

# The Police, Class and Politics

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## (I) INTRODUCTION: THE NEED FOR A SOCIALIST ANALYSIS OF THE POLICE

At last year's Tory party conference, Mr. William Whitelaw claimed that it was "part of left-wing mythology" that "there was something despicable, almost immoral, in discussing the prevention of crime at all".<sup>1</sup> "Our Socialist rulers", he said, "never even discussed the whole problem of crime at their conference". He criticised their allegedly "haphazard and fickle" attitude to "freedom under the law".<sup>2</sup>

### Public Concern about Crime

We may be excused for failing to notice that the solid figures of James Callaghan and his Cabinet constitute "our Socialist rulers". It would be less excusable to assume that socialists have nothing to learn from Mr. Whitelaw's words, for, as he rightly said, ordinary people *are* concerned about questions of crime, and look to governments to ensure their protection.<sup>3</sup> If socialists are seen as either indifferent or hostile to these concerns this is undoubtedly a serious political liability, and deservedly so, for it is unforgivably elitist to minimise such acutely felt anxieties experienced by people. This is not to say, however, that fears about the maintenance of "law and order" must be accepted at face value. Popular definitions and analyses of the "crime problem" may be misguided in many ways, and socialists can have an educative role to play. But they must not fail to be sensitive to people's own priorities, or allow so important an issue to be seen as a Tory one.

### The Requirements of a Socialist Analysis

What is required is an analysis of the police which recognises the need which will be faced by people in any society short of a communist millenium for protection of person, personal property and the conditions of a secure, ordered and productive

existence. This does not mean that the criminal justice system of a socialist society would simply mirror the existing one. But it does mean that thought must be given to the structures that should be developed. More specifically, it is vital that the personnel of the criminal justice system are brought into alliance with other progressive forces. Effective reform of the police and other criminal justice institutions cannot be envisaged without wider changes in society which alter the conditions generating crime, but at the same time consideration must be given to the structures needed in a socialist society and the ways of moving towards these. To date there has been little serious discussion of the police from a socialist perspective, but they must be seen as central to political strategy.

### The Centrality of the Police to Political Strategy

The police are crucial to the prospects for socialism in Britain and other developed capitalist countries. This is despite the common realisation amongst communists that an insurrectionary strategy is not likely to succeed given the balance of social forces and the means of coercion available, in such societies. The police are important in three ways. First, the danger would confront any socialist government, even if it had majority support, that the police and army might be used in a counter-revolutionary coup. As Carrillo puts it, largely drawing on the experience of the Chilean tragedy:

"without the transformation of the State apparatus, every socialist transformation is precarious and reversible, not by an electoral result which it would be logical and natural to accept, but by an armed coup carried out by the very people theoretically responsible for defending legality".<sup>4</sup>

Winning the support of at least the rank-and-file of the repressive state apparatuses is necessary to forestall this.

Second, the police play a part in preventing the building of majority support for socialism. As documented in Tony Bunyan's recent book *The Political Police in Britain*, sections of the police, together with the army and intelligence services, are continuously engaged in surveillance and harassment of political activists and trade-unionists. In recent

<sup>1</sup> *The Guardian*, October 14th, 1977, p. 6.

<sup>2</sup> *The Daily Telegraph*, October 14th, 1977, p. 14.

<sup>3</sup> This is indicated by many surveys of "public opinion". An example is reported in Mark Abrams, "Changing Values", *Encounter* October, 1974, p. 29-38. He found that "the maintenance of law and order" was ranked very high as a social value by respondents, only a couple of percentage points behind "higher living standards".

<sup>4</sup> S. Carrillo, "Eurocommunism" and the State, p. 13.

years these institutions have become increasingly involved in active preparation against the possibility of insurrection, and there has been a significant development of police-military co-operation in exercises and planning, justified by the growth of IRA and other terrorist activity.<sup>5</sup> Under the guise of impartial law-enforcement and order-maintenance the police also prevent specific struggles from succeeding. Recently, for example, they have been deployed against the Grunwick pickets, and on October 9th, 1977, 6,000 police officers were fielded in a massive operation costing £0.25m. to protect the "democratic right" of National Front organiser Martin Webster to march in Hyde, Manchester.

Third, the police are the enforcement arm of the legal system which legitimises capitalist social relations. They contribute to the acceptance of a rhetoric of "law and order" as the cement of civilised existence, which abstracts from the class character of the content and application of legal rules in a capitalist society.<sup>6</sup>

#### **Democratisation of the Police**

A vital element of socialist strategy and the building of a socialist society is the *democratisation* of the police force, to work towards making the rhetoric of law as representing the communal interest the reality which it cannot be in a class society. This democratisation has two formal aspects: changing the internal relations in the police so as to allow police officers the same democratic rights as other workers; and bringing the police force firmly under the control of popular democratic institutions. However, neither aspect is only a question of formal institutional change in the machinery of policing. Without wider changes towards equalisation of economic and political power any reforms within the police apparatus will remain merely formal, or even prove counter-productive. Furthermore, institutional changes must be linked to debate involving both the police and public about the police role in a democratic society, a consideration of the social implications of policing activities and the meaning of "law and order". Such debates have begun among the French police as the influence of socialist ideas has spread with the growing political success of the Left.<sup>7</sup>

<sup>5</sup> Bunyan, *The Political Police in Britain*. The recent firemen's strike afforded another opportunity for police-military co-operation in which there was the chance to learn about co-ordination of their activities.

<sup>6</sup> A. Hunt, "Law, State and Class Struggle", *Marxism Today*, June, 1976, is a useful analysis of the role of law in maintaining capitalist social relations.

<sup>7</sup> See *Marxism Today*, July 1977, p. 193.

