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## Conservatives and the Constabulary in Great Britain: cross-dressing conundrums

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# **CONSERVATIVES AND THE CONSTABULARY: CROSS-DRESSING**

## **CONUNDRUMS**

Robert Reiner

### **ABSTRACT**

*Purpose – To analyse the historical peculiarity of the contemporary British politics of policing.*

*Methodology – Analysis of policy statements and debates, news reports, and official statistics, in the light of historical studies of the earlier politics of policing.*

*Findings – The Conservative government’s police reform programme severely diminishes the resources, powers, status and independence of the police, reversing the Tory’s traditional unquestioning support of the police. The package is shown to reflect broader changes in political economy and culture under neoliberalism.*

*Originality/Value – There has been no previous academic analysis bringing together the various aspects of the reform programme, contrasting it with previous historical understanding of the politics of policing, and linking it to broader contemporary change.*

**Keywords:** Policing; politics; neoliberalism; political economy.

## INTRODUCTION

Some fifty years ago the eminent political sociologist Seymour Martin Lipset wrote a paper reviewing the politics of policing. It was called 'Why Cops Hate Liberals and Vice Versa', and demonstrated that the police tended towards the Right in their political sympathies and practices (Lipset, 1969). This was related to the fundamental role of the police, order maintenance, which involves both enforcing dominant standards of propriety in the streets on a routine everyday basis, and the 'high policing' function of suppressing threats to the political and socio-economic status quo (Brodeur, 2010).

As pointed out by Otwin Marenin, reproducing order is a Janus-faced activity. It encompasses both the maintenance of 'general order', the preconditions of any viable social co-operation and co-existence, which is in everyone's interest, and 'special order', the protection of dominant elites and social hierarchy against the less powerful and privileged. As Marenin neatly puts it, policing involves both 'parking tickets' *and* class repression (Marenin, 1982).

The consequence of this is that although governments in liberal democratic states have sought to construct a veneer of legitimacy for the police as politically neutral enforcers of impartial law, the 'class repression' dimension is hard to disguise especially in times of crisis. Right-wing partisanship often becomes blatant. It has often been apparent, on the one hand in more favourable treatment of police by conservative governments, and on the other hand, a reciprocal support for them manifest in individual police sympathies and in pressure group activity.

The puzzle addressed by this chapter is a recent reversal of this traditional picture in Britain, especially since the formation of a Conservative-led Coalition government following the 2010 General Election, and since the 2015 election a pure Conservative administration. The chapter will first document the evidence in Britain of a traditional special relationship between the Conservatives and the police, especially evident after Margaret Thatcher became Conservative leader in 1975. It will then outline the dramatic reforms of policing introduced by the Conservative-led Coalition after 2010, which constitute an unprecedented diminution

of police powers, autonomy, status, pay and resources. The conclusion will probe the reasons for this, and what it might tell us about policing under the hegemony of neo-liberalism.

## **THE OLD POLITICS OF THE POLICE**

### *De-politicisation of the Police 1829-1970*

The modern police were established in the early 19<sup>th</sup> century in the face of widespread opposition (Reiner, 2010, Chaps. 2,3). Amongst other concerns many feared that the police would be a partisan tool of government oppression. Working-class leaders and Radicals in particular saw the new police as a thoroughly political military and spy agency, 'the minion and paid servant of the Government' (*Poor Man's Guardian*, 11 October 1830, p. 3).

In the US a key factor in legitimating the police was the notion that electoral democracy would prevent the domination of policing by elite interests, although this did nothing of course to prevent tyranny of the majority against racial, religious and other minorities (Miller, 1999). In Britain this legitimating tactic was not available. Only the

upper class had the vote at the time of the creation of the Metropolitan Police in 1829, and the franchise only incorporated the middle class in 1832. By the time the skilled working class 'aristocracy of labour' got the vote in 1867, the police had been established throughout the country by the 1856 County and Borough Police Act.

