

# The 'nightwatchman' state is being rolled back: Do the powerful still need the police?

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*Theresa May, the Home Secretary, has launched radical reforms of the police service, already the hardest hit of all public services. Why have the police plunged in political clout sufficiently to make the deep transformation in their resources and powers possible? The bottom line, writes **Robert Reiner**, is that the powerful are simply less dependent on public police protection, benefiting from bespoke services that are cheaper than extending universal guardianship to all citizens.*



The Conservative-led coalition government's policing policies since 2010 embody a profound rupture in the politics of policing. The Conservatives have been tougher on the police in the name of 'austerity' than any 'old' Labour government would ever have dared to be. Relations with the police, the Tories' erstwhile pet institution, are at an all-time low.

Policing has been amongst the hardest hit of all public services in the Coalition's spending cuts. 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 per cent in the four years between March 2011 and March 2015.

The government claims the cuts do not threaten police performance and public safety because they are accompanied by fundamental reforms of pay, conditions of service, management, and governance that incentivise the police to produce more from less (embodied largely in the [Winsor Reports: Independent Review of Police Officer and Staff Remuneration and Conditions](#)). Much of this is rooted in the 1993 Sheehy Report. But Winsor is Sheehy on steroids.

Even more profound is the revolution in governance, enshrined in the 2011 [Police Reform and Social Responsibility Act](#). Government rhetoric claims the reforms democratise policing by the direct election of Police and Crime Commissioners (PCCs), who are placed in pole position in the new structure. 'Constabulary independence' is formally preserved, although many have underlined the threats to the doctrine, given the PCCs' powers to hire and fire Chief Constables.

Unsurprisingly the government sees the reforms as successful. So too does HMIC, now headed by Tom Winsor, who not only is the author of many of the reforms but also personally embodies the changes. He is the first civilian to become HM Chief Inspector of Constabulary in the century and a half of the Inspectorate's history. A recent HMIC evaluation of the impact of the cuts basically echoes the government's assessment of the issues. 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.

There is a rapidly growing critical literature on the coalition's policing project. Most prominent are the recent [Report of the Independent Police Commission](#) chaired by former Met Commissioner Lord Stevens, and the [wide-ranging volume of essays](#) prepared as evidence for it by the LSE Mannheim Centre's Professor Jennifer Brown.

What cannot be doubted is that the Coalition's package amounts to a dramatic weakening of police power, autonomy, pay, and conditions of service. Why has this 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’, is not proposed because of a law and order crisis. Crime has been falling for two decades, and there isn’t even a hint in the government’s statements of any special emergency. Whilst Teresa May’s forthright speech at last week’s Police Federation Conference justified the profound changes by referring to a series of scandals, this argument comes some four years into the reform programme, so is not its *raison d’etre*.

In one sense 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 hugely electorally damaging. 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.

But this still leaves some questions: 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 do the cries of police spokespersons that cutting cops is Christmas for crooks no longer carry the clout they used to?

Most official and media commentary explaining the declining political power of the police suggest it has been brought about by police own goals, citing *causes celebres* from Orgreave and Hillsborough in the 1980s, to Plebgate. However, the evidence of history, as well as contemporary sociology, shows such malpractices were prevalent even when the police occupied a pedestal in public opinion. So the question remains, why have the police plunged in political clout sufficiently to make the deep transformation in their resources and powers possible?

At one level the cut backs on police are congruent with the 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. But the main factor was the pivotal role played by the police in bringing to heel trade unionism, especially during the 1984-5 Miners’ Strike, and combating the urban disorders resulting from the unemployment and deprivation generated by monetarist economic policies.

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

For reasons that remain debated, from the mid-1990s recorded crime fell consistently (throughout the Western world). The part played in the crime drop by policing is questionable, but it has certainly helped satisfy performance targets and taken pressure off the remorseless demand for more police.

The decline in crime and political/industrial disorder reduced the demand for policing. Although opinion surveys suggest most people believe crime has continued to rise whatever statistics say, 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).

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 a culture of narcissistic individualism. Paradoxically this has been strengthened rather than weakened by the post-2008 economic crisis.

The key link between neoliberal political economy and policing is the growth of massively greater inequality, generating problems of order that the police confront. 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 and a common status of citizenship in which all shared, albeit unequally. 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. Analysts of the growth of private security have long seen this as threatening a return to pre-modern policing forms, a 'new feudalism', suggesting a dystopian vision in which the privileged float free, cocooned from the masses in security bubbles.

The bottom line politically permitting the Conservative police reforms is that the powerful are simply less dependent on public police protection, benefiting from bespoke services that are cheaper than extending universal guardianship to all citizens. Conservative theorists have long argued that only a 'night watchman' state can be justified as a call on taxation that would receive universal assent. But this overlooks the degree of redistributive benefit in publicly 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.

The current dystopian path cannot continue forever without generating a reaction by the vast majority of the population who are endangered by it. At present the stirrings of such reaction are taking forms disturbingly reminiscent of the 1930s, when popular fear and anger engendered by the Depression were all-too successfully diverted against ethnic minority and other vulnerable scapegoats.

But 'policing by consent' is not an impossible dream. It flourished for much of the last century, despite the tensions that have always bubbled beneath the 'public tranquillity' the police are charged with preserving. The legitimization of British policing was achieved in the face of massive social and political divisions and conflicts, because of the wider benign march of justice and inclusive citizenship. Can today's police and political leaders safeguard that precious heritage? Not if the present government 'reforms' continue.

*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our [comments policy](#) before posting. Image credit: [Cody](#)*

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