

Who put politics into the police?

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There must be an election coming. The current debate in Britain about the politicisation of the police is analytically confused and historically amnesiac, with both Labour and the Conservatives looking like participants in an orgy of political cross-dressing. [Professor Robert Reiner](#) calls for a little historical perspective.



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The most recent bout of political posturing over the politicisation of the police was sparked in September 2009 when Kit Malthouse, the deputy mayor for policing, made a splash in the newspapers with his boasts that his Tory boss, London mayor Boris Johnson, was running the Metropolitan Police Service. Malthouse said he and Johnson, backed by an electoral mandate to do so, 'have our hands on the tiller' of the Met. He asserted that the Johnson regime had 'elbowed the Home Office out of the picture' and would no longer act as a rubber stamp to whatever the force proposed, insisting: 'We do not want to be a passenger on the Met cruise.'

The Conservative Party hierarchy seemed to agree with all or part of this approach. Newspaper accounts have suggested that a Conservative government would fundamentally remodel the current tripartite system of police governance along the lines the mayor's office had adopted. According to media reports, a Conservative government would scrap police authorities across England and Wales and replace them with individually elected commissioners, who would be responsible for the hiring and firing of chief constables and for funding the services.

The police fired back. The then new police commissioner, Sir Paul Stephenson, and Sir Hugh Orde, the president of the Association of Chief Police Officers (ACPO), supported by several other police chiefs, responded with a stout reassertion of the constitutional principle of constabulary independence. The Labour party joined in the condemnation. Alan Johnson, the Home Secretary, was quoted as saying: 'The last thing police forces want is politicians telling them how to do their job, which will inevitably happen with elected commissioners.' Thinking better of his own role, Boris Johnson in January stood down as chair of the Metropolitan Police Association, though he installed Kit Malthouse in his place.

This current storm about the politicisation of the police – itself reminiscent of the 1970s and 1980s, when Labour was routinely accusing the Conservatives of politicising the police for their own partisan advantage – has been gathering for several years. In 2005 the Conservatives accused the Labour government of inducing the Met Police commissioner of the day, Sir Ian Blair, and other police chiefs, to lobby Parliament in support of the proposals to extend detention limits for terror suspects to 90 days. Indeed, Sir Ian was routinely accused by Tory tabloids and politicians of being too closely aligned with the Labour government.

And yet, oblivious to any apparent contradiction, the Conservative general election campaign of that same year also trailed the idea of elected 'sheriffs', a move hardly calculated to depoliticize policing. Then, in October 2008, it was Labour's turn to be up in arms. The resignation of Sir Ian as Met commissioner kicked off accusations that Boris Johnson was politicising the police. The Tories were back with their own politicisation complaints the next month, following the arrest and detention of their shadow immigration minister, Damian Green, during a police investigation into leaked government documents. (The Crown Prosecution Service later said it was not going to bring a case against Green.)

And so on. To anyone with a memory stretching beyond the latest headlines these episodes are sadly familiar, as, among others, LSE's David Downes and his coauthor Rod Morgan made clear in their 2006 work, *No turning back: the politics of law and order into the millennium*. Throughout the 1970s and 80s, Labour accused the Conservatives of politicising the police for their own partisan advantage. Local democratic accountability was then seen as a left-Labour issue, vigorously opposed by the Conservatives (and by police chiefs, whose opposition has remained constant).

The current debate about police politicisation is both analytically confused and historically amnesiac. As their close etymological roots indicate, police and politics are necessarily closely bound up together. Policing is inherently political in the broad sense, involving the exercise of power, ultimately coercive power, in the name of order and security.

Although this is nowadays usually seen as an uncontroversial – if hard to deliver – social good, policing also has another side, opening it up to controversy. Policing usually targets those who for whatever reason come to be regarded as threatening to prevailing conceptions of order. Policing is inevitably partisan, championing dominant interests (in a democracy hopefully those of the majority) against others.

This was evident at the time of the establishment of the modern British (and American) police in the early 19th century, when there was widespread opposition to the 'new' police, especially from the mass of the population who saw it as a means of oppression.

As I show in my new book *The Politics of the Police*, the architects of the English police, Sir Robert Peel and the commissioners he appointed, deliberately moulded an image of policing designed to confer legitimacy on the highly contested institution. This was the depoliticised model of 'policing by consent' based on the notion of police as 'citizens in uniform,' maintaining an impartial rule of law independent of governments or parties, and with minimal force. The idea was that policing should be seen not as an instrument of class repression but as a service to all. Social justice, the welfare state and community cohesion did the heavy lifting of creating social order, while the new police got credit for an increasing level of public safety from the mid-19th to the mid-20th century.

During the 1970s, the police were increasingly politicised as law and order became a political issue. The police became a Tory-leaning partisan political lobby. A 'bobby lobby' emerged, spearheaded by public interventions by prominent chief police officers and by the Police Federation's embracing of the Conservative Party's espousal of law and order as an electoral issue. This played a crucial role in Margaret Thatcher's election victory in 1979.

For most of the 1980s the parties became increasingly polarised by their strikingly different positions on crime and order. The Tories seized the electorally winning formula of presenting themselves as tough protectors of the public, castigating Labour for being 'soft on crime' – over-sensitive to civil liberties, in hock to militant trade unions, captured by a social democratic philosophy of crime that supposedly excused criminals as puppets of social factors that drove them to break the law. This sharp partisan conflict abated in the late 1990s as the parties both moved closer to the centre of the ideological spectrum. So did the overtly partisan lobbying by the police. ACPO reined in its more egregiously outspoken chief officers and sought to present a more corporate professional front. Paradoxically, ACPO's efforts to tame its chiefs culminated during 1993-94 in the most vigorous lobbying in its history. ACPO campaigned against efforts by the government to restructure the police along 'businesslike', New Public Management (NPM) lines that were meant to deliver a tough dose of quasi-market discipline.

However, although pitched against a Conservative government's proposals, the ACPO campaign attracted considerable cross-party support and was not explicitly partisan. Especially after Michael Howard replaced Kenneth Clarke as home secretary in 1993, the Conservative government became more open to police objections, as suggested by the 1994 Police and Magistrates' Court Act, which represented a reasonably happy compromise. On the other side, the reformed New Labour Party under Tony Blair was also favourable to much of the NPM agenda. In office after 1997, the Blair government implemented the NPM reform agenda with at least as much rigour as the Tories had done. Then the Tories came along and, despite their own history, criticised Labour on the grounds of 'micro management.'

This sort of partisan posturing disguises what is, in fact, a large and important area of agreement. The febrile partisan competition to claim superiority in fighting crime, the dizzying crossdressing on policy and rhetoric – these headline grabbing controversies conceal the fact that there is an underlying fundamental consensus on law and order. One that has, as I wrote in *Law and Order: an honest citizen's guide to crime and control*, prevailed since 1992. Labour and the Conservatives may disagree on how the police should deliver crime control, but they do not have any principled differences over the balance to be struck between order and liberty, or, to borrow New Labour's mantra, between being tough on crime and tough on the causes of crime.

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