



## Do We Need the Police? Professor Leslie Thomas KC 25<sup>th</sup> May 2023

*"The master's tools will never dismantle the master's house."* - Audre Lorde

Welcome to the final lecture in this series. In this lecture, we're going to ask whether we need the police. Can the police be reformed? Should they be abolished?

My last lecture was on a closely related question: do we need criminal law? This lecture will not seek to cover the same ground as the last lecture. In the last lecture, we looked at the arguments for and against criminal law, and we engaged with the work of abolitionist theorists such as Angela Davis and Mariame Kaba. I won't be covering that ground again today. If you haven't seen the previous lecture, it's available on the Gresham College website. Instead, in this lecture I'm going to be focusing on British policing in its historical context, and comparative examples from around the world. I'm going to look at the movement to "defund the police", which originated in the US, and whether we can apply its ideas to the UK. Finally, I'm going to be posing the question of whether we need police at all.

### The History of Policing

First, we're going to look at the history of British policing. People often say that policing as we know it is less than two centuries old, and that is true in a certain sense. However, the true picture is more complicated.

At the end of the eighteenth century, the UK did not have professional police forces in the modern sense, but it was certainly not unpoliced. Here in London, for instance, the backbone of law enforcement consisted of parish constables and watchmen. Originally, householders were required to serve as watchmen on an unpaid basis by rotation or appointment. However, by 1800 most London parishes had salaried watchmen. There were also other local law enforcement officials, such as the City Marshal in the City of London, and the Bow Street Runners established by the Westminster magistrate Henry Fielding in 1749.<sup>1</sup> By modern standards, this system was chaotic, patchy and inefficient.

The lack of a professional police force, however, does not mean that the criminal justice system was less brutal than today. What the state lacked in capacity it made up for in brutality. At the turn of the nineteenth century hundreds of offences were punishable by death, with public hanging being the usual method of execution. The purpose of this system was principally to protect the property and privileges of the rich, amidst the emergence of industrial capitalism. As Lizzie Seal states:

*"The majority of capital offences were property crimes, arguably entailing large-scale criminalisation of the labouring poor. Capital statutes often protected specific, limited property interests, such as an act passed in 1753 that prescribed hanging for stealing shipwrecked goods... During the eighteenth century, the system of capitalist wage labour was established. This change meant that members of the labouring poor often had to steal in order to stay alive. Therefore, it was not necessarily possible to distinguish between the 'criminal' population and the poor, as being poor meant being criminal..."*

*"The eighteenth-century criminal law can be perceived as having an ideological function. It was administered by the ruling class and its subjects were largely from the labouring poor. Analysis of the*

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<sup>1</sup> London Lives, "Policing" <https://www.londonlives.org/static/Policing.jsp>

*records of those who were executed on the gallows at Tyburn in London reveal that in addition to being from the lowest class, the hanged were often recent arrivals to London. There is also an over-representation of people who were not English, with Irish forming the largest non-English group.*<sup>2</sup>

In the absence of an efficient system for detecting and punishing crime, the state had to rely on the deterrent effect of public executions in order to maintain control of the population. The criminal justice system was less efficient, but more brutal, than today.

Admittedly, there were some features of the system which mitigated its harshness. Judges had discretion to relieve the convicted. Juries could find the accused guilty of a lesser charge or acquit them. It was common for stolen goods to be under-valued at thirty-nine shillings, in order to avoid the death penalty for theft of goods over forty shillings. Many cases were also settled within the community in order to avoid reaching the courts.<sup>3</sup> Execution rates also differed significantly in different parts of the country.<sup>4</sup> So not everyone who committed a capital crime was actually executed. The system relied on the harshness of punishment, rather than the certainty of punishment, to maintain control.

This was in the context of a grossly unequal political system. Until the Great Reform Act of 1832, the House of Commons was profoundly unrepresentative of the population. Some unpopulated places, called “rotten boroughs”, had representation in Parliament, while many large industrial towns did not. The franchise varied from place to place, but in most places only property-owning men could vote. Although the 1832 Act rationalised the system to some extent, it remained the case that the franchise was linked to property ownership, meaning that working-class men could not vote.<sup>5</sup> Women, of course, did not have the right to vote either.