The strategy adopted in Britain to assuage fears about elite control of the police was to represent them as politically neutral, impartial upholders of a universalistic law that applied equally to all. The architects of modern British policing, Sir Robert Peel and the first two Metropolitan Police Commissioners Rowan and Mayne, declared that in the midst of acute social conflict they 'endeavoured to prevent the slightest practical feeling or bias, being shown or felt by the police . . . the force should not only be, in fact, but be believed to be impartial in action, and should act on principle' (cited in W. Miller, 1999, p.12).

To implement this objective, the British police were insulated from direct political control, and national and local government police authorities tended to abstain from interventions in operational

policy. During the 1920s, this discreet stance hardened into a strict legal doctrine of constabulary independence from policy guidance (Lustgarten, 1986). In addition, although enfranchised in 1887, police officers remain forbidden to join or affiliate to outside trade unions on the ground that this would impugn their political impartiality, although in 1919 a 'company union' the Police Federation was established, destroying an illegal police union.

Insistence on suppressing indications of overt political control or partisanship softened the initial conception of the police as a tool of government oppression. As an 1864 article in *Chambers's Magazine* said of the police, 'they know nothing of politics; the man in blue preserves his neutral tint . . . the good old cause of order is the only side the policeman supports' (cited in Miller, 1999, p.13).

### *Re-politicisation of the Police 1970-1992*

During the 1970s and 1980s policing became re-politicised, as the Conservatives under Margaret Thatcher made tough law and order a

central plank of her successive General Election victories over Labour (Reiner, 2007, Chap.5). Conservative election manifestoes and campaigning castigated Labour as soft on crime and anti-police. During the late 1970s, in the build-up to her election victory in 1979, Mrs Thatcher blamed the Labour government directly for rising crime and disorder, pledging a 'ring of steel' to protect people against lawlessness. She promised to boost the resources and powers of the police to prevent and clear-up crime, and to toughen penal policy, reversing the softness on crime that she attributed to Labour.

The Tory's law and order campaign was greatly helped by the emergence of the police as a political lobby, backing up the Conservative's agenda in a series of advertisements and speeches (Reiner, 2010, pp. 88-91). During the 1970s the police at all levels became overtly involved in public debate, with much publicised interventions that were almost invariably on the Tory side. The Commissioner of Scotland Yard, Sir Robert Mark, gave the first speech by a police officer on national television in 1972 when he delivered the prestigious Dimbleby lecture, arguing that excessive civil liberties were hampering effective policing. The Chief Constable of Manchester, Sir James Anderton, made a series of highly publicized



statements on the supposed decline in morality that lay behind crime and disorder, with the police cast as the domestic missionaries whose firm discipline could save the nation. The Police Federation launched a 'law & order' campaign in the years running up to the 1979 election which provided an echo chamber for Conservative party pronouncements. The issue was a major factor in Thatcher's 1979 election victory, according to polls monitoring the shifts in public opinion. The police were directly rewarded for their open support when the Conservatives implemented in full a recommended police pay rise as one of their first acts in office.

The party political gulf on law and order reached its widest point in the mid-1980s. The key conflicts were over the policing of the urban disorders and of the Miners' Strike of 1984/5 (both results of the economic and social dislocation engendered by the Thatcher government's monetarist policies), the Police and Criminal Evidence Act 1984, and campaigns for democratic police accountability.

On all these issues Labour took a civil libertarian stance, attacking the Conservative government for violating the principles of the rule of law. Labour also attacked Conservative law and order policies for

being counter-productive in increasing social divisions, and aggravating rather than reforming the root causes of crime that lay in social inequality and relative deprivation. Whilst this social democratic analysis may have had the support of many criminologists (at least until the late 1970s), it was an electoral liability for Labour (Reiner, 2012). In the 1984 and 1987 General Elections the Tories attacked Labour for being 'soft' on crime because of its concerns about civil liberties, 'permissiveness', links with trade unionism (which they associated with disorder), and failure to develop any short-term solutions to bolster public protection. Core aspects of Labour's traditional stance on crime and social order became electoral 'hostages to fortune' in the face of this onslaught (Downes and Morgan, 2012).

