
Policing a Postmodern Society

Author(s): Robert Reiner

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*Robert Reiner**

Introduction: Paradise Lost?

Four decades after his first appearance, PC George Dixon, eponymous hero of the long-running TV series *Dixon of Dock Green*, remains for many the embodiment of the ideal British bobby. Dixon, more than any other symbol, conjures up a cosier era when thanks to the wonders of glorious nostalgia-vision, life — like TV — was better in black and white.

The Dixon character was unique as a cultural phenomenon, historically and comparatively.¹ In no other country, at no other time, has the ordinary beat-pounding patrol officer been seen as a national hero. If the police were represented as heroic figures at all, it was the glamorous crime-busting detective.² The enormous influence and popularity of the Dixon character speaks volumes about the peculiarity of the English veneration of their police in what is often described as the 'Golden Age' of policing.

Public attitudes towards the police in Britain have changed dramatically since the Dixon era. The erosion of the Dixon image is a long process, with roots going back to the late 1950s, the last years of the 'Golden Age' itself, but it has become increasingly precipitous in the last decade of the century. This article will describe and attempt to explain this process of demystification. It will be suggested that underlying the immediate symptoms and causes is a more fundamental transformation of social structure and culture, the advent of what is often described as a 'post-modern' society. The conclusion will assess the ways in which the police have tried to tackle this problem and their chances of success.

The question of why the image and substance of policing in Britain has changed is of fundamental importance to understanding current social change in general. The function of policing is essentially to regulate and protect the social order, using legitimate force if necessary.³ The dominant theoretical analyses of the state, deriving from Weber, see the hallmark of the modern state as the monopolisation

*Professor of Criminology, London School of Economics and Political Science.

This is a revised version of an inaugural lecture given at the School on 7 May 1992.

1 For fuller discussions see Clarke, 'Holding the Blue Lamp: Television and the Police in Britain' (1983) 19 *Crime and Social Justice* 44, and Sparks, *Television and the Drama of Crime* (Milton Keynes: Open University Press, 1992) pp 25–30.

2 Reiner, *The Politics of the Police* (Hemel Hempstead: Wheatsheaf, 2nd ed, 1992) Ch 5.

3 Bittner, 'Florence Nightingale in Pursuit of Willie Sutton: A Theory of the Police' in Jacob (ed), *The Potential for Reform of Criminal Justice* (Beverly Hills: Sage, 1974).

of legitimate force in its territory. The police are the domestic specialists in the exercise of legitimate force. Thus policing is at the heart of the functioning of the state, and central to an understanding of legal and political organisation. The character and style of policing, in particular the extent to which resort has to be made to legitimate force, will be affected by most changes in the social order. The police are like social litmus-paper, reflecting sensitively the unfolding exigencies of a society. Thus understanding policing requires a consideration of the broadest features of social structure and change. Although the almost complete neglect of the police by social science twenty years ago has now been remedied by an explosion of research and comment, almost all of this is narrowly policy-oriented, governed by the immediate practical concerns of the police and police authorities.⁴ This is valuable and welcome, but there is also a need for more fundamental social analysis of the determinants, nature and consequences of policing, apart from anything else to make sense of the disparate body of research studies.

This requires a return to the eighteenth-century notion of 'police science,' when it was regarded by Adam Smith, Bentham, Colquhoun, and other major social and political thinkers, as a fundamental aspect of political economy. Indeed, Adam Smith referred to it as 'the second general division of jurisprudence . . . which properly signified the policy of civil government.'⁵ The term 'police' then had a much broader connotation than its contemporary one of large people in blue uniforms, but the eighteenth-century conception of police science as the art of 'governmentality'⁶ sensitises us to the mutual interdependence of policing and political economy as a whole. This is obscured by the narrow focus on specific technical aspects of policing which all too often pervades current research and policy. An analysis of the troubled state of policing today, and the sources of the malaise, will have to range much further than the police themselves.

I Singing the Blues: The Police in a Millennial Malaise

The modern British police were established in the 19th century in the face of protracted and widespread opposition.⁷ But as new police forces spread out from the Metropolitan heartland established by Sir Robert Peel in 1829 to encompass the whole of England and Wales by the mid-nineteenth century, gradually and unevenly they began to cultivate increasing public consent and support. Painstakingly the police leadership, beginning with Rowan and Mayne, the first two Commissioners of the Metropolitan Police, strove to develop an image of the British bobby as the impartial embodiment of the rule of law and the ethic of public service. This rapidly became the prevailing conception of the police amongst the middle and upper classes, who had little direct personal experience of their stalwart servants in blue. The working class, who were far more likely to encounter what contemporaries dubbed 'the plague of the blue locusts,'⁸ held more negative attitudes towards the new regulators of their social and political activities.

4 Reiner, 'Police Research in the United Kingdom: A Critical Review' in Morris and Tonry (eds), *Modern Policing* (Chicago: Chicago University Press, 1992).

5 Smith, *Lectures on Jurisprudence* (Oxford: Oxford University Press, 1978. Originally published 1763).

6 In Foucault's terminology: cf. M. Foucault, 'On Governmentality' (1979) 6 *Ideology and Consciousness* 5.

7 For syntheses of recent research on the origins and development of the British police see Emsley, *The English Police* (Hemel Hempstead: Wheatsheaf, 1991) and Reiner, *op cit* n 2, Chs 1 and 2.

8 Storch, 'The Plague of Blue Locusts: Police Reform and Popular Resistance in Northern England, 1840–57' (1975) 20 *International Review of Social History* 61.

As the working class came gradually to be incorporated into the political, social and economic fabric over the next century, so acceptance of the police spread down throughout the social order. The economically and socially marginal — the 'rough' residuum of the reserve army of labour and indeed young men in general — continued to bear the brunt of the moral street-sweeping which constitutes the core of practical police-work. But the bulk of the settled and respectable working class followed in the footsteps of those higher up the social scale, and began to join in their veneration of the bobby as the very embodiment of the citizenly ideal. This support was brittle, and always fragile at times of industrial conflict. However, in the long social peace of the mid-twentieth century, symbolised successively by the Battle of Britain and the Festival of Britain, the bobbies had their finest hour in terms of popular affection.

Much contemporary evidence, apart from the Dixon myth, underlines the status as totems of national pride which the police enjoyed in the 1950s.⁹ The most solid evidence is provided by the major survey conducted for the 1962 Royal Commission on the Police Report. This found 'an overwhelming vote of confidence in the police . . . No less than 83% of those interviewed professed great respect for the police.'

In the three decades since then, there has been a growing questioning of the institution, culminating in recent years in a veritable haemorrhage of public confidence. Optimists could, if pressed, still tell the story another way. The 1988 British Crime Survey (BCS) for instance found that 85 per cent of the public rated the police as very or fairly good in the job they did.¹⁰ Most institutions (including universities and the legal profession) would be delighted with such approval ratings. But there is evidence of continuing erosion of confidence throughout the 1980s. This has now become precipitous in the wake of the great escape of miscarriage of justice skeletons from the Home Office cupboard since the 'Guildford Four' opened the door in 1989.

The regular *British Social Attitudes* surveys conducted by Jowell and his colleagues,¹¹ as well as the series of national *British Crime Surveys* by the Home Office,¹² show a clear decrease in the standing of the police. One-off surveys conducted since the series of miscarriage of justice scandals came to light, and during the current boom in the crime rate, suggest yet further decline. The *Operational Policing Review* conducted in 1990 for the three police staff associations found that only 18 per cent of a national sample considered that their local police did a 'very good' job.¹³

All these surveys show that opinion of the police is most negative amongst particular groups, those who are routinely at the receiving end of police powers: the young, males, the economically marginal, especially if they are also black and live in the inner-cities. Local surveys in city areas have for many years indicated that amongst these groups, who have been graphically described as 'police property',¹⁴ rejection

9 Royal Commission on the Police, *Final Report*, Cmd 1782 (London: HMSO, 1962) pp 102–103. For other contemporary evidence of the high status of the British police in the 1950s, see Gorer, *Exploring English Character* (London: Cresset, 1955) and Almond and Verba, *The Civic Culture* (Princeton: Princeton University Press, 1963).