#### **Police Forces Not Monolithic**

The basis of such developments is the fact that police forces are not the monolithic, mechanical entities suggested by such terms as "state machine" or "apparatus". Police officers are employees who share some common interests with other workers, as shown by the development of police unions in all democratic societies. In recent years these organisations have become increasingly important politically in Britain, the US and Europe. The implications of this will be considered in the next section of this article, and the prospects for proper unionisation of the British police assessed. The third section of the article will broaden the discussion to consider the police role in society. The place of the police in class relations will be analysed to try and specify the possibilities and limits of alliance between the police and labour movement. Finally, the police conception of their role as law-enforcement agents will be considered, and the contradictions within it discussed. This will lead to suggestions about the role of the police in a society undergoing democratic transition to socialism.

#### **(II) POLICE UNIONISATION: PROBLEMS AND PROSPECTS**

##### **Police Unions: Reactionary or Progressive?**

A necessary first step towards democratisation of the police force would be the winning of the same rights of trade union representation for the rank-and-file as exist for all other occupations apart from the army. However, trade unionism is, of course, not necessarily associated with progressive or socialist ideas and practices, and this is especially so in the case of police unions.

##### **Reactionary Political Interventions by the Police**

American police associations have in the last decade and a half become increasingly militant in terms of industrial action but when their targets have gone beyond a bread-and-butter kind they have exerted their political muscle for reactionary ends.<sup>8</sup> In several cities police unions, for example, have been successful in defeating civilian review boards, the most famous instance being the New York Patrolmen's Benevolent Association's victory in a 1966 referendum, when it mounted a highly effective campaign combining appeals to white racism and fear of crime.

In Britain, the Police Federation in 1975 launched a "law and order" campaign which sought to influence political and public opinion to reverse what they perceived as a liberalising trend in criminal

<sup>8</sup> For a more detailed account of American police unionism see *The Iron Fist and the Velvet Glove*, Centre for Research on Criminal Justice (2nd edition) 1977, Chapter 6.

justice policy. Apart from this campaign, the Federation has emerged as a vocal and effective pressure-group putting forward the rank-and-file view on policies which are felt to impinge on their interests, for example abolition of capital punishment.

### **Progressive Police Organisations**

But while police representative organisations in Britain and America have tended to put forward right-wing demands when their concerns have transcended economism, European police unions have often supported liberal policies and tried to resist being used by the state to repress dissent and the workers' movement. For example, the secretary of the main French police union dissociated it from the violence against students in May 1968 and blamed the government. He declared that the police ought never be used against a justifiable demonstration."

In Britain, too, during the only period in which there existed independent police unionism, 1913-19, the illegal Police and Prison Officers' Union gradually forged links with the labour movement, and its leaders called for the democratisation of the force. Although most rank-and-file support for the Union and the 1918-19 strikes was instrumentally motivated, the association with organised labour underlay the government and conservative press's apocalyptic analysis of the situation, and its determination to smash the Union. The Union was defeated by the granting of a substantial pay rise combined with the establishment of the Police Federation as a tame substitute.

### **The Need for Police Unionisation**

The political character of police unionism is clearly historically variable. Although in the recent past British and American police associations have acted as right-wing pressure-groups, in the period after the First World War they showed tendencies of radicalisation in line with the general direction of the labour movements in all capitalist societies at that time. Similarly, in recent years police unions in several Continental countries, notably France, have begun to align themselves with the Left as it has grown in strength. The political character of police unionism must be seen as a reflection of the general balance of class and political forces in society, and is not necessarily a monolithic conservatism. While the immediate consequence of greater rank-and-file power today in Britain or America might be support for reactionary policies, in the longer term the police would be able to associate more freely with the labour movement, and might even seek affiliation.

<sup>9</sup> G. Monate, *La Police, Pour Qui? Avec Qui?* EPI, Paris, 1972.

The result of such association could be a reduction in the present virulently anti-union views of many police officers, and a lessening of their enthusiasm for controlling pickets.<sup>10</sup>

While the achievement of trade union rights by the police is only a part of the aim of democratisation of the force and could initially take a right-wing character, it would nonetheless be a step forward. The reliability of the force as an automatic instrument of government would be reduced, it would be exposed to different views and possibly attract types of recruits presently inhibited from joining, and signify a change in the anti-union sentiments of the police.

### **The Prospects of Police Unionisation**

Since 1976 there has been a much publicised growth of militancy in the British police arising mainly out of grievances over pay. It is expressed in demands for the right to strike and rejection of existing negotiating machinery. This contrasts sharply with previous acquiescence in the restricted legal position of police representation. However, towards the end of 1977 the steam appears to have gone out of police militancy, pending the results of an enquiry into pay and representative machinery.

To identify the prospects for police unionism it is necessary to chart the changing attitudes of the police expressed in recent years.

### **The Police Federation before 1960**

From its inception in 1919 there has always been an undercurrent of dissatisfaction with the Police Federation, but until 1976 it was effective as a safety-valve for discontent. Before the end of the Second World War the Federation was even more shackled than now, lacking any independence or proper negotiating machinery. But the militants had been purged after the 1919 strike, and the inter-war years were a "Golden Age" for police pay and conditions. Though pay was cut together with other public sector wages it fell less than industrial earnings and prices, and security of employment and the pension made the police a highly sought-after job.

Postwar inflation eroded the attractiveness of the police occupation and heralded the problems in recruiting up to official establishment figures which police forces have experienced ever since. This was the opening for the Federation to gain a measure of independence from the early 1950s onwards, and for the establishment of negotiating machinery, the Police Council, along the lines of the Whitley Councils. It was not successful in achieving the

<sup>10</sup> The anti-union ideology of policemen, and their resentment at some senior officers' attempts to restrain their conduct at pickets, are documented in my article "Police and Picketing", *New Society*, July 7th, 1977.

status of a free association, however, and remained subject to tight legislative controls on its activities, forbidden to take industrial action, affiliate (and until recently even associate) with outside bodies, involve itself officially in individual discipline cases, or use its funds as it wished.