In office after 1979, the Thatcher Tories petted the police with special treatment saving them from the attacks on the public sector generally. They were exempt from the wide-ranging public expenditure cuts, and from the New Public Management disciplines that sought to achieve the 'three E's' (efficiency, effectiveness and economy). In the face of a wave of urban riots and industrial militancy unprecedented in postwar Britain, public order policing

was militarized. There were new toys for the boys in blue: Nato helmets, shields, long truncheons, CS gas, plastic bullets, enhanced legal powers, and a ring-fencing of 'constabulary independence' from efforts by Labour controlled local authorities to question militaristic policing (Reiner, 2010, pp. 85-88).

### *New Labour, New Consensus 1992-2005*

The love affair between the Tories and the police cooled somewhat in the late 1980s, as public expenditure cuts and New Public Management began to bite on the police, and they feared a hidden agenda of incipient privatization. For its part Labour tried hard and ultimately successfully to repair broken bridges. The party's leader, Neil Kinnock in an interview in *Police Review* in 1986, said he had had a childhood ambition of becoming a policeman. Labour spokespersons assiduously attended Police Federation conferences, and criticized the Tories for cutting police expenditure. In March 1990, during a critical Mid-Staffordshire by-election, Police Federation leaders even appeared on a Labour campaign platform.

There was a gradual return to cross-party consensus on law and order. However this occurred largely because of broader changes in the Labour Party, as they adjusted to the basic framework of neo-liberalism that had been developed by the Conservatives. The 'New Labour' that emerged in the 1990s accepted many of the policy changes of the Thatcher years in law and order as in other policy areas. This was symbolized by Tony Blair's electorally successful soundbite 'Tough on crime, tough on the causes of crime', a slogan that brilliantly encapsulated the populist punitiveness of the public mood with a double dose of the iconic word 'tough', whilst still gesturing to the old social democratic concern about the root causes of crime. Over time, however, New Labour policy increasingly emphasized the former in a contest in toughness between Tory home secretary, Michael Howard and the shadow home secretary Jack Straw. Labour's conversion to the tough law and order consensus continued in office after its 1997 General Election victory, and throughout its three terms of government. During the years of New Labour government there was a continuous expansion of police numbers, resources, and legal powers (Reiner, 2007, pp. 134-5; 2010, Chap.7).

On the other hand, New Labour was favourable to the New Public Management agenda initiated by the Conservatives, and in office implemented the 'businesslike' reform of police management and governance with at least as much rigour as the Tories (Savage, 2007, Chaps. 3,5). Their commitment to this was signaled early on by the 1999 Local Government Act and its 'Best Value' scheme which 'raised the culture of performance management to another level altogether' (Savage, 2007, p. 110). The collection and analysis of performance indicators and the 'league tables' they generated became ever more rigorous and sophisticated (Savage, 2007).

For their part, from the late 1980s the police retreated from the apparent Tory partisanship they had displayed during the Thatcherite heyday. The prototype of the outspoken chief constable, Sir James Anderton, retired in 1991. He had become even more controversial in the late 1980s for his supposedly divinely inspired utterances on AIDS and other topics. By then most chief constables had come to believe overt police interventions in political and social debates were unwise. Nonetheless, the years of partisanship had tarnished the sacred aura carefully constructed by the architects of British policing whereby the police, like the Queen, were above party

politics. Altogether, after the early 90s the politics of British policing reflected the new politics of law and order. A deep underlying consensus on tough crime control principles, was disguised by fierce partisan conflict over delivery.

### *Cross-dressing and the Cops 2005-*

Since the 2005 General Election this deep consensus on law order has become more complex by an increasing tendency towards political cross-dressing. To an extent that at times seems bizarre the Conservatives and Labour have swapped many of the positions they occupied in the 1970s and 1980s. This has become especially marked since the Conservatives regained office after 2010 (in Coalition with the Liberal Democrats until 2015). During the last period of Labour government, 2005-2010, the Conservative opposition began to adopt some of old Labour's themes from the 1970s and 80s, including accusations of politicizing the police (which Labour reciprocated), championing civil liberties, advocating greater police accountability, and even flirting with a social democratic analysis of crime's root causes.