10 Skogan, *The Police and Public in England and Wales: A British Crime Survey Report* (London: HMSO, 1990).

11 Jowell, Witherspoon and Brook (eds), *British Social Attitudes: The 5th Report* (Aldershot: Gower, 1988) pp 117–118.

12 Skogan, *op cit* n 10, p 1.

13 Joint Consultative Committee of the Police Staff Associations, *Operational Policing Review* (Surrey: The Police Federation, 1990).

14 The term was coined by Cray, *The Enemy in the Streets* (New York: Anchor, 1972). It was developed analytically by Lee, 'Some Structural Aspects of Police Deviance in Relations with Minority Groups' in Shearing (ed), *Organisational Police Deviance* (Toronto: Butterworth, 1981).

of the practices of the police (though not the principles of law and order) is the norm.¹⁵

Most significantly of all for the police, they seem to have become increasingly estranged from the Conservative Government, whose pet public service they were not many years ago. The police fear a 'hidden agenda' in which they are to be made the scapegoats for the failure of the party of law and order to deliver on its election promises. The screws of financial and managerial accountability to the centre have been tightening remorselessly for several years and, much worse from the police point of view is fearfully anticipated.¹⁶

II The Deconstruction of Dixon

The declining status of the police is related to a number of changes in organisation and policy which have had the unintended effect of undermining legitimacy of the police. These will be considered, prior to analysis of the underlying causes.¹⁷

(i) Recruitment, Training and Discipline

The first element in the undermining of police legitimacy was the erosion of the image of an efficient, disciplined bureaucracy. Partly this was a question of standards of entry and training which had not kept pace with general educational improvements.

There have been many attempts in the last thirty years to raise police educational and training standards. Since the 1960s, various schemes have been introduced to attract graduates to the service and encourage higher education for serving police officers. However, significant results have only been achieved during the 1980s, when as a result of pay increases (and unemployment outside the service) the intake of graduates has accelerated sharply to about 12 per cent of recruits per annum. There has also been increasing interest from serving officers in specialist criminal justice degrees.¹⁸ Significant changes have occurred in recruit training as well, largely following from the 1981 Scarman Report.¹⁹ Despite the merit of these developments, they have not prevented an erosion of public confidence in police professional standards.

The main way that the image of the police force as a disciplined, rule-bound bureaucracy came to be dented was by the series of corruption scandals which rocked Scotland Yard in the early 1970s. Although there have been no major cases alleging

15 Smith, Small and Gray, *Police and People in London* (London: Policy Studies Institute, 1983); Kinsey, *The Merseyside Crime Survey* (Liverpool: Merseyside County Council, 1984); Jones, MacLean and Young, *The Islington Crime Survey* (London: Gower, 1986); Crawford, Jones, Woodhouse and Young, *The Second Islington Crime Survey* (Middlesex Polytechnic: Centre for Criminology, 1990); McConville and Shepherd, *Watching Police, Watching Communities* (London: Routledge, 1992).

16 Police concern was accentuated by the fact that the 'Inquiry into Police Responsibilities and Rewards,' recently announced by the Home Secretary Kenneth Clarke, consists almost entirely of people from industrial and commercial rather than legal backgrounds, under the chairmanship of Sir Patrick Sheehy of British and American Tobacco. ('Clarke sends for BATman,' *Police*, July 1992, pp 8–9; Loveday, 'A Murky Business,' *Police Review*, 17 July 1992, pp 1318–1319; Butler, 'Paying the Service Charge,' *Police Review*, 24 July 1992, pp 1360–1361.)

17 The organisational and policy changes are discussed in more detail in R. Reiner, *op cit* n 2, Ch 2.

18 Brogden and Graham, 'Police Education: The Hidden Curriculum' in Fieldhouse (ed), *The Political Education of Servants of the State* (Manchester: Manchester University Press, 1988); Tierney, 'Graduating in Criminal Justice' (1989) 5 *Policing* 208.

19 Scarman, *The Brixton Disorders*, Cmnd 8427 (London: HMSO, 1981); Fielding, *Joining Forces* (London: Routledge, 1988); Southgate (ed), *New Dimensions in Police Training* (London: HMSO, 1988).

personal corruption since Sir Robert Mark's clean-up of the Yard and the 'Countryman' inquiry in the 1970s, it is undoubtedly true that those scandals damaged severely the image of the police as disciplined law enforcers. While in the 1962 Royal Commission survey 46.9 per cent of the public did not believe bribe-taking occurred, by 1981 the Policy Studies Institute study of Londoners found that only 14 per cent believed that the police 'hardly ever' took bribes.²⁰ During the 1980s, personal corruption has become less of an issue, and attention has switched to abuses of police powers undermining the rule of law.

(ii) The Rule of Law

The issue of police violations of legal procedures in the course of dealing with offences has become acutely politicised since the 1970s. On the one hand, civil liberties groups have publicised much evidence of police malpractice, while on the other, the police have lobbied for greater powers to aid the 'war against crime.'

The Police and Criminal Evidence Act 1984 (PACE)²¹ purported to provide a balanced codification of police powers and safeguards over their exercise, synthesising the concerns of the 'law and order' and the civil liberties lobbies. It is highly debatable how far it succeeds.²² What is certain is that the issue of police abuse of powers has increased rather than abated, especially in the late 1980s and early 1990s. Between 1989 and 1991, public confidence in the police was further shaken by an unprecedented series of scandals revealing serious malpractice. The cases of the 'Guildford Four', the 'Birmingham Six' and Judith Ward are only the most prominent of a large number of miscarriage of justice scandals which have surfaced in the 1990s.

Although these cases profoundly shook public opinion, police representatives often argued that they had occurred before the recent reforms and could not happen under the procedures now in force. This argument was itself weakened by a number of *causes célèbres* which have involved more recent abuses,²³ as well as by the implications of academic research on PACE.

The anxiety produced by these revelations of abuse was enough to make the Home Secretary announce in March 1991 (after the release of the 'Birmingham Six') the establishment of a Royal Commission on Criminal Justice, chaired by Lord Runciman, the first Royal Commission in twelve years.

(iii) The Strategy of Minimal Force

The preparedness of the police to cope with public order problems began to be expanded and refined during the 1970s, as political and industrial conflict increased.

20 Smith *et al*, *op cit* n 15, p 249.

21 PACE was itself the product of a complex political balancing act, unevenly incorporating the major recommendations of the 1981 Report of the Royal Commission on Criminal Procedure. Cf Symposium on the Police and Criminal Evidence Act, *Public Law*, Autumn 1985, pp 388–454, and Leigh, 'Some Observations on the Parliamentary History of the Police and Criminal Evidence Act 1984' in Harlow (ed), *Public Law and Politics* (London: Sweet and Maxwell, 1986).

22 McConville, Sanders and Leng, *The Case for the Prosecution* (London: Routledge, 1991); Reiner, 'Codes, Courts and Constables: Police Powers Since 1984' (1992) 12 *Public Money and Management* 11; Reiner and Leigh, 'Police Power' in Chambers and McCrudden (eds), *Individual Rights in the UK since 1945* (Oxford: Oxford University Press/The Law Society, 1992).

23 Such as the series of cases involving the West Midlands Serious Crimes Squad (disbanded by the then Chief Constable Geoffrey Dear in 1989) and the Court of Appeal decision to uphold the appeals of the 'Tottenham Three,' who had been convicted of the murder of PC Keith Blakelock during the 1986 Broadwater Farm riots.

This militarisation of policing proceeded apace in the 1980s in the wake of yet more serious disorder, beginning with the 1981 urban riots in Brixton and elsewhere.²⁴

Without much public debate *de facto* 'third forces' have developed, specifically trained and readily mobilisable to cope with riots. They are coordinated in a crisis by the National Reporting Centre, established in 1972 and located at Scotland Yard. When in operation it is controlled by the current President of the Association of Chief Police Officers (ACPO). Its most controversial and prominent use was during the 1984–85 miners' strike, when a massive, centrally coordinated policy operation was directed by the Centre, amid much criticism of 'police-state' tactics.²⁵ During the trial of miners on riot charges, it was revealed that in the early 1980s ACPO had produced a secret document, the Tactical Options Manual,²⁶ setting out the blueprint for a finely graded response to public disorder.