And when the ruling class needed to suppress a potential uprising, they acted with brutality. A key event was the infamous Peterloo Massacre of 1819, where 60,000 working-class people gathered in St Peter’s Field in Manchester to protest for universal suffrage. The Manchester magistrates responded by ordering out the cavalry, who charged at the peaceful protestors, killing 18 people and wounding hundreds more.<sup>6</sup>

It was against this backdrop that Sir Robert Peel established the Metropolitan Police in 1829, which gave London a centralised professional police force for the first time. Some boroughs were required to establish police forces by the Municipal Corporations Act 1835, and county justices of the peace were empowered to do so by the County Police Act 1839. Finally, the County and Borough Police Act 1856 required the creation of police forces in all counties.

The professionalisation of policing coincided with the reform of the criminal law and the end of the Bloody Code. The number of capital crimes dropped precipitously. By 1861 there were only five capital crimes: murder, treason, espionage, arson in royal dockyards and piracy with violence. Public executions were abolished in 1868.<sup>7</sup> With a more effective system of law enforcement, the ruling class had less need to resort to graphic public brutality in order to maintain control.

Thus far, you might think that the creation of the police was an improvement. But the truth is more complicated. There’s a lot of myth-making about Peel’s creation of modern policing. People often idealise and romanticise the traditionally unarmed British police, especially in contrast to the paramilitary police forces found in the US and continental Europe. Many authors cite the nine “Peelian Principles” which are supposed to embody the idea of “policing by consent”. In fact, however, Susan Lentz and Robert Chaires have shown

<sup>2</sup> Lizzie Seal, “Criminalisation and the eighteenth-century’s ‘Bloody Code’ Lizzie Seal explores the link between poverty and criminalisation in the eighteenth century.” *Criminal Justice Matters* 74.1 (2008): 16-17

<https://www.crimeandjustice.org.uk/publications/cjm/article/criminalisation-and-eighteenth-centurys-bloody-code>

<sup>3</sup> Harriet Evans, “The Bloody Code,” *Manchester Student Law Review* 2:28 (2013): 28-40

[https://hummedia.manchester.ac.uk/schools/law/main/research/MSLR\\_Vol2\\_3\(Evans\).pdf](https://hummedia.manchester.ac.uk/schools/law/main/research/MSLR_Vol2_3(Evans).pdf)

<sup>4</sup> Peter King and Richard Ward, “Rethinking the Bloody Code in Eighteenth-Century Britain: Capital Punishment at the Centre and on the Periphery,” *Past Present* 228(1) (2015): 159-205

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5955207/>

<sup>5</sup> Tom Banbury, “The Struggle for the Great Reform Act,” *Tribune*, 7 June 2021 <https://tribunemag.co.uk/2021/06/the-struggle-for-the-great-reform-act>

<sup>6</sup> The Guardian, “The Peterloo massacre: what was it and what did it mean?” 16 August 2019

<https://www.theguardian.com/uk-news/2019/aug/16/the-peterloo-massacre-what-was-it-and-what-did-it-mean>

<sup>7</sup> Museum of London, “The long fight: executions and death penalty reforms in Britain”

<https://www.museumoflondon.org.uk/discover/long-fight-executions-and-death-penalty-reforms-england>

that the Peelian Principles are largely the invention of twentieth-century textbook authors.<sup>8</sup>

And the advent of policing involved an expansion of control and surveillance of working-class people. As Connor Woodman writes,

*“As new police forces were rolled out across the provincial areas towards the middle of the century, heavy working-class resistance attempted to halt the expansion. Police were described as ‘blue devils’, a ‘horde of blue locusts’, and mass gatherings, pamphleteering and anti-police riots greeted their arrival.”* He quotes Robert D Storch, *“A great deal of the bitterness against the new police was a consequence of the fact that they were placed among the working classes to monitor all phases of working-class life – trade-union activity, drinking, gambling, sports as well as political activity.”*<sup>9</sup>

In short, the end of the Bloody Code and the advent of modern policing simply exchanged one form of social control for another. As Michel Foucault put it in his landmark book *“Discipline and Punish”*, the effectiveness of punishment *“is seen as resulting from its inevitability, not from its visible intensity; it is the certainty of being punished and not the horrifying spectacle of public punishment that must discourage crime”*.<sup>10</sup> Brutality of punishment has been replaced with certainty of punishment.