In 2005 the Conservatives accused the Labour government of inducing the Metropolitan Commissioner and other police chiefs to lobby Parliament in support of proposals to extend detention limits for terror suspects to 90 days. ‘They said that the campaign marked “a damaging step towards the politicisation of the police.... We need to ensure that the distinction is maintained between the process of policymaking, which is properly for the Government, and the enforcement of law, which is properly for police.”’ (‘Ministers dragged police into politics, say Tories’ *The Times* November 11 2005). Accusations of politicising the police from the Tories came again after the November 2008 arrest and detention of Damian Green, the Shadow Immigration Minister, during an investigation into leaked government documents. The resignation of Sir Ian Blair as Metropolitan Police Commissioner on 2 October 2008 prompted an orgy of accusations that the new Conservative London Mayor Boris Johnson was politicising the police. ‘What is important when you are both choosing and when you're supporting somebody that you're asking to do a job like that is that you keep party politics out of it’ said the then Home Secretary Jacque Smith. Johnson’s predecessor as Mayor, Labour’s Ken Livingstone, claimed: ‘This makes the role of

the Metropolitan Police Commissioner much more political' (*Daily Telegraph* 3 October 2008).

The defeat of the Labour government's proposals in 2008 to introduce direct elections to police authorities aroused a storm of mutual accusations of politicising the police. 'Proposals for direct elections to police authorities have been scrapped after the Home Secretary caved in to growing concerns about the politicisation of the police... Ms Smith blamed concerns from senior officers..., and then accused the Conservatives of fuelling worries over politicisation... Shadow Home Secretary Dominic Grieve said: "The danger of politicisation of the police comes from the micro-management that has been the hallmark of the Labour government.'" (*Daily Telegraph* December 18 2008). The 'micro-management' that Grieve complained about was in fact the continuation by Labour of the 'businesslike' New Public Management approach pioneered by the Conservatives.

These episodes indicate an orgy of political cross-dressing when considered in terms of the previous positions of the parties on these issues. 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, opposed by the Conservatives. In 2005 the Tories advocated election of local police chiefs, but Labour hit back with its own proposals to strengthen local accountability only to be accused in turn of politicising policing. The 90-day detention debate saw the Tories donning the civil libertarian mantle that had been one of Labour's electoral 'hostages to fortune' in the 1980s.

The Conservatives also flirted with another of old Labour's 'hostages to fortune', the social democratic root cause theory of crime. This figured most prominently in David Cameron's 2006 'hug-a-hoodie' speech, 'calling for more understanding of "hoodies" and criticising what he calls short-term solutions to curb youth crime such as anti-social behaviour orders and curfews. In a groundbreaking speech calling for more "love" to be shown to adolescents, the Tory leader will attack bans on hooded tops - a symbol of urban menace to many adults - ... arguing that shrouding their faces is a response to children's own fear of crime against them, not a crime in itself. He will try to reposition his party as tough on the causes of crime, urging a greater focus on the family and on the social

influences driving children to offend... Cameron will tell a conference on social justice tomorrow that politicians should be discussing causes of crime not its symptoms' ('Cameron softens crime image in "hug a hoodie" call' *The Observer* 9 July 2006

<http://www.theguardian.com/politics/2006/jul/09/conservatives.ukcrime> accessed 29 November 2015).

After the 2008 financial crisis, the Conservatives blamed Labour government economic policies when the statistics briefly indicated that crime was beginning to rise in response to the credit crunch (as forecast by Home Office analyses). The Labour Home Secretary Jacque Smith responded with an assertion of solely individual responsibility for crime that echoed Margaret Thatcher's rhetoric of the 1980s. 'I don't think there's any justification just because it's a difficult economic time for someone to commit a burglary. I'm not the sort of person who thinks these things are inevitable.' ('Britain unprepared for recession crime wave, opposition claims' *The Independent* 23 January 2009).

This dizzying policy and rhetorical cross-dressing was in large part motivated by each party's grappling with the deep fears engendered

by long years in the political wilderness, Labour from 1979 to 1997, the Tories from 1997 to 2010. After becoming respectively Leader of the Opposition and Shadow Home Secretary in 2005, David Cameron and Theresa May were concerned to decontaminate what May called the Tory brand as 'the nasty party'. Some of this survived after the Conservative led Coalition took office following the 2010 General Election, with the adoption of revolutionary reforms of policing.