### **The Federation in the 1960s**

Nonetheless, it was able to use the leverage provided by continuing manpower problems to gain successes in some pay and other negotiations. Outstanding among these was its persuasion of the 1960 Royal Commission on the Police, which was set up after a number of *causes celebres* raised anxiety about the constitutional position of the police, to consider pay first as an urgent priority. Its Interim Report not only recommended a level of pay almost completely conceding the Federation's case, but based this on a formula, the Willink scale, which established police pay at a relative level which has been the target of all subsequent negotiations.

Since the mid-1960s the Federation has become increasingly active and influential as a negotiating body and pressure-group. It has become involved in the process of legislation by giving evidence to Royal Commissions or committees on aspects of criminal justice and lobbying for its views.

The Federation has also become more outspoken in pursuit of pay demands. In 1966 they combined with the official side of the Police Council to protest when the July pay freeze was introduced shortly before their pay review. Their pressure was so effective that, not for the last time in years to come, the police were made a special case.

In 1970 a prolonged pay dispute produced unprecedentedly vigorous Federation tactics, with talk of industrial action at its Annual Conference.

This build-up of militant sentiment, however, was dispelled when the new Conservative government awarded the police a significant rise in February 1971.

### **Police Quiescence during the Heath Government**

This heralded a period of nearly four years during which the police were treated relatively favourably, in the context of the Heath government's struggle with the trade union movement. As one local Federation secretary commented to me in 1973:

"Most policemen tend to be Conservative, at the present time especially. For one very good reason—the Tories have been more favourable to the police with pay and conditions. That's what the average policeman tends to care about, 'what's in it for me?' And you don't have to look far to see why the Tories have been so keen to make sure of a happy, contented police force. They're anticipating trouble because of strikes in the next few months".<sup>11</sup>

### **Structured Variations within the Police Force**

The police force is not a monolithic body, however, and there were structured conflicts in it, as well as contradictions and tensions within individuals, which indicated a potential for change under different circumstances. Uniformed constables were more inclined to want union powers than supervisors or specialists, the CID being especially opposed (and also relatively alienated from the Federation). The Federation is constructed so as to give each rank (it includes all ranks up to chief inspector) and special division an *equal* vote on all joint bodies, despite the overwhelming numerical preponderance of the more militant constables.

Generational differences are also important. Those who had joined during or shortly after the war had often been older as recruits, with experience of outside trades and sympathies for unionism, attracted to the police by its instrumental advantages in terms of security. In particular there was a number of older uniformed constables and sergeants with experience of active trade unionism who formed the core of Federation activists at local level and campaigned unsuccessfully at several conferences for trade-union rights. During the 1950s and 1960s there was a trend for recruits to be younger with no previous work experience. They were attracted more by an intrinsic liking for policing than instrumental considerations. They were much less sympathetic to the Federation and averse to its unionisation. It is possible that the return of high unemployment has attracted more instrumentally motivated recruits in recent years, and that these are more recalcitrant to the restraints on their negotiating powers.

### **The Explosion of Militancy**

Since 1975 there has been a dramatic upsurge of militancy among the police. The basis of this was a deterioration of police bargaining power. The "demand" for police was reduced by the decline in industrial conflict following the "social contract". The "supply" of police improved considerably between 1974-6 as rising unemployment made it a more attractive job.

At the May 1975 Annual Conference delegates and observers heckled Home Secretary Roy Jenkins to an extent that made him declare "you must not make me think I'm dealing with the International Marxists". But calls for the right to strike were once more rejected. The 4th June award fell far short of police hopes, but the leadership convinced members it was as much as could be hoped for given pay policy.

<sup>11</sup> Use of the masculine should not be taken as a sign of sexism. Police-women were especially reluctant to be interviewed, and of a sample of 168 only five were female.

During negotiations for the 1976 pay review, the Staff Side maintained that the 1975 increase had only represented a previously recommended restructuring, with allowance for inflation since 1974. They claimed they had not yet received a Phase One award, but the official side contended that the 1976 review had to be subject to the tighter Phase Two limit. Unable to convince the Official Side, the Federation withdrew from the Police Council in July 1976, declaring they had lost faith in it and demanding direct negotiations with the Home Secretary.

In 1977 militancy developed rapidly, and the future of negotiating machinery remains an open question. The Federation lobbied Parliament, policemen's wives demonstrated with slogans like "lobby for my bobby". There were angry Open Meetings. Several motions on industrial action and trade-union status were laid down for the May Conference. By May, 31 out of the 43 forces in England and Wales had held referenda on the right to strike, supporting it with majorities ranging from 60-80 per cent. In two polls the question of TUC affiliation had also been raised, but rejected by 2:1.

At Conference feelings ran high. Anger had been aggravated rather than reduced by a Phase Two settlement imposed by the Home Secretary a few days earlier. In an intensely emotional atmosphere, large majorities voted for the right to strike and independent status. However, a motion seeking TUC affiliation was lost. About two-thirds of the delegates voted against it, despite the Central Committee's endorsement. The Home Secretary's speech was met by a wall of silence, while outside the Conference he was mobbed by plain-clothed police, one sporting a tee-shirt saying "Stuff Merlyn Rees".<sup>12</sup>

These events clearly open up the issue of police unionism as a live political prospect for the first time since 1919. The militant mood and support for the right to strike are an explosive shift from the past forelock-touching approach and acquiescence in statutory restrictions. But whether police industrial action or unionisation are likely immediate prospects must remain doubtful.<sup>13</sup>

#### The Ebb of Militancy

Despite the unity shown at Conference, it remains apparent that the ranks differ. Inspectors are much less keen on the right to strike, and more inclined to press for the other goal which the Federation has espoused, an independent police pay review body.