Neither the tougher methods available since the 1981 riots, nor the wider reforms inspired by Lord Scarman's Report, were able to avert the even more serious urban riots of 1985, on the Broadwater Farm estate in Tottenham and elsewhere. Serious public disorder occurred again in an industrial context at Wapping in 1986–87, during picketing outside the News International plant. Many complaints of undue violence were made against the police and the Police Complaints Authority upheld some of these after an investigation.²⁷ Other controversial uses of public order tactics have occurred in the late 1980s during the policing of hippy convoys converging on Stonehenge.²⁸ During 1990, anti-poll demonstrations were the source of severe public order clashes, especially following a rally in Trafalgar Square on 31 March.

In recent years, however, the greatest public order concerns have not been industrial or political conflicts. A 'moral panic' has developed about disorder occurring in a variety of leisure contexts. In 1988, ACPO raised fears about growing disorder in rural areas caused by so-called 'lager louts.'²⁹ In 1989–90, there was great police concern about the spread of 'acid-house' parties. During the summers of 1991 and 1992, serious violence and disorder has broken out on a number of housing estates in different parts of the country, ranging from Bristol to Tyneside, after police attempts to curb 'joy-riding.'³⁰ The police were subject to criticism, both for under-reacting to the joy-riding and from other quarters, for harassing teenagers suspected of joy-riding. Although the police response to riots remains lower in profile than most foreign forces, there has undoubtedly been a stiffening of strategy and more resort to technology, equipment and weaponry.

Apart from the growing use of riot control hardware, there has been a rapid proliferation of use of firearms by the police. Although still unarmed (apart from the traditional truncheon) on routine patrol, the number of occasions in which firearms are issued to the police has escalated inexorably. Many forces now deploy cars

24 For conflicting assessments of the militarisation of public order policing, see Jefferson, *The Case Against Paramilitary Policing* (Milton Keynes: Open University Press, 1990) and Waddington, *The Strong Arm of the Law* (Oxford: Oxford University Press, 1991).

25 McCabe, Wallington, Alderson, Gostin and Mason, *The Police, Public Order and Civil Liberties* (London: Routledge, 1988).

26 Northam, *Shooting in the Dark* (London: Faber, 1988).

27 Police Complaints Authority, *Annual Report 1989* (London: HMSO, 1990).

28 Vincent-Jones, 'The Hippy Convoy and Criminal Trespass' (1986) 13 *Journal of Law and Society* 343.

29 Subsequent Home Research has challenged the police view of growing disorder in rural areas, as distinct from towns inside what are formally county force boundaries, of M. Tuck, *Drinking and Disorder: A Study of Non Metropolitan Violence*, Home Office Research and Planning Unit Study 108 (London: HMSO, 1989).

30 cf the reports in *Police Review*, 24 July 1992, pp 1356–1357, and 31 July 1992, pp 1404–1405.

carrying guns in their lockers, which can be used on orders from headquarters. The number of occasions when guns are fired by the police remains small, and the rules are tight. Nonetheless, the traditional unarmed image of the British bobby has faded.

(iv) Non-Partisanship

The spectacle of James Anderton (Manchester's former Chief Constable) or representatives of the Police Federation preaching at the drop of a helmet about the sinking state of our national moral fibre first became familiar in the 1970s. By 1980 the police, at all levels from Chief Constable down to the rank and file, almost seemed to set the terms of debate on law and order and social policy.

In 1975, the Police Federation launched an unprecedented campaign for 'law and order,' which was revived in 1978 specifically to influence the 1979 general election. This proved to be an investment which reaped handsome dividends. The new Conservative government immediately implemented in full the pay increase recommended in 1978 by the Edmund-Davies committee. There ensued a prolonged honeymoon period in which the police were the Conservatives' most favoured public service. This love affair cooled as public expenditure cuts began to bite on the police and a 'hidden agenda' of incipient privatisation, coupled with strict central financial control, began to emerge in the late 1980s.³¹

For its part, Labour has tried hard to repair bridges which had been broken in the early 1980s, following the election of radical local authorities in the metropolitan areas, who adopted policies which were often perceived as 'anti-police.' The high-point of tension between Labour and the police came during the 1984–85 miners' strike.³²

There is now a tendency to return to cross-party consensus on law and order (accentuated in this and other areas by the replacement of Margaret Thatcher by John Major as Prime Minister in late 1990). The prototype of the outspoken Chief Constable, Sir James Anderton, retired in 1991. He had become ever more controversial in the late 1980s for his supposedly divinely inspired utterances on AIDS and other topics. By then, most other Chief Constables had come to believe overt police interventions in political and social debates were unwise.³³ Nonetheless, the years of partisanship had tarnished, possibly irretrievably, the sacred aura hitherto enjoyed by the British police of being, like the Queen, above party politics.

(v) The Service Role

The dominant current of police thinking stresses that, contrary to the popular image of the police as primarily crime-fighters, much if not most of uniformed police work (measured by time or number of incidents dealt with) consists of calls for help, in response to which the police act as a social service more than as law enforcers. The community policing philosophy, which emphasises this, has become influential amongst police chiefs in the UK, the USA and elsewhere.³⁴ There is evidence,

31 Rawlings, 'Creeping Privatisation? The Police, the Conservative Government and Policing in the Late 1980s' in Reiner and Cross (eds), *Beyond Law and Order: Criminal Justice Policy and Politics Into the 1990s* (London: Macmillan, 1991).

32 Reiner, *op cit* n 2, Preface and Ch 7.

33 Reiner, *Chief Constables* (Oxford: Oxford University Press, 1991) pp 210–219.

34 *ibid* Ch 6, and Skolnick and Bayley, *The New Blue Line* (New York: Free Press, 1986) and *Community Policing: Issues and Practices Around the World* (Washington DC: National Institute of Justice, 1988).

however, that most rank-and-file policemen believe the service aspects of the work should have low or no priority.³⁵ Since the Scarman Report in 1981 endorsed a kind of community policing philosophy, this has become the orthodox analysis of the police role for all Chief Constables. The evidence of recent decline in public support has led to a redoubling of the effort to define policing in service terms, in the Plus Programme of the Metropolitan Police and the ACPO Statement of Common Purpose and Values.³⁶ The success of these worthy attempts at re-legitimation has yet to be seen, but initial research evaluations have not been optimistic.³⁷

(vi) Preventive Policing

Peel's original conception of policing emphasised preventive patrol by uniformed constables as fundamental. The notion of the bobby on the beat as the essential bedrock of the force, to which all other specialisms are ancillary, remains a philosophy to which most Chief Constables pay homage. But in practice, specialist departments have proliferated and foot patrol has been downgraded.³⁸

The meaning of prevention shifted away from the scarecrow function of uniform patrol to the development of specialist crime prevention departments, whose function is to provide advice to citizens on methods of minimising the risk of victimisation and alerting them to the dangers of some kinds of offences. At first, crime prevention departments were Cinderellas of the service, low status, low budget and low key. However, as crime prevention became increasingly central to the Government's law and order policy in the 1980s, so they blossomed into belles of the ball. A proliferation of specialist and plain clothes units, reversing the original Peelite philosophy, has been one consequence of an apparent crisis of police effectiveness in controlling crime.

(vii) Police Effectiveness

Police effectiveness is a notoriously slippery concept to define or measure. But the official statistics routinely produced by police forces and published by the Home Office seem to record an inexorable rise in serious criminal offences and decline in the clear-up rate since the mid-1950s, and especially since the late 1970s. Whereas in the mid-1950s there were less than half a million indictable offences recorded as known to the police in most years, by 1977 this was over 2 million and, by 1991, over 4 million. Before the war, the percentage of crimes recorded as cleared-up was always over 50 per cent. By the late 1950s, it had dropped to about 45 per cent and it is currently around 38 per cent.³⁹

The inadequacy of these figures is well known.⁴⁰ Many crimes are not reported

35 For a recent national survey, see the *Operational Policing Review*, *op cit* n 13, s 6.

36 See the statements by the HM Chief Inspector of Constabulary, Sir John Woodcock, ACPO president Brian Johnson, 1991 and Michael Hirst, Chief Constable of Leicestershire (and one of the main architects of the 'quality of service' initiative) in *Policing*, Autumn 1991.

37 McConville and Shepherd, *op cit* n 15. But for a vigorous defence see Hirst, 'We're Getting It Right,' *Police*, July 1992, pp 40–42.

38 Jones, *Organisational Aspects of Police Behaviour* (Farnborough: Gower, 1989), and McConville and Shepherd, *op cit* n 15.

39 *Report of Her Majesty's Chief Inspector of Constabulary 1991* (London: HMSO).