Since losing office in 2010 Labour, still haunted by its electorally damaging 'hostages to fortune' of the 1980s, has continued the cross-dressing by attacking the Conservative led Coalition's reforms with old Tory tunes, such as civil liberties being supposedly antithetical to effective policing. For example, two former Labour Home Secretaries Alan Johnson & Charles Clarke accused the Coalition of soft-on-crime liberalism. They claimed that the Tories' 'conventional law-and-order stance was sacrificed to the civil libertarians. They questioned the use of CCTV, removed suspected murderers and rapists from the DNA database and replaced control orders with a watered-down system that has led to the current dangerous situation where suspected terrorists who can't be deported or tried, are free to walk the streets of our cities' (Johnson, J and Clarke, C., 2014).

### *Coalition and the Cops*

The Conservative-led Coalition's policing policies embody a profound rupture in the politics of policing. The Conservatives have been tougher on the police than any 'old' Labour government would ever dare to be. This is a much deeper change than just applying to the police the general public expenditure cuts being implemented in the name of 'austerity', unlike the Thatcher era special case treatment of the police budget. There has been a much broader assault on police autonomy and powers. Relations with the police, the Tories' erstwhile pets, are at an all-time low.

Launching the reforms, Home secretary Theresa May declared 'This paper signals the most radical change to policing in 50 years' (*Policing in the 21<sup>st</sup> Century: Reconnecting police and the people* Cm 7925, July 2010: 3). For once a Minister's claims are too modest! '50 years' refers back to the Police Act 1964, which important as it was, primarily consolidated existing arrangements for police governance.

The Coalition programme, for good or bad, mounts a revolutionary assault on the traditions that had developed over 150 years.

Partly this is a question of money. The police have been amongst the hardest hit of all public services in the Coalition spending cuts (although on November 25<sup>th</sup> 2015 Chancellor of the Exchequer George Osborne backtracked from a similar planned cut between 2015-2020, because of public concerns in the wake of the Paris terror attacks two weeks previously). 'In the October 2010 spending review, the Government announced that central funding to the police service in England and Wales would be reduced in real terms by 20% in the four years between March 2011 and March 2015... Forces plan to achieve... 73% of the savings by cutting the total police workforce... by 31,600 (13%) between March 2010 and March 2015. This comprises: 15,400 police officers; 13,400 police staff; and 2,900 PCSOs. Forces' plans show that 95% of these planned workforce reductions for the whole spending review period should already have been made by March 2014' (HMIC, 2013, pp. 14-16).

The government claims its cuts will not threaten police performance and public safety because they are accompanied by

fundamental reforms of pay, conditions of service, management, and governance that eliminate inefficiencies, and incentivize the police to produce more from less (embodied largely in the Winsor Reports: *Independent Review of Police Officer and Staff Remuneration and Conditions* HMSO 2011-2). Much of this had its roots in the New Public Management and other initiatives since the late 1980s (notably the 1993 Sheehy Report), but Winsor is Sheehy on steroids. Unsurprisingly, the cuts provoked fierce criticism from many police quarters ('Coalition's cuts to police budgets "risking public safety"' *Daily Telegraph* 2 December 2012; 'Police Federation, the coppers' union, falls foul of the Conservative party' *The Guardian* 14 February 2014). Defending the decision to impose similar cuts in the 2015-2020 Parliament (called off because of the Paris terror attacks), Theresa May made much of the falling crime rate despite the police cuts, accusing the police of crying wolf.

Even more profound than the dramatic cuts and transformation of police conditions of service and management is the revolution in governance. The Coalition accountability model, enshrined in the Police Reform and Social Responsibility Act 2011, at first glance appears to achieve the old Labour ambition of subjecting police to

elected control, defying the erstwhile Conservative apprehensions about politicization. But first impressions may be deceptive.