<sup>12</sup> For a more detailed analysis of this Conference, see my article "Scarborough Conference 1977", *Police Journal*, January 1978.

<sup>13</sup> This is despite reports of overtime bans by policemen in at least three forces since the summer.

An inspectors' split from the Federation should an actual strike be imminent can be anticipated. While wildcat, small-scale outbreaks are possible, a united front for industrial action still seems remote.

Unionism remains unpopular, as the votes on TUC affiliation indicated. Although the national leadership supported it, most delegates responded to the red-baiting of the speakers against affiliation, and rejected it. Anti-union sentiment is likely to have increased since May, with the wide publicity given to police injuries at Grunwick.

The possibility of a police strike continued to be threatened by the Federation, despite the setting up in July of a Committee of Inquiry under Lord Edmund Davies. But on October 31st, the Federation accepted a 10 per cent rise which was well below the 60-100 per cent they had been claiming, together with assurances that the government would accept the findings of the Inquiry. The sudden climb-down was much criticised by the rank-and-file. But despite doubts, the membership seem to have been persuaded to wait for the verdict of Edmund Davies.

Why the leadership accepted the offer in view of the strength of rank-and-file feeling, and enthusiastic support for their "special case" from the Tories, remains unclear. The prospect of actively organising militancy may have proved ultimately too frightening, especially in view of Chairman Jim Jardine's revelation on October 8th that he had been threatened with prosecution under Section 53 of the 1964 Police Act prohibiting "causing disaffection". This may have combined with a change in the police bargaining situation to make the prospects of a satisfactory rise without further militancy more promising. For during 1977 the manpower situation worsened, with increasing numbers leaving the force. The reasons for this exodus at a time of high unemployment are obscure. The Federation attributes it mainly to the relative deterioration of pay, while some Chief Constables have also blamed the violence of clashes at Lewisham, Manchester and Grunwick. The combination of police pay problems with increasing industrial and political conflict is a potent negotiating lever, as the £12,000 advertising campaign mounted by the Federation in the press on October 17th illustrated, with its juxtaposition of a photo of an injured policeman outside Grunwick and the slogan "One way to earn £40 a week".

Another development that may strengthen the police hand without unionisation is the proposal currently being touted by some politicians and the press to separate out a few occupations from ordinary collective bargaining procedures by defining them as "emergency" services. This is clearly a response to the firemen's strike, and unrest in the army as well as the police. Such groups would receive "special case" treatment by the formation of an "independent" body to review their pay and

conditions, in return for which they would eschew industrial action. This might allow the government off the hook, when groups perceived as vital to "law and order" or public safety threaten a pay policy depending on consent, and might be especially attractive to a Tory administration if it wins the next election. There are indications from public opinion polls that it might be widely favoured.<sup>14</sup>

The idea of a "special case" pay review body to deal with "emergency" services has not attracted the Federation's support,<sup>15</sup> although it remains a distinct possibility that the idea of regular "independent" review will end up as a substitute for unionisation.

Analysis of the prospects for police unionisation cannot rest only on describing the present conjuncture, but must consider the class location of the police. Before doing this, however, I shall look at the question of democratisation of police decision-making.

#### **Police Decision-Making and Political Accountability**

At present the process of police decision-making is largely concentrated in the hands of chief constables. The precise relationship, constitutionally and in practice, between the chief constable of a police force, its police authority, and the Home Office is a complex and much debated matter. The 1964 Police Act intended to clarify and rationalise the situation, but in many ways failed to do so. The relevant sections are often self-contradictory or vague at crucial points. The police authority are explicitly empowered to appoint the chief constable, to secure his retirement (subject to the Home Secretary's agreement) "in the interests of efficiency", and to receive an Annual Report from the Chief Constable.<sup>16</sup> The Chief Constable may also be asked to submit further reports on "matters connected with the policing of the area" (Section 12.2). However, this is contradicted by the immediately following para-

graph, which declares that the chief constable may refuse to issue such a report if he deems it inappropriate, and refer the matter to the Home Secretary. Nor is the Act clearer about the possibility of the police authority being able to instruct the chief constable on general policy concerning law-enforcement in the area. Again, it would be up to the Home Secretary to decide in cases of conflict between the police authority and chief constable of an area.

The degree of local accountability of police forces has been further restricted by the growing size of police areas due to amalgamations in the last two decades. Although Home Office power has increased with greater dependence on central finance, provision of national support services and more regional co-ordination, successive Home Secretaries have consistently claimed that they are not responsible for specific actions of local forces, as opposed to the Metropolitan Police, for which they are the police authority. Although little is known of the relationship between the Home Secretary and Chief Constables, it is reasonable to conclude that the main beneficiaries of recent changes have been Chief Constables who have gained in autonomy.

Little is known about the process of decision-making in practice, and the real as opposed to constitutional relations between chief constables, police authorities and the Home Secretary, a sharp contrast with the relative plethora of information about lower-level police work. But a valuable recent study by Mike Brogden of the relationship between chief constable and police authority in one provincial city supports the conclusions that can be drawn from an examination of constitutional and organisational changes.<sup>17</sup> He documents the tenuous nature of the authority's activities as a form of lay control. Members of the authority consistently deferred to the "professional" expertise of the chief constable. Operational control seems firmly in the hands of the chief constable.