It’s also important to note that, while the police in Great Britain have traditionally been unarmed, the UK exported a paramilitary model of policing to its colonial territories. The Royal Irish Constabulary, created in 1822, was an armed paramilitary force. The police forces established to maintain control and suppress dissent in British colonies were generally modelled on the RIC.<sup>11</sup>

By way of comparison, I want to say a little about the history of policing in the United States, which is often held up as a comparison. The early American colonies inherited the English system of local constables and watchmen. The first modern municipal police department was created in Boston in 1838, and by the 1880s all major US cities had municipal police forces in place.<sup>12</sup>

However, in the American South, an earlier form of organised policing was the slave patrol. The first slave patrol was created in the Carolina colonies in 1704. As Gary Potter writes,

*“Slave patrols had three primary functions: (1) to chase down, apprehend, and return to their owners, runaway slaves; (2) to provide a form of organized terror to deter slave revolts; and, (3) to maintain a form of discipline for slave-workers who were subject to summary justice, outside of the law, if they violated any plantation rules.”*<sup>13</sup> Slave patrols are an important part of early US policing history, although it probably overstates the case to say, as some people do, that US policing evolved from slave patrols.

Nonetheless, US policing in the northern cities, like its UK counterpart, was deeply intertwined with the development of industrial capitalism, and was a method for the ruling class to control working-class protest and dissent. Gary Potter writes:

*“Maintaining a stable and disciplined work force for the developing system of factory production and ensuring a safe and tranquil community for the conduct of commerce required an organized system of social control. The developing profit-based system of production antagonized social tensions in the community. Inequality was increasing rapidly; the exploitation of workers through long hours, dangerous working conditions, and low pay was endemic; and the dominance of local governments by economic elites was creating political unrest. The only effective political strategy available to exploited workers was what economic elites referred to as “rioting,” which was actually a primitive*

<sup>8</sup> Susan Lentz and Robert Chaires, “The invention of Peel’s principles: A study of policing ‘textbook’ history,” *Journal of Criminal Justice* 35.1 (2007): 69-79 <https://www.sciencedirect.com/science/article/pii/S0047235206001449>

<sup>9</sup> Connor Woodman, “Spycops in context: A brief history of political policing in Britain,” Centre for Crime and Justice Studies, December 2018, pp 10-11

[https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Spycops%20in%20context%20%E2%80%93%200a%20brief%20history%20of%20political%20policing%20in%20Britain\\_0.pdf](https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/Spycops%20in%20context%20%E2%80%93%200a%20brief%20history%20of%20political%20policing%20in%20Britain_0.pdf)

<sup>10</sup> Michel Foucault, trans. Alan Sheridan, *“Discipline and Punish: the Birth of the Prison,”* New York: Vintage Books ([1977]: 1995), p 9.

<sup>11</sup> Georgina Sinclair, “The ‘Irish’ policeman and the Empire: influencing the policing of the British Empire—Commonwealth.” *Irish Historical Studies* 36.142 (2008): 173-187. <https://www.jstor.org/stable/20720272>

<sup>12</sup> Dr Gary Potter, “The History of Policing in the United States, Part 1,” EKU Online

<https://ekuonline.eku.edu/blog/police-studies/the-history-of-policing-in-the-united-states-part-1/>

<sup>13</sup> Ibid.

*form of what would become union strikes against employers... The modern police force not only provided an organized, centralized body of men (and they were all male) legally authorized to use force to maintain order, it also provided the illusion that this order was being maintained under the rule of law, not at the whim of those with economic power.”<sup>14</sup>*

Overall, we can see that modern professional policing in the US and UK developed alongside industrial capitalism as a means of controlling the working class, protecting the property of the wealthy, and suppressing popular dissent. At the same time, we shouldn't pretend that the *status quo ante* was better. The UK and US may not have had professional police forces before the nineteenth century, but they certainly had law enforcement, and that law enforcement was often more brutal than today.