A central pillar of the Coalition government rhetoric presenting the reforms is that they achieve democratic policing. Theresa May referred to them as ‘the most significant democratic reform of policing in our lifetime’ (May, 2012). The claim rests on the election of local Police and Crime Commissioners (PCCs), who are given formidable powers, placing them in pole position in the new governance structure. The other elements are the Home Secretary, the Chief Constables, and the Police and Crime Panels (a concession to the Conservatives’ Coalition partners, the Liberal Democrats). The Police and Crime Panels are selected in a similar way to the old police authorities the new structure has replaced, but with an explicitly advisory, not even nominally powerful, role ‘Constabulary independence’ formally preserved (*Policing Protocol Order 2011*), although many see threats to the doctrine, given the PCCs powers to hire and fire Chief Constables (House of Commons Home Affairs Committee *Police and Crime Commissioners: power to remove Chief Constables* 2013).

The Coalition (and now the Conservative) government have also promoted important reforms of the most contentious police power, stop and search (Delsol and Shiner, 2015). The changes are particularly due to Theresa May and the HMIC (reservations have been expressed by David Cameron). She announced on July 8 2010 that s. 44 of the Terrorism Act 2000, empowering officers to stop and search anyone in a designated area without having to show reasonable suspicion, was suspended. This followed a January ruling by the European Court of Human Rights that the powers were unlawful because too broadly drawn and lacked sufficient safeguards to protect civil liberties. Labour had tried to challenge this, but Theresa May accepted the judgement (an example of the cross-dressing discussed above). Following Home Office deliberations, Terrorism Act 2000 (Remedial) Order March 2011 was issued. It tightened the procedure and criteria for declaring an area as designated. However, 'suspicionless' stop and search is still possible in absence of reasonable suspicion in such areas, although the actual use of the power has plummeted. Against this significant diminution of police power, recording requirements for making the process accountable have been reduced.



Unsurprisingly, the government has sought to present its reforms as a success. So too has Her Majesty's Inspectorate of Constabulary (HMIC), now headed by Tom Winsor. Winsor not only is the author of many of the reforms but also personally embodies the changes, being the first civilian to become HM Chief Inspector of Constabulary in the century and a half of the Inspectorate's history. Although sounding some cautionary notes, the HMIC evaluation of the impact of the cuts echoes the government's assessment. Its presentation of its findings accentuates the positive nuggets of good news, downplaying the bad. For example, the planned increase in the proportion of the workforce on the 'frontline' is highlighted over the fact that this nonetheless means an absolute reduction (HMIC 2013: 16). The 'frontline' is defined simply as 'crime-fighting' in the same paragraph, even though many, probably most, calls for service and police operations concern emergencies not reducible to crime-fighting (Reiner, 2010, pp. 141-7). The whole report is framed as a response to 'austerity', which is treated as an inevitable act of God rather than a contentious policy choice (Blyth, 2013; Stuckler and Basu, 2013; Seymour, 2014), and to which there are cogent alternatives (Krugman, 2012; Stiglitz, 2013).

There is a rapidly growing critical literature on the Coalition's policing project (eg Jones et al, 2012; Lister, 2013, 2014; Reiner, 2013; Turner 2014). A judicious critique, accepting the validity of some measures, but questioning others, is provided by the Report of the Independent Police Commission chaired by former Met Commissioner Lord Stevens, established but not controlled by the Labour Party (Stevens, 2013), and the wide-ranging volume of essays prepared as evidence for it (Brown, 2014).

What is beyond doubt is that the Coalition's package, love it or loath it, amounts to a dramatic weakening of police power, autonomy, pay, and conditions of service. The purpose of this chapter is not to add to the burgeoning literature, indicated previously, assessing the virtues and vices of the reforms, but to probe why this has happened at the hands of the Tory Party, formerly the avid paramour of the police, and why now.

### **Explaining Coalition/Conservative Cop Reforms**

What is beyond doubt is that the Coalition's package, love it or loathe it, amounts to a dramatic weakening of police power, autonomy, pay,

and conditions of service. The purpose of this chapter is not to add to the burgeoning literature, indicated previously, assessing the virtues and vices of the reforms, but to probe why this has happened at the hands of the Tory Party, formerly the avid paramour of the police, and why now.

