “legal norms cut short what is not covered, every specific experience that has not been shaped in advance; and then they raise the instrumental rationality to the rank of a second reality *sui generis*” (Adorno, 2004: 309).

All science and technology, as well as law, is thus subjugated to an inscrutable pursuit that is handed down through history like a myth, tradition, or religion. Instrumental reason thus inevitably recreates the conditions of oppression and subjugation of the past, but even worse, it forecloses any imagination of alternative presents or futures. In the following section, I discuss the manifestation of this foreclosure of alternative thinking in institutions of policing.

3. Police violence

As mentioned in the previous section, policing is an inherently violent institution, and this fact is obscured by instrumental reason. For the purposes of the systematic exposition of this argument, the interaction of rationality and the institution of policing can be considered in two intersecting domains: the *internal* and *auxiliary* structures of policing; and at two levels of abstraction: the *individual* and the *structural*. This section will give an overview of the various drives and processes to be found in each quadrant of the aforementioned map, and give explanatory examples in each case. This will take place in the order: internal individual then structural, followed by external structural then individual.

3.1. Internal individual

A common slogan of the Police Abolition movement is “All Cops Are Bastards” (ACAB), which is meant as a reflection of a police officer’s complicity in the system they operate (Ritzen, 2020). Many officers, however, object to this characterisation with the refrain that “they are just doing their jobs” – the Nuremberg

defence. This indicates that, on the internal individual level, many police officers conceive of themselves as a cog in a machine they cannot control. Much of this can be spoken of in the language of lack of agency (and the need for collective action), but it reveals their inability to think in modes other than that of instrumental reason. It is accepted that their job has to be done, and that they are playing a predetermined role in a play that has already been written. This resignation to the already-existing is also an abdication of responsibility: if a police officer commits an act they would not have considered moral under other circumstances, they can disclaim moral responsibility and rid themselves of moral anguish by the same “just doing the job” refrain.

A further manifestation of instrumental reason is the culture found among police officers. Since they can disclaim personal responsibility, they can revel in the process of performing the acts required of them. This leads to many departments having a culture that glorifies violence and indulges in the despicable. In the US in particular, where a “gun-culture” is widespread, an almost childlike excitement can be observed when officers are presented with the newest equipment, or “toys” used to enact violence. This culture is a direct result of instrumental reason, since individuals can engross themselves in the process, the “means” to an end that is considered by them to be irrelevant to their lives. This is particularly seen when police are equipped with military gear (Apuzzo, 2014; Campbell, 2020; Kommenda & Kirk, 2020; Musgrave, 2014), and trained by experts in military combat, including, for example, from the Israeli Defence Force (Cohen & Shahshahani, 2019; Domingos & Khoury, 2020; Garwood, 2016; Kuzmarov, 2010; Leichtman, 2014; Miller, 2019; Mummolo, 2018). Officers have various platforms outside of their day-to-day operations which enable cultural and other engagement, one of which is the institution of police unions. Police unions have proven to be a significant force for maintaining the status quo and for inculcating a certain perspective among members (Dharmapala, McAdams & Rappaport, 2022; Greenhouse, 2020; Ingraham, 2020a;

Mathis, 2019; Scheiber, Stockman & Goodman, 2020). A more horrific example of a cultural structure which encourages revelling in the violent acts of the job is the existence of police gangs. These gangs share many attributes with more well-known criminal gangs, such as some requiring taking of a life as part of the initiation process, and having gang-insignia tattoos or other identifying signs (Castle, 2021; Diaz, 2022; Dickinson, 2021; Lockhart, 2019; O'Connor & Daunt, 1999; Valdez, 2021).

On the other side of police culture is the collective feeling of being “on edge”, or what has been described as “siege mentality”. Police officers operate in – and are often trained to operate in – a state of mind where they are constantly at risk of attack for which they must constantly be vigilant. This heightened state of being “on edge” and suspecting danger to lurk around every corner creates volatile situations where outbursts are frequent, and where police officers are prone to “read” situations as dangerous when they are not: it has become a common refrain in police justification of violence against unarmed people that they mistook a benign object for a weapon (Barker, Eder, Kirkpatrick & Sundaram, 2021).³ Related is the “epidemic” of police officers “overdosing” on “fentanyl” (a potent synthetic opioid painkiller which plays a large part in the “opioid epidemic”): several viral videos show officers presenting an array of violent reactions to touching or breathing what they believe to be fentanyl, despite the physical impossibility for an overdose-amount of fentanyl to enter the body by the means they claim (Paz, 2021). The ultimate ends of this culture into which officers are inculcated are inscrutable, and the truth of whether danger truly lurks around every corner is not questioned (Beauchamp, 2020; Paoline, 2003).