## Policing and Race

So far I've talked about policing in the context of class and capitalism. Now we're going to look at race. Police racism is most often discussed in the context of the US. But there is no doubt that the UK police have a race problem too. I've talked about this at considerable length in previous lectures, so I'm just going to provide a brief summary here.

In the 1960s and 70s the British police enjoyed a cosy public image, exemplified by the popular perception of the friendly “bobby on the beat” and the television programme Dixon of Dock Green. But for Black people, the reality was rather different. This was illustrated by one of the most shameful incidents in British policing history, the killing of the Nigerian homeless man David Oluwale by Leeds police officers in 1969.<sup>15</sup> By the 1990s, there was greater public awareness that the police had a race problem. This was confirmed by the landmark Macpherson Inquiry into the Metropolitan Police's response to the murder of Stephen Lawrence. The Inquiry's report, published in 1999, famously labelled the Metropolitan Police as institutionally racist.<sup>16</sup>

We know that there are massive race disparities in all aspects of UK policing. In 2020-21 Black people were over three times as likely to be arrested as white people.<sup>17</sup> Black people were vastly more likely to be stopped and searched than white people, with 7.5 stop and searches for every 1,000 white people, and 52.6 for every 1,000 Black people.<sup>18</sup> Baroness Casey's recent review has found that there are deep-seated cultural problems with the Metropolitan Police. As regards race, she found that the Met falls far short of being representative of Black, Asian and ethnic minority people. She found that there was systemic racial bias in the misconduct system, with Black officers being 81% more likely to be subject to a misconduct case than White officers. She also highlighted under-protection of areas of London with higher Black and minority ethnic communities, despite the police being more active in these areas. And she highlighted over-policing and disproportionate use of powers against Black, Asian and ethnic minority people, including deaths in custody, in the pursuit of a subject or during an arrest.<sup>19</sup> 46% of Black officers and staff surveyed reported personally experiencing racism while at work.<sup>20</sup>

Casey reports a particularly disturbing incident of overt racism:

*“A Black female officer was with a more senior officer, when they intercepted a White female member of the public buying drugs from a Black person. The senior officer called the White woman a “n\*\*\*\*r lover”, a “slag”, and a “dirty woman.” The Black female officer was left feeling like she wanted to resign.*

*“I've been told to shut up and get back in your caravan.”*

<sup>14</sup> Dr Gary Potter, “The History of Policing in the United States, Part 2,” EKU Online

<https://ekuonline.eku.edu/blog/police-studies/the-history-of-policing-in-the-united-states-part-2/>

<sup>15</sup> The Critic, “The Long Hours: remembering David Oluwale,” 15 October 2020 <https://thecritic.co.uk/the-long-hours-remembering-david-oluwale/>

<sup>16</sup> The Stephen Lawrence Inquiry, February 1999

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/277111/4262.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf)

<sup>17</sup> GOV.UK, Ethnicity facts and figures: Arrests <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/policing/number-of-arrests/latest>

<sup>18</sup> GOV.UK, Ethnicity facts and figures: Stop and search <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/policing/stop-and-search/latest>

<sup>19</sup> The Baroness Casey Review, March 2023, pp 288-289

<https://www.met.police.uk/SysSiteAssets/media/downloads/met/about-us/baroness-casey-review/update-march-2023/baroness-casey-review-march-2023a.pdf>

<sup>20</sup> Ibid, p 305

*“In my first ever briefing on street duties I was told to ‘get out there, give a few Gypsies warnings.’”<sup>21</sup>*

Race wasn't the only area where Casey found problems with the Met. She highlighted cultural issues such as too much hubris and too little humility, defensiveness and denial, a culture of “not speaking up”, and ignoring racist, misogynist, homophobic and other discriminatory acts or dismissing them as “banter”.<sup>22</sup> Victims of crime such as rape, stalking and domestic abuse described poor communication by Met officers, officers being inattentive and lacking empathy, and officers using victim-blaming language.<sup>23</sup>