Despite this, policemen of all ranks chafe at the extent to which they feel that the police authorities, perceived as laymen ignorant of law enforcement affairs (one constable described them as a "group of plumbers and butchers"), restrict the "professional" autonomy of the chief constable. Lessening the involvement of local authorities, who are seen as introducing an unwelcome element of "political" considerations into police matters, has become a central aim of the Federation in its pursuit of a reformed machinery of negotiation and control for the police.

<sup>14</sup> *The Sun*, October 26th, 1977; *The Times*, November 2nd, 1977.

<sup>15</sup> *Police*, December 1977, p. 5. There is, however, some evidence of rank-and-file solidarity between police and firemen. In the recent strike, policemen contributed generously to collections for the firemen at meetings.

<sup>16</sup> That the wheels of justice grind exceedingly slow for chief constables is illustrated by the case of Stanley Parr, ex-chief constable of Lancashire, recently dismissed following a disciplinary tribunal. Commenting on the dilatoriness of the police authority in investigating or acting on complaints against him, *Police* comments: "their record of action or inaction is hardly an example of dynamic democratic control". (January 1978, p. 8.) The moral drawn by *Police* is, however, that the case illustrates the need for greater central control relative to local police authorities, a conclusion I would question.

<sup>17</sup> M. Brogden, "A Police Authority: The Denial of Conflict", *Sociological Review*, 1977, Vol. 25, No. 2, pps. 325-49.

### Industrial Democracy in the Police

While they resent the perceived power of local authorities, most rank-and-file policemen would like to see themselves have a greater say in decision-making. The Federation does not enjoy a mandatory right to be consulted by either chief constables or police authorities. In practice most chief constables do afford facilities for regular consultation and access, but this is subject to their whim, and the Federation often only learns of decisions after the event. While relations with chief constables vary considerably, Federation relations with police authorities are generally tenuous. Regular consultation between the Federation and police authorities still only occurs in 23 out of the 53 forces.<sup>18</sup>

There is a demand for more institutionalised consultation of the rank-and-file. In my study, 52 per cent of constables felt the Federation should have more say in decision-making, and 80 per cent felt it should have some say.

### Democratic Police Authorities

Allowing more scope for internal discussions of decision-making would be a step towards democratisation of the force. The immediate consequence of this would undoubtedly be that the rank-and-file would press demands or opinions of a rather reactionary kind.<sup>19</sup> But the dialectical result of opening up the decision-making process could be the modification of police views as they come into contact with a wider range of considerations than are experienced in the immediate work situation, with its pressures deriving from a given and already defined task. Police officers might come to see that the solution for their problems does not necessitate harsher "law and order" measures, but a rethinking of their purposes and supporting reform of the conditions which generate their difficulties. Whether this happens depends partly on social developments outside the police, but more specifically on increasing civilian involvement in police decisions. This goes against police views, but democratisation of police forces requires the involvement of a wider range of interests than at present. The full range of interests in localities must be involved in police authorities, and their control widened and made more effective.

These proposals may appear to echo the abortive bid for "community control" of the police which was an outgrowth of the American black and student movements of the 1960s. The weakness of these attempts lay primarily in a romantic conception of

the homogeneity of local "communities" in a class society, and neglected the extent to which they are dominated by wider structures of power. Effective changes at local level can only take place in conjunction with wider developments, or old fallacies will be repeated in a chimerical pursuit of "socialism in one community". But such changes in local police control are an important part of any movement towards socialism.

### Independent Review of Complaints against the Police

A related issue of external control is the vexed issue of ensuring an independent element in the handling of complaints against the police. Despite much criticism in the past of the lack of an independent element in judging complaints, and evidence of class and other forms of discrimination in the outcome of investigations, policemen felt that the system already gave too much scope to trivial or malicious allegations. There was consequently much opposition to the 1976 Police Act's extension of non-police control through the establishment of an "independent" Complaints Board. The introduction of a "non-police" element in the complaints procedure must be distinguished from "independence" in any meaningful sense. The new system seems in effect to give the government greater powers over the police, and despite the rhetoric of "popular" control, chief constables remain significant. The Prime Minister selects all the Board's members, and the Home Secretary has a considerable role in formulating its procedures. Disciplinary tribunals will be chaired by the chief constable and have two lay members. While guilt is found by a majority decision, the chief constable alone, after consultation, decides punishment. However, although the reform seems to fall short of what was claimed by its proponents, it does open up possibilities for greater civilian control depending on the extent of usage of the machinery and the monitoring of results. Initial indications are far from encouraging, however. The character of the Board's members is decidedly respectable and establishment, the chairman being the ubiquitous Lord Plowden, also recently appointed to the enquiry on police pay and representative machinery.<sup>20</sup> Contrary to expectations, the Board does not seem to have produced a rise in the number of complaints, probably because people are deterred by the threat of legal action against them for libellous complaints.<sup>21</sup> Under Police Federation pressure a clause was included in the Act entitling policemen complained against to see the letter of complaint. If it is libellous or

<sup>18</sup> *Police Review*, April 8th, 1977, p. 443.

<sup>19</sup> Some Federation officials have argued to me that continued restrictions on police political activity are needed because of growing sympathy among police officers for the National Front and other right-wing movements.

<sup>20</sup> D. Humphry, "Fuzzy Board", *New Statesman*, January 28th 1977.

<sup>21</sup> D. Humphry, "Police Complaints Face Libel Snag", *Sunday Times*, July 24th, 1977, p. 4.

defamatory in their view, they can use Federation funds for a court action. On the other hand, the Federation has advised members not to co-operate with the new procedure because the Act failed to *compel* chief constables to show policemen letters of complaint, if he deems this "contrary to public interest". Despite these inauspicious beginnings, the new procedure must be used as a basis for extending civilian accountability of the police.