40 Bottomley and Pease, *Crime and Punishment: Interpreting the Data* (Milton Keynes: Open University Press, 1986).

to the police, so increases in the rate may indicate a greater propensity to report rather than suffer victimisation.⁴¹ The clear-up rate is affected by many other determinants apart from detective effectiveness, including massaging the figures. Nonetheless, it is hard to argue that the recorded trends do not correspond to basic changes in the same direction, and they are certainly associated with a growing public fear of crime and a popular sense that police effectiveness is declining. In addition to the direct effect on public confidence of apparently declining police efficiency, concern about crime has led to the controversial new tactics and law and order campaigns which have already been discussed.

(viii) Accountability

All the above concerns have converged on the central issue of accountability: how can the police be brought to book for poor performance? This was the nub of controversy for most of the 1980s. The independence of the British police force from control by any elected governmental institutions has usually been seen as a virtue, although there has also been a long-standing radical critique arguing that it was anomalous in a democracy.⁴²

As policing has become more controversial in Britain in the last two decades, so the perception of the mechanisms of accountability has changed. The old mystical substitute of police identification with the public came under strain as the police were seen increasingly as unrepresentative in terms of race, gender and culture, and alienated from the groups they typically dealt with as offenders and victims.⁴³

At the bottom of every specific conflict, critics pinpointed the problem of the police being out of control by any outside bodies and hence unresponsive to the popular will. They have sought to reform the structure of police governance so as to make police policy-making fully accountable to the electoral process. Sophisticated critiques of the existing system by constitutional lawyers appeared⁴⁴ and the view that the police were not adequately accountable came to be the orthodoxy of mainstream liberal as well as radical analysis of the police. While the police themselves have strongly resisted the full radical package, they have conceded increasingly the legitimacy of some aspects of the critique, especially about the complaints system and the absence of a local police authority for London.⁴⁵ For their part, the Conservatives have wanted to maintain the constitutional *status quo*. They have, however, become increasingly concerned to render the police more accountable for their use of powers and, even more crucially, the effective use of resources.

At the same time, it is becoming increasingly evident that local accountability to police authorities has atrophied. It is being replaced by a degree of central control amounting to a *de facto* national force.⁴⁶ Thus, accountability has been transformed, rather than simply reduced. What is clear is that the perceived lack of adequate local accountability has been a major factor undermining police legitimacy in recent years.

41 Hough and Mayhew, *The British Crime Survey* (London: HMSO, 1983); Mayhew, Elliott and Dowds, *The 1988 British Crime Survey* (London: HMSO, 1989).

42 Jefferson and Grimshaw, *Controlling the Constable* (London: Muller, 1984); Lustgarten, *The Governance of the Police* (London: Sweet and Maxwell, 1986) are the seminal discussions.

43 Hanmer, Radford and Stanko (eds), *Women, Policing and Male Violence* (London: Routledge, 1989); Cashmore and McLaughlin (eds), *Out of Order?: Policing Black People* (London: Routledge, 1991).

44 Notably L. Lustgarten, *op cit* n 42.

45 Reiner, *Chief Constables*, *op cit* n 33, Ch 11.

46 *ibid*.

III The Calculus of Consent: Social Divisions and Desubordination

These eight aspects of police organisation and policy have all been specific, concrete issues of controversy and concern in recent years, symptoms of the erosion of the public standing of the police. Underlying them, however, are a combination of deeper social changes which form the social context of the declining legitimacy of the police.

Police activity has always borne most heavily on the economically marginal elements in society, the unemployed (especially if vagrant), and young men, whose lives are lived largely in the street and other public places, 'police property'.⁴⁷ Whereas the historical incorporation of the working class modified their resentment of policing, police conflict with the residuum at the base of the social hierarchy remained. Studies of policing in all industrial societies show this to be a constant. The police themselves recognise this and their argot contains a variety of derogatory epithets for their regular clientèle drawn from this stratum. In California they are 'assholes,' in Toronto 'pukes,' in London 'slag' or 'scum' and on Tyneside 'prigs'.⁴⁸ Drawn mostly from the respectable working class, the police are responsive to their moral values and adopt a disdainful scorn for those whose lifestyles deviate from or challenge them. But however conflict-ridden, relations between the police and 'slag' have not usually been politicised. Membership in the marginal strata is temporary (youths mature, the unemployed find jobs) and their internal social relations are atomised, so a sense of group identity is hard to develop.

One important factor which politicised policing in the 1960s and 1970s was the development of social groups with a clear consciousness of antagonism towards (and from) the police. This owes something to the development of more self-conscious youth cultures, the return of long-term unemployment and the increasing militancy of industrial conflict.

The most crucial change, however, has been the catastrophic deterioration of relations with the black community. There is a long history of police prejudice against blacks and complaints of racial harassment. By the mid-1970s, clear evidence had mounted of blacks (especially black youths) being disproportionately involved in arrests for certain offences, largely but not only because of police discrimination.⁴⁹ A vicious cycle of interaction developed between police stereotyping and black vulnerability to the situations that attract police attention, resulting from racial discrimination in society generally.

The burden of recent research on police-public relations suggests that while these still remain relatively harmonious with the majority of the population (including most of the working class), they are tense and conflict-ridden with the young, the unemployed, the economically marginal and blacks.⁵⁰ What has happened to politicise policing since the 1970s is a growth in the size of these vulnerable groups, primarily due to economic failure and a heightening of their self-consciousness as targets of policing.

This is due to structural changes in the political economy of Western capitalism.

47 E. Cray, *op cit*, J. Lee, *op cit*.

48 Skolnick, *Justice Without Trial* (New York: Wiley, 1966); Ericson, *Reproducing Order: A Study of Police Patrol Work* (Toronto: University of Toronto Press, 1982); Smith *et al*, *op cit* n 15; Young, *An Inside Job: Policing and Police Culture in Britain* (Oxford: Oxford University Press, 1990).

49 Lea and Young, *What Is To Be Done About Law and Order?* (Harmondsworth: Penguin Books, 1984) Ch 4; T. Jefferson, 'Race, Crime and Policing: Empirical, Theoretical and Methodological Issues' (1988) 16 *International Journal of the Sociology of Law* 521; Reiner, 'Race and Criminal Justice' (1989) 16 *New Community* 5.

50 Smith *et al*, *op cit* n 15; Jones *et al*, *op cit* n 15; Skogan, *op cit* n 10.

Long-term structural unemployment (increasingly never-employment) has re-emerged, leading to the *de-incorporation* of increasing sections of the young working class, especially amongst discriminated against minorities, 'who are being defined out of the edifice of citizenship.'⁵¹ A new underclass has formed which is not simply a result of unemployment, but of its seeming structural inevitability. 'The majority class does not need the unemployed to maintain and even increase its standard of living . . . The main point about this category — for lack of a better word we shall call it the "underclass" — is that its destiny is perceived as hopeless.'⁵² There is much debate about the now popular concept of an underclass, and its conservative culturalist version has unacceptable connotations of 'blaming the victim.'⁵³ But the structurally generated formation of a completely marginalised segment of society is a major source of the huge growth recently of crime, disorder and tensions around policing.

Unemployment is certainly not linked to crime or disorder in any straightforward automatic way, as the Conservatives are ever ready to tell us. But there is now much evidence that in the present period at any rate it is a factor in the emergence of a young underclass which has the motive, the opportunity and the lack of those social controls which are brought by social integration, and thus becomes a key part of the explanation of crime and disorder.⁵⁴

The conflicts between the socially marginal and the police are perennial, although they are now more extensive and structural than during the postwar boom. However, the key to how this is translated into political debate is a long-term cultural change in the articulate opinion-forming middle class.

The police have lost the confidence of certain small but influential sections of the 'chattering classes,' what may be described roughly as *The Guardian* or *The Independent* reading circles. This process of a developing gulf with some educated middle-class opinion has a variety of roots, stretching back to the invention of the car. But the most significant are the growth of middle-class political protest since the early 1960s (CND, the anti-Vietnam War demonstrations, the 1960s' student movement and counter-culture) and the politicisation of forms of marginal deviance which involve some middle-class people, notably drug-taking and homosexuality. This conflict with highly articulate and educated sections of the population has been of enormous significance in converting policing into an overt political issue.⁵⁵

Underlying the change in educated middle-class opinion is a broader cultural trend: the decline of traditional patterns of deference and unquestioning acceptance of authority, a process which has been aptly termed 'desubordination.'⁵⁶ This is reflected both in the attitudes of those at the receiving end of police powers and the general public audience of policing. Arrests are much less likely to be perceived as the legendary 'fair cop,' either by arrestees or by others. The police as symbols of social authority evidently suffer from a culture of desubordination.