## Policing and Political Dissent

Another function of the UK police throughout their history has been the repression of political dissent. This is a vast topic, and we only have time to touch on it briefly here. Special Branch, originally named the Special Irish Branch, emerged within the Metropolitan Police in the 1880s to combat political dissent, particularly on the left. As Connor Woodman highlights, in the early twentieth century *“anti-colonial Indians, the Independent Labour Party, syndicalists, and Bolsheviks all fell under the Branch’s broadening gaze,”* while the suffragettes *“were a major preoccupation of the Branch”*. Another key target was anti-war activism during the First World War.<sup>24</sup>

In 1968 the “Special Operations Squad” was founded within Special Branch as a response to the anti-Vietnam War protests of that year. It was later renamed the “Special Demonstration Squad”. Over the next four decades the Special Demonstration Squad engaged in extensive undercover operations, with undercover officers assuming false identities, including the identities of deceased children; infiltrating left-wing activist groups; and in some cases forming sexual relationships with members of activist groups.<sup>25</sup> These matters are currently the subject of the ongoing Undercover Policing Inquiry.

More recently, in response to a wave of climate protests, Parliament has controversially criminalised some protest-related activities and expanded police powers to crack down on protests. The recently enacted Public Order Act 2023 criminalises certain actions associated with protests, such as “locking on”. You may have seen headlines this week about police arresting Graham Smith, the CEO of Republic, and other anti-monarchy protestors on the day of the Coronation.<sup>26</sup>

So, we can see that there are fundamental problems with UK policing. Policing grew up alongside capitalism, and it has often served the function of protecting the ruling class against threats to its power, such as left-wing political dissent. The police are also institutionally racist. Black people and other minority groups often have little trust or confidence in the police, and they have good reason for that. That brings us on to the core question: can the police be reformed, or should they be abolished? If the former, what kind of reform? And if the latter, what should replace them?

## Community Policing

One concept that often comes up in discussions of police reform is “community policing”. This concept means different things to different people, but it’s often touted as the antithesis of “militarised policing”. It’s often associated with romanticised images of the friendly neighbourhood police officer who knows the people on their beat, and who is part of the community they serve, rather than a hostile occupying force.

In fact, some advocates of police reform in the United States point to the British police as a superior example. After all, police in the UK (except in Northern Ireland) are mostly unarmed, and they kill significantly fewer people than their American counterparts. But as we’ve seen, the traditional cosy image of the British “bobby on the beat” is simplistic and misleading, and the UK police have massive problems too.

Can we find any better examples of “community policing”? One example that’s sometimes touted as a positive example is Japan, with its traditional system of the *koban*, or neighbourhood police box, which operates like a mini-police station in each neighbourhood. But the truth is not so simple. In 2000, Chris

<sup>21</sup> Ibid, p 306

<sup>22</sup> Ibid, pp 13-14

<sup>23</sup> Ibid, pp 159-162

<sup>24</sup> Woodman, op. cit., pp 11-12

<sup>25</sup> Metropolitan Police, Operation Herne Report 1 – Use of covert identities, 16 July 2013

[https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/priorities\\_and\\_how\\_we\\_are\\_doing/corporate/operation-herne---report-1---use-of-covert-identities](https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/priorities_and_how_we_are_doing/corporate/operation-herne---report-1---use-of-covert-identities)

<sup>26</sup> BBC News, “Coronation: Met expresses ‘regret’ over arresting six anti-monarchy protesters,” 9 May 2023

<https://www.bbc.co.uk/news/uk-65527007>

Aldous and Frank Leishman showed that “*once placed in its proper historical context, the koban can be seen more clearly as primarily an agency of surveillance, rather than one concerned more with social service,*” and argued that international regard for the koban had more to do with nostalgia than critical evaluation of the evidence. They showed that Japanese police culture was not as different from Western police culture as commonly assumed.<sup>27</sup> Leishman built on this in 2007, highlighting that in a 2004 survey, only 23% of respondents reported that they were “satisfied” with the policing service provided by *koban*, while 85% neither knew the names nor recognised the faces of local officers.<sup>28</sup>