### (III) THE POLICE IN SOCIETY

#### (a) The Place of the Police in Class Relations

The potentialities and political implications of police unionisation depend on how one analyses the place of the police in class relations, that is their location in the social division of labour as a whole. This does not explain or predict the position they take up in terms of political and ideological practice in specific conjunctures—the political cannot be simply "read off" from the economic. But it suggests the extent to which there is any basic identity of interest between the police and working-class, or whether any possible common action would be only a fragile alliance, won or, perhaps more easily, lost only by political manoeuvring. The question of identifying the class location of the police is not intended as a pigeon-holing exercise, but an exploration of political possibilities.

#### Broad or Narrow Working Class?

Alan Hunt has recently suggested a distinction between "broad" and "narrow" definitions of the boundaries of the working class.<sup>22</sup> "The 'broad' definition defines the working-class as all those who sell their labour-power (in return for wages and salaries) and are not owners (or controllers) of the means of production." The "narrow" definition restricts the working class to those that produce surplus-value or to manual industrial workers. Poulantzas' definition incorporates both restrictions in confining the working class to productive workers making material commodities.<sup>23</sup> A third possible approach which proposes that there can be *contradictory* class locations, is rejected almost out of hand by Hunt, but is the most helpful for understanding the police.<sup>24</sup>

The political implications of these disputes are fairly obvious. If the working class is identified with

<sup>22</sup> A. Hunt, "Class Structure and Political Strategy", *Marxism Today*, July 1977.

<sup>23</sup> N. Poulantzas, *Classes in Contemporary Capitalism*, New Left Books, 1975.

<sup>24</sup> This approach is associated with G. Carchedi, "On the Economic Identification of the New Middle Class", *Economy and Society*, 1975; and E. O. Wright, "Class Boundaries in Advanced Capitalist Societies", *New Left Review* 98, 1976.

the broad definition then the police would be part of it. The realisation of the unity of the working class remains a political problem, but no more so for the police than other workers who are also divided by the pursuit of sectional interests and the hegemony of ruling class ideas.

On the other hand, if the working class is defined restrictively then it is only a small minority, although it may succeed in forming more or less fragile alliances with fractions of other classes that become polarised towards it. As Hunt argues, "such a position leads inexorably towards the adoption of an insurrectionary strategy". But given the armouries at the disposal of the state if the agents of its repressive apparatuses remain loyal to it, or at best are only loosely allied to the working class, such a strategy is more likely to end in what the *Communist Manifesto* called "the common ruin of the contending classes" than "a revolutionary re-constitution of society at large".

But if the police are essentially part of the working class it becomes hard to explain why they have been so much more consistently hostile to realising their unity with it than almost any other section. This is especially so in view of the predominantly working-class *origins* of the police in all places and periods, (largely a result of deliberate strategy to make them appear representative of those they control). If, on the other hand, there are *objective* bases of division between the police and the working class, then the record of police politics becomes clearer. However, the political and ideological practice of the police has not been consistently reactionary, as we have already seen.

#### Contradictory Class Location of the Police

The answer to the problem of explaining the contradictory positions taken up by the police lies, I suggest, in their *contradictory* class location. Is this position untenable, as argued by Hunt and Poulantzas?<sup>25</sup> They claim that the idea of contradictory class location implies that some groups can be "suspended or floating between classes or have one foot in the working class and the other in the capitalist class". I would suggest that this apparent absurdity is avoided if we adopt Poulantzas' own distinction between *place* in the class structure and *positions* taken up in specific conjunctures of class struggle. The position a group takes up in a concrete conjuncture must always be on one side or the other (schizophrenia aside), or at any rate it must be divided into segments taking one or other side. But this does not apply to their place in the structure of class relations, which has different elements that

<sup>25</sup> N. Poulantzas, "The New Petty Bourgeoisie" in A. Hunt (ed.), *Class and Class Structure*, Lawrence and Wishart, 1977, pp. 118-9.



may be contradictory. The place of a group in the class structure depends on economic, political and ideological elements, and these can involve contradictory pressures of an objective kind, which are manifested in their concrete conditions.

The police exemplify this. Their place in political and ideological relations is to maintain the domination of the capitalist class. They help preserve the relatively stable conditions of social life necessary for *any* form of production to take place, but at the same time they protect a system of property relations in which surplus value is realised and appropriated to one class. In some situations they defend a particular rate of exploitation by helping to break strikes or make picketing ineffective. They also control political dissent. As part of a system of law and criminal justice based on principles of formal equality within a society of substantive inequality they perpetuate an ideology of legality and fairness which veils class rule.

But they do not share to any great extent in the return on the capital they protect. They are politically dominated within a rigidly hierarchical work organisation, have accepted an ideology which denies them a significant voice in the decisions affecting their working lives, and are largely excluded from an understanding of the forces underlying their problems. In short, they are economically, politically and ideologically oppressed.

They are not, however, economically *exploited*. This would be implied by the "wide" definition of the working-class as all wage-labour. But as Eisler and Seifert point out in a critique of Hunt, workers like the police, who do not directly produce surplus value and are paid out of revenue, cannot be described as *exploited*, no matter how poor their pay.<sup>26</sup> Although they may indirectly contribute to the reproduction and realisation of capital, indeed in the case of the police be essential to it, they are not employed by capital in the expectation of making a profit.

This is important for understanding the possibilities and limitations of such groups as the police being bought off by the State to control their potential dissent. Since they are paid out of revenue their wages can be adjusted to the level required to ensure their contribution to the continued production and realisation of surplus value. The limits to this are not, in the first place, economic.