The sources of declining public confidence in the police thus lie deeper than any

51 Dahrendorf, *Law and Order* (London: Sweet and Maxwell, 1985) p 98.

52 *ibid* pp 101–107.

53 Murray, *The Emerging British Underclass* (London: Institute of Economic Affairs, 1989); Field, *Losing Out: The Emergence of Britain's Underclass* (Oxford: Blackwell, 1989).

54 Farrington, Gallagher, Morley, St Ledger and West, 'Unemployment, School-Leaving and Crime' (1986) 26 *British Journal of Criminology* 335. Box, *Recession, Crime and Punishment* (London: Macmillan, 1987); Field, *Trends in Crime and their Interpretation*, Home Office Research Study 119 (London: HMSO, 1990).

55 Waddington, 'Why the "Opinion-Makers" No Longer Support the Police,' *Police*, December 1982.

56 Miliband, 'A State of Desubordination' (1978) 29 *British Journal of Sociology* 399.

changes in police tactics or policies. We can postulate an equation predicting public consent to policing in which public acceptance is largely a function of the extent of social and cultural consensus. Increasing social divisions and declining deference equal a decline in the public standing of the police. This is because police tactics will move up the menu of coerciveness to deal with the symptoms of division and to overcome the decline of consent. At the same time, controversial tactics, as well as outright abuse, are more likely to be perceived as malpractice by recipients, opinion-formers and policy makers, as well as the general public, due to declining deference.

One possibility this raises is that the obvious response to increasing police scandals and falling public sympathy may be misguided. The conventional assumption across the political spectrum is that standards of police behaviour have declined since the 'Golden Age' of the mid-century. But is this really so?

It is inevitably difficult to assess the extent of police abuse at any particular time, let alone to measure changes over time. Police malpractice, like all deviance, is covert and subterranean. All we know is the amount which comes to light by the uncertain processes of revelation or detection. Criminologists have long stressed this issue when interpreting recorded crime trends, but they have been prepared to accept at face value the apparent increase in deviance amongst the police.

It is clear, however, that there was an enormous amount of hidden police deviance lurking behind the Dixon façade in the middle of this century. This is shown clearly by the evidence of memoirs and oral histories, both from the side of the police and the policed.⁵⁷ That most of this police deviance did not come to light was testimony to the more deferential if not authoritarian culture of the policed, as well as the legal establishment.

Whilst there was probably considerable under-reporting of police deviance in the 'good old days,' there is reason to believe that today there may actually be less gross malpractice. One reason is that there has been a set of changes which are likely to have diluted, although far from eliminated, the 'canteen cop culture' which numerous studies have pinpointed as the engine of abuse.⁵⁸ As mentioned above, the educational background and training standards of officers have been transformed out of all recognition, although much scope for improvement remains. In addition, whilst they remain grossly under-represented from an equal opportunities standpoint, the proportion of women and ethnic minority officers has risen substantially. So too have the number of part-time volunteers (the 'Specials') and civilian employees. The result is that the backstage areas of police stations now regularly contain people who are far removed from the identikit white macho working-class model of traditional police culture. In addition, a set of legal and policy reforms has tried, with partial success, to make police work more 'transparent' in order to secure more effective stewardship by courts and managers of the exercise of police powers.⁵⁹ These include the extensive recording requirements (by tape as well as paper records)

57 Mark, *In the Office of Constable* (London: Collins, 1978); Cohen, 'Policing the Working Class City' in Fine *et al* (eds), *Capitalism and the Rule of Law* (London: Hutchinson, 1979); White, *The Worst Street in London* (London: Routledge, 1990); Brogden, *On the Mersey Beat* (Oxford: Oxford University Press, 1991).

58 Holdaway, *Inside the British Police* (Oxford: Blackwell, 1983); Reiner, *op cit* n 2, Ch 3; Young, *op cit* n 48.

59 Morgan, 'Police Accountability: Developing the Local Infrastructure' (1987) 27 *British Journal of Criminology* 87. These measures may, however, have the ultimate function of preserving police autonomy as Morgan has also argued, cf Morgan, 'Policing by Consent: Legitimizing the Doctrine' in Morgan and Smith (eds), *Coming to Terms with Policing* (London: Routledge, 1989).

of the Police and Criminal Evidence Act 1984, the introduction of lay station visiting schemes and the rise in access to legal and social work advisers facilitated by PACE. There have also been relevant advances in forensic science, such as DNA profiling and ESDA testing.

Many of the miscarriages of justice and allegations of malpractice which have been substantiated in recent years have come to light because of these changes. The role of scientific developments in clearing Stefan Kiszko, the Tottenham Three and the Irish cases is well known. The recent conviction of several Metropolitan Police Constables for a brutal assault was the product of evidence from a woman Special Constable, illustrating the importance of the dilution of cop culture.⁶⁰ The crucial change, however, is a general cultural one. There is a greater willingness on the part of those in power, in the media and the legal system, to pursue cases and seek the relevant evidence, and to believe it when it is found. The new Lord Chief Justice, Lord Taylor, revealed as much when he recently admitted that judges had been too ready to believe the police without question in the past, but should and would not be prepared to do so in the future.⁶¹ Several reviews of the case law interpreting PACE have underlined the greater propensity of judges to apply the requirements of its Codes of Practice against the police, rather than the permissive approach which prevailed with respect to breaches of the old Judges' Rules.⁶²

These changes all suggest that the apparent wave of police deviance may really be the product of a change in social reaction, not of a real increase in police wrongdoing. This chimes in with the general view of many experienced police officers who believe there is now less flagrant and regularised malpractice than in the not very distant past.⁶³ They feel somewhat frustrated at the paradox that public trust in them is at its lowest ebb precisely when professional standards are at an all-time high. This may or may not be a more valid view than the conventional one of a rotting of the police institutional framework. What is certain is that the relationship between the extent of police wrongdoing and the revealed amount is as problematic as that between all offending and the official crime rate. There are many mediating processes of perception, labelling, reporting and recording.

The decline in the public standing of the police is thus far from straightforward and due to complex and social changes rather than simply an increase in police malfeasance. The key roles played by increasing social divisions, and declining cultural deference, have already been emphasised. It is in theorising these processes that the concept of postmodern society is helpful.

IV Policing a Postmodern Society

In the last decade, the related clutch of terms 'postmodern,' 'postmodernism,' 'post-modernity' and 'postmodernisation' have become increasingly fashionable as labels for what is widely seen as a qualitative break in the development of contemporary society. The earliest usage of 'postmodern,' in precisely the sense in which it tends

60 See the report in *Police Review*, 10 April 1992, p 662.

61 *The Guardian*, 29 April 1992, p 1.

62 Feldman, 'Regulating Treatment of Suspects in Police Stations: Judicial Interpretations of Detention Provision in the Police and Criminal Evidence Act 1984,' *Criminal Law Review*, July 1990, p 452.

63 It must be emphasised that whilst gross malpractice may have declined, subtle forms no doubt remain rife, as indeed is shown by much of the research evaluating PACE: see for example M. McConville, A. Sanders and R. Leng, *op cit* n 22.

to be used today,⁶⁴ was by the late C. Wright Mills in a public lecture delivered at the LSE in 1969.⁶⁵ Mills' uncanny prophetic ability to anticipate the shape of things to come gives him a fair claim to be regarded as the H.G. Wells or Jules Verne of social science. Mills declared 'We are at the ending of what is called The Modern Age. Just as Antiquity was followed by several centuries of Oriental ascendancy, which Westerners provincially call the Dark Ages, so now The Modern Age is being succeeded by a postmodern period.'⁶⁶

Mills' characterisation of this 'postmodern period' captures the gist of what contemporary analysts mean by the term: 'Our basic definitions of society and of self are being overtaken by new realities.' This is not, argues Mills, merely because of the pace of change and the struggle to grasp the meaning of it. Fundamentally, Mills claims, the explanatory and ethical frameworks which we inherited from the Enlightenment and which have dominated the 'modern' age, primarily liberalism and socialism, 'have virtually collapsed as adequate explanations of the world and of ourselves.' Referring to common threads in the work of Bentham, Mill, Freud and Marx, the giant shapers of modern understanding, Mills concludes: 'the ideas of freedom and of reason have become moot . . . increased rationality may not be assumed to make for increased freedom.'⁶⁷

The rate at which new volumes bearing the word 'postmodern' in their titles appear on library shelves is alarming, and it is impossible here to deal systematically with all the varying interpretations, diagnoses, periodisations, explanations and political reactions in the debate.⁶⁸ The basic idea is, of course, that what is now occurring is a qualitative transformation from one kind of social order to another, as Mills' prescient remarks indicate. The use of the term 'postmodern' itself implies that, while it is claimed that there is a break from the 'modern' (itself variously interpreted), the precise contours of the new social formation are hard to pinpoint other than in the negative: they are fundamentally different from the 'modern.'