And like the British police, the Japanese police shouldn't be romanticised. Japan famously has an exceptionally high conviction rate, much of which is secured on the basis of confessions, and there is evidence that police and prosecutors pressure suspects into falsely confessing to crimes.<sup>29</sup>

There are good reasons to be sceptical about the idea of community policing. Alex Vitale, in his landmark book *The End of Policing*, highlights some difficulties with the narrative of community policing. He says that,

*“we cannot expect [the police] to be significantly more friendly than they are, given their current role in society. When their job is to criminalize all disorderly behaviour and fund local government through massive ticketing-writing campaigns, their interactions with the public in high-crime areas will be at best gruff and distant and at worst hostile and abusive.”*<sup>30</sup>

Pausing there, we have to acknowledge that Vitale's comment about police funding local government through writing tickets is inapplicable to the UK. But his wider point has considerable force. If the role of the police is to criminalise teenagers for smoking cannabis, or to criminalise homeless people for stealing from shops, they are always going to have an adversarial relationship with many parts of the community.

Vitale also rightly problematises the notion of “community”, pointing out that community meetings tend to be populated by homeowners, business owners and landlords, while renters, the homeless and immigrants are rarely represented.<sup>31</sup> He concludes that “*community policing does not empower communities in meaningful ways. It expands police power, but does nothing to reduce the burden of over policing on people of color and the poor. It is time to invest in communities instead.*”<sup>32</sup>

## Defunding the Police

That brings me on to another idea that has gained support in recent years, and that is associated with the Black Lives Matter movement: “defunding the police”. This is a concept that originated in the US. American activists calling to “defund the police” want to reduce funding for police departments, and reallocate resources to other programmes such as housing, employment, healthcare and education. The scope of the demands varies. Some activists are only calling for modest reductions in police funding, while others are calling for a radical divestment from policing with a view to eventually abolishing the police.<sup>33</sup> Advocates of police defunding point out that there is little relationship between police activity and crime rates. In fact, when New York police officers held a work slowdown in late 2014 and early 2015, reports of major crime actually dropped.<sup>34</sup>

One idea commonly proposed by advocates of police defunding is to send health or social workers instead of police to deal with non-criminal emergency calls. For example, the US city of Albuquerque has created a new city department called Albuquerque Community Safety, which now has 54 full-time crisis responders

<sup>27</sup> Christopher Aldous and Frank Leishman, “Enigma variations: Reassessing the koban,” Oxford: Nissan Institute of Japanese Studies, 2000 [https://nissan.web.ox.ac.uk/sites/default/files/nissan/documents/media/nops31\\_0.pdf](https://nissan.web.ox.ac.uk/sites/default/files/nissan/documents/media/nops31_0.pdf)

<sup>28</sup> Frank Leishman, “Koban: Neighbourhood policing in contemporary Japan.” *Policing: A Journal of Policy and Practice* 1.2 (2007): 196-202

<https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=418e6e0fd19645eaef585a11693a5fa9ee3e6921>

<sup>29</sup> BBC News, “Japan crime: Why do innocent people confess?” 2 January 2013

<https://www.bbc.co.uk/news/magazine-20810572>

<sup>30</sup> Alex Vitale, *The End of Policing* (Verso, 2017), p 16

<sup>31</sup> Ibid.

<sup>32</sup> Ibid, p 17

<sup>33</sup> The Guardian, “What does ‘defund the police’ mean?” 6 June 2020 <https://www.theguardian.com/us-news/2020/jun/05/defunding-the-police-us-what-does-it-mean>

<sup>34</sup> LA Times, “In New York, major crime complaints fell when cops took a break from ‘proactive policing’,” 26

September 2017 <https://www.latimes.com/science/sciencenow/la-sci-sn-proactive-policing-crime-20170925-story.html>

who respond to emergency calls related to mental health and homelessness.<sup>35</sup>

The movement to defund the police has a lot of lessons for the UK. Here in the UK, years of austerity under Conservative governments since 2010 have severely damaged our social services and starved them of resources. It's absolutely true that investing in council housing, education, healthcare, jobs and ending homelessness would do a lot more good than spending more money on police. It's also true that better mental health crisis response services would save a lot of lives. As I have mentioned in previous lectures, I've represented the families of several people who were killed by police while experiencing mental health crises.