The programme, self-billed as ‘the most radical change to policing in 50 years’, was *not* proposed because of a law and order crisis. Recorded crime has been falling for two decades; and there is not even a hint in government statements of any special emergency, or failing on the part of the police, only that things could always be improved. The main justification offered is principled rather than pragmatic: to reverse the shift in power over policing from central government to ‘the people’, an aspect of the more general localism agenda rather than anything specific to criminal justice (Home Office, 2010, pp.1-4).

Many Labour and Liberal politicians, and a bevy of criminologists, lawyers, and civil rights activists have been criticising the growing democratic deficit in police governance, especially at local level, for the best part of the last century. It is the Conservatives who hitherto

obstructed reform, in the name of the doctrine of constabulary independence, which was consolidated by a 1930 court case, *Fisher v. Oldham*, not coincidentally as radical Labour local authorities were beginning to be elected. Why this sudden political cross-dressing? Why now?

Probably so revolutionary a package is happening under the Tories because it could only happen under the Tories, the 'Nixon in China' principle. If a Labour government had attempted anything as radical it would have been vulnerable to attack as soft on crime but tough on the police, charges that would have been electorally damaging and probably fatally so. Indeed the demand for local democratic accountability of policing was one of Labour's electoral 'hostages to fortune' of the 1980s (Downes and Morgan, 2012). For all the efforts of Tony Blair and his successors, Labour has never managed to supplant the Tories as the party of 'law and order' in popular sentiment, even when it has been more supportive of the police than the Tories.

But why do the Tories want this programme? And how is there the political space for them to get away with it? What has happened to

the cultural capital of the police? Why does the complaint of police spokespersons that cutting cops is Christmas for crooks no longer carry the clout it used to?

At one level the slashing police resources is congruent with a larger agenda, dating back to the Thatcher government and derived from a broader libertarian perspective, of cutting back the state as much as possible. This only received lip service in the Thatcher era, because the police were treated as a special case, exempt from the pressures of achieving efficiency, effectiveness and economy that were being applied to the rest of the public sector. In small part this may have been for sentimental reasons

The main factor protecting the police in the 1980s, however, was the pivotal role played by them in bringing to heel trade unionism, especially during the 1984-5 Miners' Strike. Police powers, resources and morale were also crucial in handling the urban disorders resulting from the unemployment and deprivation generated by monetarist economic policies.

During the early 1990s politically edged public disorder receded, and the focus of law and order switched to ordinary crime. Here the special case treatment given the police had not paid off. Recorded crime (and British Crime Survey measured victimization) rose to historical highs, as noted by several Ministers in John Major's Cabinet.

This was the context for the application of ever more stringent financial accountability and New Public Management techniques, which continued under New Labour from 1997-2010.

Throughout this period, increasing police expenditure and numbers remained totemic proof of Labour's commitment to be tough on crime, and indeed they have consistently opposed the Coalition cuts.

For reasons that remain debated, from the mid-1990s recorded crime fell consistently, throughout the Western world (Reiner 2016: Chap. 7). The most convincing explanation is the 'security hypothesis': the adoption of much more effective physical and situational crime prevention (Farrell et al., 2014), which was a universal trend whilst policing and penal policy varied between different jurisdictions. The part played in the crime drop by policing

is questionable, but it certainly helped satisfy performance targets and took pressure off the remorseless demand for more police.

The decline in crime and political/industrial disorder thus reduced the demand for policing - the police may have done their job too well. Although opinion surveys suggest most people believe crime has continued to rise overall, despite the contrary statistical evidence, they do not feel this about their own neighbourhoods or through personal experience, as they did in the 1980s and early 90s.

At the same time, anxiety about crime and disorder remains, albeit less acute, because of a widespread recognition that the fundamental drivers of criminality have been suppressed (but not alleviated) by better crime prevention. Law and order has slipped down the list of public anxieties as expressed in opinion polls, and it played scarcely any part in the British General Elections of 2010 and 2015.