The limits to police income depend on political and ideological factors. One is the organisation and consciousness of the police themselves. Another is the organisation and consciousness of the working-class in relation to government strategy. If there is voluntary acquiescence of the labour movement with government policy, as under the "social

contract", the limits of police bargaining power will be tighter. Concessions to the police would undermine government strategy, while the police are less vital because workers are essentially policing themselves. If government policy involves the forced imposition of pay restraint, as under Heath, concessions to the police do not undermine any consensus and are necessary to ensure that the police play the vital role accorded to them of controlling militancy.

However, the police compete for a share of revenue with other unproductive workers, as well as the capitalist class. They will thus be economically oppressed to the extent possible given their own degree of organisation and militancy in relation to the political and ideological resources available to these other groups.

Thus the condition of the police is economically, politically and ideologically oppressed in ways analogous to the working class. This explains their resort to similar tactics of union action, and in some conjunctures, affiliation with the labour movement. **But** these pressures are contradicted by others deriving from their role in maintaining the domination of capital over labour. This tends to cut them off from other workers, and makes them particularly exposed to reactionary ideology and politics. It places them in situations where their immediate enemies are other oppressed groups, who they come to blame for the problems of their job. This is bolstered by the possibility that they may be bought off out of revenue, and their *immediate* economic interest become opposed to other workers.

Nonetheless, their own oppressed economic, political and ideological condition offers the possibility of their defensive strategies becoming linked with the labour movement. The main barrier to this is the way their work experiences generate a diagnosis which defines other workers as the source of their problems, and leads them to espouse reactionary solutions of repression. Pay apart, their main problems are subjectively defined in terms of "law and order", the containment of crime and dissent. I will next consider the way the police define their role in society.

#### **(b) The Role of the Police: Repressive Apparatus or Social Service?**

##### **The Contrast between the Police Conception of their Role and the Reality**

Empirical studies of police work have repeatedly shown that the vast bulk of police activity relates not to law-enforcement but the provision of a varied range of services to people in need.<sup>27</sup> But studies

<sup>26</sup> E. Eisler and M. Seifert, "Definitions of the Working Class", *Marxism Today*, November 1977.

<sup>27</sup> See, for example, M. Punch and T. Naylor, *op. cit.*; E. Cumming *et. al.*, "Policeman As Philosophers, Guide and Friend", *Social Problems*, 1965, Vol. 12, No. 3.

have also demonstrated that in the conception of most policemen such social service aspects of their work have little importance. They see themselves as primarily concerned with preventing or detecting crime, and in more speculative moments, as "the thin blue line" separating chaos from civilisation. Increasing crime rates are usually taken as an indication of the need for more police resources, and are often used to support pay claims. However, there is little reason to suppose that this strategy of combatting crime by greater police power can succeed. The sources of crime lie deep in the social structure, beyond police control, and, as long as this remains so, increasing police resources is a Canute-like attempt to push back the debris of society.

In recent years there have been some indications in more liberal police circles that this is coming to be appreciated by them. For example, the Boston Police Commissioner, Robert J. Di Grazia has said:

"There is relatively little the police can do about crime. We are not letting the public in on our era's dirty little secret; that those who commit the crime which worries citizens most—violent street crime—are, for the most part, the products of poverty, unemployment, broken homes, rotten education, drug addiction and alcoholism, and other social and economic ills about which the police can do little, if anything. Rather than speaking up, most of us stand silent and let politicians get away with law and order rhetoric that reinforces the mistaken notion that the police—in ever greater numbers and with ever more gadgetry—can alone control crime."<sup>28</sup>

Even our own Home Office has come to question the idea that increasing police activity and numbers necessarily succeed in controlling crime.<sup>29</sup>

### The Crime Problem in Proportion

People have a quite understandable fear of crime and need to be protected. In view of the poverty of the traditional solutions, what is to be done? The first task is to get the problem into proportion. Despite the much publicised statistics showing rapidly rising crime rates, it remains the case that most officially recorded crime is not of the kind that really strikes terror into people's hearts. Of the 2,135-7 thousand indictable offences recorded as known to the police in 1976, 95 per cent were offences against property. Violence against the person accounted for 3.6 per cent of indictable offences, and another 1 per cent of the total were sexual offences. So the overwhelming majority of indictable offences are against *property* rather than the person. Against this it must be said that offences of violence against

the person have been rising rapidly in the last few years, exhibiting a rate of increase exceeded only by criminal damage. Furthermore, some property offences such as burglary and robbery may involve a degree of personal fright in the victim but without any actual violence, so that the loss cannot be calculated only in material terms. It is important to note the relatively petty amounts involved in most robberies, burglaries and thefts (the largest categories of property offence). 32 per cent involved losses under £5, and 85 per cent were of amounts under £100. This hardly indicates a prevalence of big-time crime.

While the rise in violent crime is obviously disturbing, it must be pointed out that relatively little of it fits the stereotypical fear of crime in the streets or unprovoked assault by a stranger. Of homicides, in 1976, for example, 73 per cent involved suspects who were acquainted with the victim, and in 51 per cent of cases the victim was a member of the family, cohabitant or lover of the suspect. More disturbing is the fact that homicide by a stranger, although still only 18 per cent of the total in 1976, has risen over the last decade (although fluctuating from year to year).

What the above figures indicate is the connection between most crimes and the nature of social relations in our society. The vast bulk of indictable crime consists of relatively minor offences. Is it implausible to suggest that in a more egalitarian and less competitive society, which guaranteed decent minimum standards of life and the opportunity for good education and productive work to all, the number of such offences would be *drastically* reduced?

Most violent crimes also are the product of the quality of intimate interpersonal relations in our society. They are particularly insensitive to law enforcement efforts. Hopefully, a less competitive society might see a reduction in their extent. In so far as they remained a problem, might it not be that crimes in the family are more appropriately dealt with by what Griffiths has called the "family model" of criminal process, rather than the "crime control model"?