³ The siege mentality and “being on edge” also permeates through to officers’ personal lives, in which they are known to be disproportionately guilty of gender-based violence against their spouses. (See: Johnson, Todd & Subramanian, 2005; Lonsway, 2006; Oehme et al., 2011; Blumenstein, Fridell & Jones, 2012; Valentine, Oehme &

3.2. Internal structural

The internal structure of police forces is an institutionalisation of the aforementioned violent culture. The internal bureaucracies divide labour in such a way that individuals never have to grapple with their personal role in the function of the institution, which allows the individuals representing the institution to earnestly present themselves as “the good guys”, the solution to the problem of “crime”. The internal structure enables the development of brutally efficient techniques and tactics that allow for ever more and faster domination, including e.g., techniques of crowd control and digital surveillance. Instrumental reason creates, through the separation of “fact” from “value”, the organisational structure and knowledge-building that enables domination.

3.3. External structural

Auxiliary to the institutions of policing are of course the structures that enable it, namely, governmental or state structures, as well as manufacturers of weapons and other technology. Funding and government support for policing is ever on the rise, given that the solution to any problem is conceived of in terms of the tools at hand, which for the state is policing (Ingraham, 2020b). This is also compounded, especially in the US but also in South Africa, by the interaction of privately owned prisons (and security), which in the US has been pointed at as the cause of their incredibly high rates of incarceration. Other private and for-profit organisations such as weapons manufacturers instrumentally aim for ever-increasing profits, ignoring any value reasoning that might give pause to their actions.⁴ A similar but more contemporary example is that of technology corporations such as Amazon, Microsoft, and Google, which offer their services to law

Martin, 2012; Donnelly, Valentine & Oehme, 2015; Saunders, Prost & Oehme, 2016; MacQuarrie et al., 2020; Prost, Saunders & Oehme, 2020).

⁴ Refer also to the interaction of the police with the military and thus the military–industrial complex mentioned previously.

enforcement agencies. The structural drive for profits, of course, also gives the employees of these organisations the plausible deniability to deny any responsibility, echoing the same “just doing the job” as individual police officers. Employee pushback at technology corporations, such as in the form of organised walk-outs, have, however, attempted to break the veil of inscrutability of what the goals of the technology are.

3.4. External individual

The other auxiliary support received by policing institutions is a public incapable of conceiving a differently-structured society, a mentality furthered in individuals by consent-manufacturing media (Hirschfield & Simon, 2010). In its simplest form, this can be seen when people are confronted with suggestions to defund or abolish the police to which they often ask, “but what would we do with the criminals?”. The institution of policing is instrumentalised and used in its function to extend domination over humans, propped up by the inability of the public to conceive an alternative society. This is part of a much larger problem of ideological obscuring of alternatives, most clearly seen in Margaret Thatcher’s statement that “there is no alternative!”, which reaches beyond the scope of this paper. Nevertheless, as stated in the introduction, a turn in the collective consciousness seems to be underway (Kaba, 2020; Ritzen, 2020).

Throughout all the above examples, those humans that disproportionately form the target of domination are people of colour and, more specifically, black people. The reason for this is the subject of many decades of scholarly research, but one reason for the *persistence* of this domination is the “eclipse” of value reasoning leading to the consistent replication of prior conditions and the inability to escape the horrific cycle.

4. Conclusion

As mentioned in the Introduction, many have labelled the events of 2020 as “unprecedented”. This characterisation, however, ignores the various historical precedents (which is itself an effect of instrumental reason), such as exactly those circumstances that drove Horkheimer, Adorno, and the rest of the Critical Theorists to develop new and up-to-date explanations of the horrors of society. Hopefully, this paper can serve as a preliminary attempt to investigate the applicability of one of their concepts, instrumental reason, to contemporary circumstances.

Horkheimer and Adorno’s critical examination of the enlightenment and its hypocritical internal contradictions is able to provide considerable insight into the function of various institutions of contemporary society. What has not been discussed in this paper, is what a possible future might look like beyond abstract values, or how those futures can be achieved. This is partly because it is beyond the scope of the topic, but also because Horkheimer and Adorno, like many of the Frankfurt School, were extremely cautious and suspicious of any theory that claimed to provide a neat way out of oppressive circumstances. This is understandable, considering the circumstances they were critiquing. It was, however, of course their mission to develop an emancipatory project, to transform society according to reasoned-over values.

A contemporary project of such a nature would crucially require a close understanding of the material grounding of the *Dialectic of Enlightenment* and instrumental reason in contemporary circumstances. That is, the mechanism that enables and reproduces the contemporary manifestation of instrumental reason has to be established. Only then would the following step be the building of a society that has been freed from domination.

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