Beneath the trends in crime an even deeper change in the political economy and culture of British society underlies the transformation of the policing landscape. This is the rise of neoliberal hegemony over the last four decades, remorselessly eliminating any space for alternatives to free market economics and its culture of narcissistic

individualism, which has been strengthened rather than weakened by such apparent shocks as the post-2008 economic crisis (Mirowski, 2013; Gamble, 2014; Streeck, 2014).

The consequences for crime, criminal justice and policing are profound. The key link between neoliberal political economy and policing is the growth of massively greater inequality (Reiner, 2007). The Gini coefficient, the most common measure of overall income inequality, fell to an all-time low of just under 27 in 1979, but shot up during the Thatcher government to a high of 37 in 1990. It fell again to 33 in the Major and early Blair years, before shooting back to 37 at the turn of the millennium. It has fluctuated around 33 ever since. Even more striking is the trend for the richest 10%, who are moving qualitatively away from the rest of society. The share of income going to the top 10% of the population fell over the first 40 years since World War II, from 34.6% in 1938 to 21% in 1979, while the share going to the bottom 10% rose slightly. Since the embedding of neoliberalism after 1979 the share of the top 10% has returned to nearly 32%, almost touching pre-war levels (<http://www.equalitytrust.org.uk/about-inequality/scale-and-trends> accessed 27 February 2014).



The growth of inequality generates problems of order that the police must deal with. Econometric studies show that increasing inequality is directly linked with a growth of expenditure on policing overall (Jayadev and Bowles, 2006; Rikagos and Ergul, 2011, 2013; Bowles and Jayadev, 2014), and within that a shift from public police to private security. In so far as the crime drop of recent years is attributable primarily to better physical security that is mainly purchased privately, this too is related to inequality. Although all sections of society have benefitted from the crime reduction, there is evidence it has disproportionately advantaged the wealthy who can pay for more and better security (Tilley et al., 2011).

In terms of theoretical analysis of the police function, the balance between general and particular order is shifting. The rise of the publicly provided police in the early 19<sup>th</sup> century was part of a modernist project of constructing a broadly universal order based on a common status of citizenship in which all shared, albeit unequally (Reiner, 2010, Chaps 2,3). Given the survival of some inequality the order reproduced was simultaneously general and particular, but over time the former became more significant, until the late 1970s.

Overt inequality in the delivery of policing services was seen as illegitimate, although it has always survived.

It is significant that the creation of the modern police was opposed not only by the working class, who were not yet incorporated into citizenship, but also by the elite. The aristocracy and gentry saw state policing as an unnecessary expense. The ruling class was protected from the 'dangerous classes' by physical segregation and private retainers (Silver, 1967).

Analysts of the growth of private security have long seen this as threatening a return to pre-modern policing forms, a 'new feudalism' (Shearing and Stenning, 1983; Zedner, 2006), suggesting a dystopian vision in which the privileged float free, cocooned from the masses in security bubbles (Davis, 1990). These *Blade Runner* nightmares are not here yet, but the massive increases in inequality and the cutbacks in public provision of all services, including policing, point in that direction.

The bottom line politically permitting the Conservative police reforms is that the powerful are simply less dependent on public

police protection, benefitting from bespoke services that are cheaper than extending universal guardianship to all citizens. Neoliberal theorists have long argued that only a 'night watchman' state can be justified as a call on taxation that would receive universal assent (Nozick, 1973). But this overlooks the degree of redistributive benefit in publically financed policing. In the present conjuncture the police are being rolled back with the rest of the state, and privatization, with no mandate for the public good, flourishes.

## **CONCLUSION**

At present there seems little tangible prospect of reversing the trajectory towards extreme social and economic polarization. In the words of Arundhati Roy, 'while the elite pursue their voyages to their imaginary destination, some place at the top of the world, the poor have been caught in a spiral of crime and chaos' (cited in Bauman, 2005, p.2). However, this dystopian path cannot continue forever without generating a reaction, hopefully restoring the more benign march of justice and inclusive citizenship that underlay the legitimation of the British police in their first 150 years. The ancient Latin insight 'if you seek peace, prepare justice' retains its validity

and wisdom, above all for those charged with developing policing policy. As the T-shirts of protestors against police shootings in Ferguson and elsewhere declare, 'No Justice, No Peace'.

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