The key aspect of what is different is usually said to be epitomised by a concept developed by Lyotard.⁶⁹ Whereas the hallmark of 'modern' culture was its underpinning by 'grand' or 'meta-narratives,' such overarching stories about the direction

64 The term 'postmodern' itself has been in use for a long time. Arnold Toynbee used it before the Second World War in his *A Study of History*, but to refer to the whole period since the eighteenth century Enlightenment and Industrial Revolutions, ie precisely the heyday of 'modernism' in most current accounts. The *reductio ad absurdum* of attempts to find antecedents for postmodernism was the claim by Kroker and Cooke that the 'postmodern scene . . . begins in the fourth century . . . everything since the Augustinian refusal has been nothing but a fantastic and grisly implosion of experience as Western culture itself runs under the signs of passive and suicidal nihilism.' (Kroker and Cooke, *The Postmodern Scene*, London: Macmillan, 1988) p 127. No doubt we shall soon be told that postmodernism began with the Big Bang itself.

65 Published as 'On Reason and Freedom' in Mills, *The Sociological Imagination* (Glencoe: Free Press, 1959) pp 165–176.

66 *ibid.*

67 *ibid.*

68 For some recent general surveys and discussion of the issue, see Bauman, *Legislators and Interpreters: Modernity, Postmodernity and Intellectuals* (Cambridge: Polity Press, 1987); Bauman, *Modernity and the Holocaust* (Cambridge: Polity Press, 1989); Bauman, *Intimations of Postmodernity* (London: Routledge, 1992); Harvey, *The Condition of Postmodernity: An Inquiry into the Origins of Cultural Change* (Oxford: Blackwell, 1989); Turner (ed), *Theories of Modernity and Postmodernity* (London: Sage, 1990); Giddens, *The Consequence of Modernity* (Cambridge: Polity Press, 1990); Rose, *The Post-Modern and the Post-Industrial* (Cambridge: Cambridge University Press, 1991); Rosenau, *Postmodernism and the Social Sciences* (New Jersey: Princeton University Press, 1992); Crook, Pakulski and Waters, *Postmodernisation: Change in Advanced Society* (London: Sage, 1992). An excellent critique is provided by Callinicos, *Against Postmodernism* (Oxford: Blackwell, 1989).

69 Lyotard, *The Postmodern Condition: A Report on Knowledge* (Manchester: Manchester University Press, 1984).

and meaning of history have lost credibility. In one sense, of course, this claim is evidently self-defeating. For the notion of a breakdown of grand narratives is itself a meta-narrative. But clearly what is meant is the exhaustion of such grand-narratives as the ideas of Progress or Enlightenment, the unfolding of Reason or Revolution, which purported to give a positive and unitary meaning to the historical process as a whole.

Claims about the development of postmodernity falls into three distinct yet related thematic clusters. The origin of the recent fashionable use of the term was primarily in aesthetics and art criticism, where commentators like Baudrillard and Lyotard discerned the emergence of a fundamentally new set of styles which they labelled 'postmodernism.'⁷⁰ Another line of thought has primarily been philosophical, suggesting an epistemological break in conceptions of knowledge and ethics. This is often referred to generally as 'post-structuralism' or 'post-objectivism.'⁷¹ Finally, analysts from a variety of theoretical and political persuasions have argued that there has occurred a basic transformation in the political economy, culture and social order of contemporary societies. These may be labelled as theories of 'post-industrialism' or 'post-capitalism.'⁷² All these theories point to profound changes in knowledge, popular culture and social order, and the relationship between these.

Knowledge

In a vivid image, Bernstein has characterised the history of modern theories of knowledge as a variety of attempts to cope with 'Cartesian anxiety.' The twin harbingers of the modern — the Renaissance and the Reformation — undermined the absolute framework of understanding provided by Catholicism in the Middle Ages.⁷³ Descartes provides the prototypical example of a modern philosopher seeking a rational first principle, an Archimedean leverage point for knowledge after the removal of the absolute guarantees of religious revelation. From Descartes' *cogito*⁷⁴ to the twentieth-century positivists' falsification principle and logical coherence, modern philosophy has sought some secular substitute for clerical authority. Lurking behind the pursuit of a basis for objectivism was the fear that the only alternative was relativism and cognitive chaos.

MacIntyre tells a similar story about modern moral philosophy in his influential *After Virtue*.⁷⁵ The Enlightenment shattered the common language and conceptual framework which allowed meaningful discourse about morality. Although the simulacra of moral discourse remain, words are used with no shared conception of what they refer to. The concept of virtue lacks an agreed underpinning, just as knowledge does. In the postmodern era we have become conscious of what was always implicit in the project of modernity.

To this predicament there are two main responses. It can be celebrated as liberation from authoritarian epistemological or moral shackles. All that counts is what works

70 *ibid*; Poster (ed), *Jean Baudrillard: Selected Writings* (Cambridge: Polity Press, 1989).

71 Bernstein, *Beyond Objectivism and Relativism* (Oxford: Blackwell, 1983).

72 Bell, *The Coming of Post-Industrial Society* (New York: Basic Books, 1973).

73 This does not mean that all people in medieval times shared a monolithic world view any more than that in modern times there was a single hegemonic dominant ideology, cf Abercrombie, Hill and Turner, *The Dominant Ideology Thesis* (London: Unwin, 1980). But the Church did provide the basic parameters within which disputes and divergences occurred.

74 Hintikka, 'Cogito, Ergo Sum: Inference or Performance?' in Doney (ed), *Descartes: A Collection of Critical Essays* (New York: Anchor Books, 1967).

75 MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981).

for particular protagonists in specific contexts, as implied by the pragmatism of philosophers like Rorty.⁷⁶ Alternatively, it is only possible to adopt a stoic stance in these new Dark Ages, as recommended by MacIntyre, and shelter in congenial small communities awaiting some new charismatic restorer of the grand tradition of the virtues.⁷⁷

In either optimistic or pessimistic variants, postmodernity is the realisation of the relativist potential implicit in modernity from the beginning. It is the realisation that 'Cartesian anxiety' will not be dispelled by the discovery of some new Archimedean point but has to be lived with. As Bauman, one of the foremost theorists of postmodernity puts it, the role of intellectuals changes from 'legislators,' mapping a brave new world, to 'interpreters' of pluralism.⁷⁸

These changes in intellectual culture do not just trickle down into the culture of people in general. However, the abandonment of absolutes is paralleled in popular culture. As Bauman puts it, in postmodern culture the 'pleasure principle' displaces Puritan asceticism and discipline.⁷⁹ Consumerism becomes the driving force of social action and the brittle basis of social order.

However, instead of a single dominant conception of the good life, postmodernity is characterised by cultural pluralism and ambivalence. A mosaic of different lifestyles is on offer, none able to trump the others in legitimacy. The exclusion of an underclass from participation in the opulent spectacle needs and can have no ideological justification. Religion is no longer the opium of the people, so they will have to make do with opium itself (or its cheaper substitutes).