However, one complicating factor from a UK perspective is that the UK budgetary picture is significantly different. US defunding advocates point to bloated municipal police budgets which consume an outsize share of city resources. For example, the "People's Budget LA" movement points to the fact that 46% of the City of Los Angeles's unrestricted General Fund is allocated to the Los Angeles Police Department.<sup>36</sup> Activists can therefore make a strong argument that city governments are prioritising the wrong things.

By contrast, in the UK, we have a more centralised system of government, and police funding is not determined by local authorities. It's therefore central government, not local government, whose budget priorities are in issue. And in that context, police funding is a small fraction of public spending. Overall UK police funding was £17 billion in the financial year ending March 2023.<sup>37</sup> That might sound like a big number, but it's a small fraction of the £1.1 trillion of total public sector spending in the same year.<sup>38</sup> Even if we reallocated all of that £17 billion to housing, education, healthcare and jobs, it wouldn't come close to addressing the problems we face.

And unlike in the US, the police in the UK have not been exempted from austerity. The Casey Review found that Metropolitan Police spending levels are now £700 million lower in real terms than a decade ago.<sup>39</sup> That doesn't necessarily mean we shouldn't defund the police. But it does mean that defunding the police won't fix the systemic underfunding of social services.

## Policing in Non-Capitalist Societies

Thus far, we've looked at the role that policing plays in capitalist societies. As we've seen, policing in the US and UK grew up alongside industrial capitalism, and it has always served the interests of the ruling class. Unsurprisingly, police abolitionists are usually also critics of capitalism.

However, a complicating factor is that policing is not limited to capitalist societies. Non-capitalist societies also typically have policing in some form. Let's start by looking at the best-known socialist state, the Soviet Union. In 1917, shortly before coming to power, Lenin called for the replacement of the police with a proletarian militia composed of all able-bodied adults.<sup>40</sup> However, in actual reality, the Soviet "militiya" ended up not as a mass citizens' militia but as a professional police force. And this distinction in name did not even exist in other Eastern Bloc countries, which simply called their police forces "police", such as the East German Volkspolizei.

Of course, many people on the left would not regard the Soviet Union as a true example of socialism. So let's move on from that example and look at two better examples of non-capitalist societies. First, the Autonomous Administrations of North and East Syria, known as Rojava. Rojava has a decentralised political system known as "democratic confederalism", in which the basic unit of government is the self-governing commune, comprising between a few dozen to over a hundred households. All residents are entitled to

<sup>35</sup> The New Yorker, "Sending Help Instead Of The Police In Albuquerque," 4 February 2023  
<https://www.newyorker.com/news/dispatch/sending-help-instead-of-the-police-in-albuquerque>

<sup>36</sup> People's Budget LA <https://peoplesbudgetla.com/>

<sup>37</sup> Police funding for England and Wales 2015 to 2023 <https://www.gov.uk/government/statistics/police-funding-for-england-and-wales-2015-to-2023/police-funding-for-england-and-wales-2015-to-2023>

<sup>38</sup> Public sector finances, UK: March 2023  
<https://www.ons.gov.uk/economy/governmentpublicsectorandtaxes/publicsectorfinance/bulletins/publicsectorfinances/march2023>

<sup>39</sup> Casey Review, op. cit., pp 61-62.