The same applies to many of the non-indictable offences processed by the police, which though more numerous are generally considered relatively minor. These can essentially be divided into six categories: traffic offences, offences by companies, vice offences like drugs or prostitution, minor assaults, public order offences like drunkenness or vagrancy, and tax offences. There is a good case for removing the category of vice offences from the statute book altogether. This is not only because there are ethical arguments against using the weight of the law to punish people for behaviour to which all directly involved parties consent, but because such offences

<sup>28</sup> R. J. Di Grazia, "What's Wrong with America's Police Leadership", *Police*, May 1976, p. 24.

<sup>29</sup> *A Review of Criminal Justice Policy 1976*, Annex C.

have traditionally been the prime breeding ground for police corruption. While public nuisances like drunkenness or vagrancy require some form of control, the "family" model of providing effective social service help for those with personal problems is more desirable than treating weak or pathetic people as offenders.

### **The Police Task in a Socialist Society**

I would argue that in a socialist society, which involved changes in the distribution of resources and a less competitive tone in social relations, including sexual ones, the police task would no longer be the apparently impossible endeavour of controlling a mass of human misery, degradation and brutality that it now is. Much property crime of relatively minor kinds would disappear, other offences would be decriminalised, and those which are clearly related to personal problems would be handled according to a "family" rather than "crime control" model. This would not, however, leave the police with nothing to do. On the contrary, they would be in a position to take seriously important and challenging tasks that are now relatively neglected, and attain the status of skilled "professionals" which, despite much propaganda, has eluded them in the past.

### **Preventive Patrol and Civilian Involvement**

First, the freeing of resources as the pressure of petty crime diminished would allow concentration on the most alarming offence in terms of public fear, violent street crime. As the preventive patrol studies implied, this is the one kind of offence which might be sensitive to visible patrolling, though the level of policing required would be financially prohibitive at present. This would no longer be the case if resources could be freed from other duties. Thus one function which would remain would be the continuous patrol, on foot or in vehicles, of public places. This is essential not only for crime prevention purposes but also because it allows the police to provide the many services to people in need of varying kinds of support which studies show is the main source of calls on police time.

What must be questioned, however, is whether this kind of work requires only specialised professional police officers. Until the beginning of the last century, policing was essentially seen as a communal duty which in principle everyone had a responsibility to participate in. This principle has been honoured more in lip-service than practice. But it would seem to me desirable for several reasons that they be made a reality. On the one hand, citizens should not let the "dirty work" of society become the burden of a restricted few. They must know about, and contribute to the solution of, the extreme problems thrown up by the pressures of

living which confront the police. On the other hand, the role of society's "dirty workers" that the police now perform produces the sense of cynicism and bitterness, amounting at worst to a paranoid garrison mentality, which sociological studies have depicted as the typical police outlook, and which is portrayed at its most extreme in the novels of ex-Los Angeles policeman Joseph Wambaugh. An element of citizen participation in law enforcement is also a means of democratic control, if it is on a universal basis rather than the present self-selected Special Constabulary. This is vital if there is to be a more pervasive patrol presence.

While citizen involvement in routine patrol is desirable, it does not obviate the need for trained, experienced, professional officers. They are necessary to guide the citizens, and to cope with the more difficult and demanding jobs requiring special knowledge and experience. The ideal would be routine patrol by a combined body of citizens on a rotating basis working in conjunction with professional officers. The latter would then play an important educative and supervisory role, as well as their patrol function. The rewards for the police would be an elevated status and a removal of citizen antagonism.

### **Detective Work and Crime in the Suites**

In addition to patrol, there would be a body of highly skilled and trained officers to handle detective work in relation to serious crimes committed in private. In a socialist society, and a transitional one, detectives would have much more demanding tasks, requiring more esoteric skills than at present. This is because priorities of enforcement would alter. Instead of dealing primarily with minor property and vice offences, much more attention would be directed to large-scale property offences of the "white collar" type, such as embezzlement. At present relatively few resources are directed to these because of the great amount of time and effort required to uncover and prove a fraud case. But the quantity of money involved in such cases typically far exceeds the property crimes of the poor. The present concentration of police resources on the crimes of the poor rather than the rich, which was recognised by a recent Police Federation Chairman, must be reversed.<sup>30</sup> A war against crime in the suites rather than crime in the streets requires more highly trained and skilled police officers and would give them a higher status and social importance.

### **Political Police**

The role of the specifically political police would have to change in appropriate ways. Rather than

<sup>30</sup> "A Fair Cop—But Is It Always So?", *Daily Express*, July 20th, 1971, p. 8.

concentrating on trade-union and left-wing activists, it would be concerned with forestalling counter-revolutionary activity and foreign subversion. But it is vital that political policing be brought firmly under the control of the elected legislature, as opposed to the present situation where it is almost entirely free from public scrutiny and accountability.<sup>31</sup>

#### (IV) CONCLUSION

I have argued in this article that it is dangerous for the Left to ignore the important and justified public concern about crime and the police. I have tried to show that the facts of life in this area are not necessarily Tory. The traditional "law and order"

strategies for crime control cannot succeed, but in a more egalitarian and less competitive society the crime problem would have a different character. Within such a society the police function and status would be more important than at present, and they would have a more rewarding role.

Certain recent developments, notably public discussion of civilian review and accountability, and police unionisation, offer the opportunity for a widening of debate about the police role, and the pressing of the points I have argued above. However, it must continuously be remembered that no changes in police organisation are likely to prove of much value in the absence of wider social reforms. They can only be pressed in conjunction with the building of a wider democratic movement towards socialism.

<sup>31</sup> T. Bunyan, *op. cit.*, p. 131-3, p. 192, p. 291-6.