Social Structure and Political Economy

The theorists of postmodern society depict it as following a similar path of disorganisation, structural pluralism and decentering. In Giddens' words: 'The postmodern order is split into a multitude of contexts of action and forms of authority . . . The nation state declines in importance and the cohesive totality is replaced by a multiplicity of sites of social reproduction.'⁸⁰

Many analysts have offered similar accounts of the dispersion and fragmentation of the concentrated and centralised structure of economic organisation which reached a climax in the corporatist state regulation of the post-Second World War period up to the 1970s. Western societies are now experiencing a transition from 'organised' to 'disorganised' capitalism, in the terminology of Offe.⁸¹

The influential analysis of 'New Times' by writers associated with *Marxism Today* echoes similar themes.⁸² In their account, contemporary capitalism is witnessing the erosion of 'Fordism.' 'Post-Fordism' is consumption not production-led. It involves the disaggregation of the market into specialised sectors, with design as a major selling point, based on the connotation of varying lifestyles rather than simply use-value. This is made possible by the development of information technology to

76 Rorty, *Philosophy and the Mirror of Nature* (Oxford: Blackwell, 1979); *Contingency, Irony and Solidarity* (Cambridge: Cambridge University Press, 1989).

77 MacIntyre, *op cit* n 75.

78 Bauman, *op cit* n 68.

79 *ibid.*

80 Giddens, 'Uprooted Signposts at Century's End,' *The Higher*, 17 January 1992, pp 21–22.

81 Offe, *Disorganised Capitalism* (Cambridge: Polity, 1985). See also Lash and Urry, *The End of Organised Capitalism* (Cambridge: Polity, 1987).

82 Hall and Jacques (eds), *New Times: The Changing Face of Politics in the 1990s* (London: Lawrence and Wishart, 1989).

coordinate far-flung and specialist markets and labour processes.⁸³

Instead of a mass labour force of mainly semi- or un-skilled workers, a smaller multi-skilled core workforce is required.⁸⁴ The peripheral workforce of unskilled workers is low-paid, temporary, often part-time, and increasingly consists of women and ethnic minorities.⁸⁵ An underclass of the permanently excluded develops while the core labour force increases its income and freedom, though not security: the so-called 'two-thirds' society.⁸⁶ Instead of the primarily bifurcated class structure of competitive or monopoly capitalism, a much more complex system of stratification with cross-cutting lines, such as gender, ethnic identity and region, develops.⁸⁷ New forms of oppositional politics emerge, but the position of Conservative parties becomes more secure as the two-thirds of beneficiaries from 'New Times' consistently outvote the one-third who are excluded.⁸⁸ The nation state becomes a less significant locus of power, usurped by a growing internationalisation of capital and division of labour on the one hand, whilst the vitality of local identities also increases as the sites of production and reproduction become more scattered and fragmented.⁸⁹

The themes of pluralism, contingency, the undermining of absolutes, ambivalence and disintegration pervade accounts of postmodern society, culture, knowledge and morality. There is much room for argument about the interpretation and significance of all this. What, if any, is the relationship between the material, social and cultural developments? Is there really a 'break' in capitalism, or just an unfolding of its logic to a new stage, as many Marxists argue.⁹⁰ Is the project of the Enlightenment unfinished in its emancipatory potential, although threatened by current developments, as Habermas would argue?⁹¹ Or does the present malaise just make explicit the relativist dark side of Enlightenment liberalism, as MacIntyre implies?⁹²

Whatever the outcome of such debates, what is clear is that the factors which were outlined earlier as underlying the police fall from grace — deepening social divisions and a less deferential culture — are not temporary aberrations changeable by an election, an upturn in the economy, calls for a return to Victorian values or changes in Government or police policy. They are deeply rooted structural trends, not a passing *fin de siècle* malaise.

V The Prospects of Police Reform

What are the implications for the prospects of success of current police initiatives to restore their legitimacy? During the late 1970s and 1980s, as the creeping crisis

83 Murray, 'Fordism and Post-Fordism' and 'Benetton Britain' in Hall and Jacques, *op cit* n 82; Allen, 'Fordism and Modern Industry' in Allen, Braham and Lewis (eds), *Political and Economic Forms of Modernity* (Cambridge: Polity, 1992).

84 Braham, 'The Divisions of Labour and Occupational Change' in Allen, Braham and Lewis, *op cit* n 83.

85 *ibid*; McDowell, 'Social Divisions, Income Inequality and Gender Relations in the 1980s' in Cloke (ed), *Policy and Change in Thatcher's Britain* (Oxford: Pergamon, 1992).

86 Dahrendorf, *op cit* n 51, p 103; Therborn, 'The Two-Thirds, One-Third Society' in Hall and Jacques, *op cit* n 82.

87 Bradley, 'Changing Social Divisions: Class, Gender and Race' in Bocock and Thompson (eds), *Social and Cultural Forms of Modernity* (Cambridge: Polity, 1992).

88 Galbraith, *The Culture of Contentment* (London: Sinclair-Stevenson, 1992).

89 Held, 'The Decline of the Nation State' in Hall and Jacques, *op cit* n 82.

90 Jameson, *Postmodernism: Or the Cultural Logic of Late Capitalism?* (London: Verso, 1992); Callinicos, *op cit* n 68.

91 Habermas, 'Modernity — An Incomplete Project?' in Foster (ed), *Postmodern Culture* (London: Pluto Press, 1985).

92 MacIntyre, *op cit* n 75.

of confidence in the police began to unfold, there emerged a succession of competing agendas for reform. In the late 1970s and early 1980s, debate became increasingly polarised between a conservative 'law and order' approach advanced by the police themselves and the Thatcher Government, and a radical rejectionist position, the organisational heart of which was in the Left-wing Labour Metropolitan local authorities elected in 1981.⁹³ Whilst the Conservatives advocated greater powers for the police, Labour saw the problem as the unfettered autonomy the police enjoyed and sought to reinforce their accountability to elected local authorities. The Scarman Report in 1981 proposed a sophisticated synthesis of these two positions, but with strict law enforcement subordinate in the last analysis to the diplomatic requirements of keeping the peace. This was a policy of back to the future. The ideals of the British police tradition epitomised by Dixon remained intact in principle but had been undermined in practice. Scarman advocated a blend of community consultation and police professionalism, predicated upon an adequately maintained iron fist, to deal with disorder should the velvet glove tactics fail.⁹⁴

Scarmanism rapidly became the orthodox wisdom of government and police policy makers, to which at least lip-service had to be paid. In the hands of such influential police leaders as Sir Kenneth Newman and Sir Peter Imbert, it gave rise to a host of interrelated reforms throughout the 1980s. These were implemented in conjunction with innovations in management style which owed much to the new emphasis on professional management techniques and especially the concern for value for money, which increasingly pervaded the whole public sector. The style of the contemporary police chief correspondingly changed from bobby to bureaucrat.⁹⁵

Opposition to these approaches was rapidly won over, or bludgeoned over. Middle of the road opinion could not resist the *bien pensant* tones of the new philosophy of community policing. The radical end of the spectrum was subject to cruder tactics. The Local Government Act 1985 dealt with the radical critique of policing by abolishing its material base — the Metropolitan local authorities — and replacing them for police purposes with the more manipulable Joint Boards.⁹⁶

The problem with this accumulating avalanche of reforms was that while much changed in the leadership styles and presentational front of policing, the desired end products were not achieved. As discussed above, the end of the 1980s saw all-time record crime increases, renewed public disorder, spectacular scandals involving miscarriages of justice and plummeting public confidence in the police.

The leadership of the service has responded by seeking to model the mission of policing on the service style which their own research suggests is what the majority of the public wants. As described earlier, it has also sought to introduce a variety of managerial changes to monitor and improve the quality of service delivered.⁹⁷ The key is seen as changing police culture to incorporate quality of service values. In short, the police elite has turned to the language and style of consumerism — market research, prominently displayed mission statements, codes of ethical service and the like. This chimes in with the general approach to the public sector promulgated by John Major, and is policing designed for the age of the Citizen's Charter.⁹⁸

Like its ideological first cousin, community policing, this consumerist ethos has

93 Reiner, *op cit* n 2.

94 Scarman, *op cit*.

95 Reiner, *op cit* n 33.

96 Loveday, 'The New Police Authorities in the Metropolitan Counties' (1991) 1 *Policing and Society* 193.

97 Woodcock, *op cit* n 36; Johnson, *op cit* n 36; Hirst, *op cit* n 36.

98 Barron and Scott, 'The Citizen's Charter Programme' (1992) 55 MLR 526.

the great virtue that it is almost impossible to be against it in principle. The issue is whether it fully confronts the realities of policing in the postmodern age. In so far as an emphasis of theorists of postmodern culture is on the centrality of style, design and image rather than use-value, it is clear that the consumerist tack is itself a prime expression of postmodernism.

However, neither this nor any other conceivable strategy will restore the police to the status they enjoyed in Britain in the middle years of this century. This was based on unique social and cultural conditions which are unlikely to re-occur and have certainly never been replicated elsewhere. In all other countries, the police have wielded power rather than authority (in the traditional Weberian distinction). The power of the British police was transmuted into authority primarily because they came to stand for a (largely mythical) national culture of order, harmony and restraint. Their power was legitimated by tradition. In other countries, any legitimisation the police have achieved has been rational-legal or charismatic (again using Weber's famous ideal-typical categories).⁹⁹ These are more brittle and tenuous sources of legitimacy for the police than the authority of tradition. A first condition for the police to re-attain legitimacy is for them and the public to recognise that the traditional British bobby myth is anachronistic — indeed, it never corresponded to reality.

Beyond this, however, the deeper social changes of postmodernity are transforming the role of the police institution within the whole array of policing processes. The rise of *the* police — a single professional organisation for handling the policing function of regulation and surveillance, with the state's monopoly of legitimate force as its ultimate resource — was itself a paradigm of the modern. It was predicated upon the project of organising society around a central, cohesive notion of order. In Storch's striking phrase, the police were 'domestic missionaries.'¹⁰⁰ The role of the police, especially in Britain, was always more important for its dramaturgical function, symbolising social order, than for any instrumental effects in successfully controlling crime.¹⁰¹ The changes in social structure and culture which have been labelled postmodernisation render this conception of policing increasingly anachronistic. There can be no effective symbol of a unitary order in a pluralistic and fragmented culture.

Nor can the instrumental functions of the police be straightforward in the 'two-thirds' society. The United States, as the Los Angeles riots of 1992 dramatically showed, indicates the dark end-point of processes which can be seen in less stark form throughout the Western world. The police are confronted with a social order bifurcated between the 'dreadful enclosures' of the underclass (often constructed on racial lines) and the castles of conspicuous consumerism in which the majority live, work and play.¹⁰² The latter are increasingly taking the form of what the Canadian criminologists Shearing and Stenning have called 'mass private pro-

99 For a recent general discussion of the Weberian tradition in the analysis of power and legitimacy, see Beetham, *The Legitimation of Power* (London: Macmillan, 1991).

100 Storch, 'The Policeman as Domestic Missionary' (1976) IX *Journal of Social History* 481.

101 Manning, *Police Work* (Cambridge, Mass: MIT Press, 1977) is the most cogent presentation of a dramaturgical analysis of policing.

102 As Davis put it in his account of Los Angeles as prism of the postmodern future (written before the 1992 riots), 'the historical world view and quixotic quest of the postwar LAPD' (Los Angeles Police Department) was 'good citizens, off the streets, enslaved in their high security private consumption spheres; bad citizens, on the streets (and therefore not engaged in legitimate business), caught in the terrible jehovan scrutiny of the LAPD's space programme.' Davis, *City of Quartz* (London: Vintage, 1992) p 253.

perty,¹⁰³ huge privately owned facilities like shopping centres, leisure parks, office or educational campuses, large private residential estates or apartment blocks. The role of the police in regulating the order of these areas is residual at most. A police officer is seldom, if ever, seen in Disneyland or indeed Brent Cross (except as a customer). Instead, control is maintained by architecture, the technology of surveillance and informal social mechanisms, with even the specialist input of private security personnel being vestigial, and primarily concerned with maintaining perimeter security.¹⁰⁴ The role of the police is the rump one of maintaining the order of public spaces, which increasingly are the preserve of the excluded social residuum.¹⁰⁵

In addition, there remain higher level policing functions which the state must exercise: the control of serious professional and international crime, and the maintenance of state security. But these are increasingly remote from the world of the beat police.

In short, policing now reflects the processes of pluralism, disaggregation and fragmentation which have been seen as the hallmark of the postmodern. Hitherto, the British police have been unique in combining within a single omnibus organisation the disparate functions of patrol, public order, serious criminal investigation, political policing and regulating corporate crime. In most other countries, a variety of specialist organisations cope with these separately. It would seem, indeed, that they call for very different skills and tactics of mobilisation. It is most unlikely that the British police will survive the pressures towards an organisational division of policing labour in the last decade of the millennium. There will probably be a fundamental reorganisation, bifurcated between a variety of high-level units for national and international crime, public order and security functions, with local police forces on the other hand increasingly focused on small-scale crime, order and service tasks.¹⁰⁶ The latter will find it increasingly difficult to find a suitable niche in the face of competition from private and environmental security mechanisms. The local police role will increasingly be the Fort Apache syndrome: patrolling the borders between respectable and rough reservations. These processes have been referred to by several commentators as the 'greying' of policing: its diffusion between a variety of institutional processes, with the human element increasingly not clad in blue uniforms.¹⁰⁷ Sadly, Dixon is dead. Unlike his first demise in *The Blue Lamp*, we shall wait in vain for a second coming.

103 Shearing and Stenning, 'Private Security: Implications for Social Control' (1983) 30 *Social Problems* 493.

104 As Davis puts it, 'In cities like Los Angeles, on the bad edge of postmodernity, one observes an unprecedented tendency to merge urban design, architecture and the police apparatus into a single, comprehensive security effort . . . Los Angeles in its usual prefigurative mode, offers an especially disquieting catalogue of the emergent liaisons between architecture and the American police state.' Davis, *op cit* n 102.

105 Important accounts of the increasing role of private security in contemporary social control are Shearing and Stenning (eds), *Private Policing* (Beverly Hills: Sage, 1987); South, *Policing for Profit* (London: Sage, 1988); Johnston, *The Rebirth of Private Policing* (London: Routledge, 1992).

106 Anderson, *Policing the World* (Oxford: Oxford University Press, 1989); Dorn, South and Murji, 'Mirroring the Market? Police Reorganisation and Effectiveness Against Drug Trafficking' in Reiner and Cross, *op cit* n 31.

107 Hoogenboom, 'Grey Policing: A Theoretical Framework' (1992) 2 *Policing and Society* 17; Johnston, *op cit* n 105.

Postscript: Postmodern Policing

There are three strategies which must be adopted if the police are to achieve what legitimacy is available in the postmodern period. All are already in place as policy aspirations of the more progressive police leaders. The first is the recognition of the chimerical character of the Dixon ideal and its replacement by more pragmatic conceptions of acceptability. The police are providers of a mundane public service, not sacred totems of national pride.

Second, the personnel of the police must reflect the more diverse and plural demographics of postmodern societies. Specifically, the proportions of women and ethnic minorities must parallel at all levels in the police their numbers in the population policed.¹⁰⁸ Third, local policing must be adjusted to the plural priorities and cultures of a much more diverse social world. Disaggregation downwards of policy making is already the main aspect of leading reforms such as the sector policing experiments in the Metropolitan Police.¹⁰⁹ One vital ingredient which must be taken on board, however, is the integration of elected local authorities into the policy-setting process. For London, this means the creation of such a local authority. Opinion polls and market research techniques, on which the police increasingly rely, cannot substitute for the electoral process as a means of registering public opinion.

The above analysis contains much intellectual pessimism. Is there room for optimism of the will?¹¹⁰ Postmodern culture may have eclipsed the Enlightenment's modern conceptions of social justice, as well as the more ancient prophetic religious ideas of justice which modernism had displaced earlier. But certain harsh realities will not be pushed aside. As Los Angeles, the modern world's dream factory, showed us in May 1992, the backlash of the oppressed can turn complacent reveries into nightmare. To paraphrase Rosa Luxemburg,¹¹¹ in the final analysis the only alternatives are social justice or barbarism. Unfortunately at present, the odds seem strongly to favour barbarism.

108 For accounts of the formidable obstacles to achieving this, see Heidensohn, *Women in Control? The Role of Women in Law Enforcement* (Oxford: Oxford University Press, 1992); Holdaway, *Recruiting a Multi-ethnic Police Force* (London: HMSO, 1991).

109 Although this may not be how it is working out in practice. Weeks, 'Sector Policing,' *Police*, July 1992, p 38.

110 In Gramsci's famous formulation, cf Anderson, *Considerations on Western Marxism* (London: New Left Books, 1976) p 89.

111 Luxemburg, *Political Writings* (New York: Monthly Review Press, 1971) p 24.