<sup>40</sup> VI Lenin, "Concerning a Proletarian Militia," 23 March 1917  
<https://www.marxists.org/archive/lenin/works/1917/lfafar/third.htm> VI Lenin, "A Proletarian Militia," 20 April 1917  
<https://www.marxists.org/archive/lenin/works/1917/apr/20b.htm>

participate in communal governance.<sup>41</sup> Rojava has been praised for its justice system, in particular the Peace and Consensus Committees, which are neighbourhood committees that resolve disputes on the basis of consensus.<sup>42</sup>

All of this might sound good, and it is. But Rojava has not abolished the police. It has a police force, known as the Asayish, as well as a formal court system and a prison system. In 2014, Human Rights Watch accused the Rojavan authorities of arbitrary arrests, abuse in detention, due process violations, and unsolved disappearances and killings.<sup>43</sup> Whatever the truth of those matters, there can be no doubt that Rojava has police and prisons.

Another example we can draw on is the Zapatista movement. Since the 1994 Zapatista uprising of indigenous peoples, the Zapatistas have built an autonomous system of self-governance in parts of the Mexican state of Chiapas, organising radically democratic “autonomous municipalities” which function independently of the Mexican government. I’m going to quote an article by Anna Rebrii in openDemocracy at some length, describing how the Zapatista justice system works:

*“The Zapatista justice system has gained trust and legitimacy even beyond the movement’s supporters. It is free of charge, conducted in indigenous languages and is known to be less corrupt or partial compared to governmental institutions of justice. But more importantly, it adopts a restorative rather than punitive approach and places an emphasis on the need to find a compromise that satisfies all parties.*

*Rooted in the community, the system consists of three levels: the first level concerns issues among Zapatista supporters, such as gossip, theft, drunkenness, or domestic disputes. Such cases are resolved by elected authorities or, if necessary, by the communal assembly, based on customary practice. When resolving conflicts, authorities largely function as mediators, proposing solutions to the parties involved. If unresolved, cases go up to the next, municipal level where they are dealt with by an elected Honor and Justice Commission.*

*Sentences most of the time involve community service or a fine; jail sentences normally do not exceed several days. As Melissa Forbis explains, community jail is usually just a locked room with a partially open door so that people can stop by to chat and pass food. Since the perpetrator often has to borrow money for a fine from his or her family members, the latter are also involved and their pressure helps prevent further transgression. Women-related and domestic issues are addressed by women on the Commission.*

*Mariana Mora provides a telling illustration of the movement’s approach to punishment, documenting a case in which Zapatistas issued a year-long community service sentence for a robbery. Those found guilty were allowed to alternate service with work on their own cornfields so that their families did not have to share in the punishment. The Commission explained their decision as follows:*

*“We thought that if we simply put them in jail, those who really suffer are the family members. The guilty just rest all day in jail and gain weight, but their families are the ones who have to work the cornfield and figure out how to survive.”*

*The highest level of the justice system, that of the JBG, deals with cases that primarily involve non-Zapatistas or other local political organizations—usually in disputes over land—as well as local governmental authorities. Non-Zapatistas seek out the autonomous justice system not only when they have disputes with members of Zapatista communities, but also when they experience unjust treatment by the government’s officials, in which case Zapatistas may decide to accompany the claimants to the public office and argue on their behalf.*

*While Zapatistas still have police, it is quite distinct from how we are used to think of it... they are neither armed, uniformed, nor professional. Similar to other authorities, police are elected by their*

<sup>41</sup> Rojava Information Center, “The Rojava Revolution – A Decade On,” July 2022

<https://rojvainformationcenter.com/2022/07/10-years-of-the-rojava-revolution-much-achieved-still-much-to-come/>

<sup>42</sup> New Compass, “Consensus is Key: New Justice System in Rojava,” 13 October 2014 [http://new-](http://new-compass.net/articles/consensus-key-new-justice-system-rojava)

[compass.net/articles/consensus-key-new-justice-system-rojava](http://new-compass.net/articles/consensus-key-new-justice-system-rojava) Law Society Gazette of Ireland, “Rojava is an unexpected oasis of progress in Syria,” 23 November 2018 <https://www.lawsociety.ie/gazette/in-depth/rojava-an-oasis-of-progress-in-syria>

<sup>43</sup> Human Rights Watch, “Under Kurdish Rule: Abuses in PYD-run Enclaves of Syria,” 19 June 2014

<https://www.hrw.org/report/2014/06/19/under-kurdish-rule/abuses-pyd-run-enclaves-syria>



*community; they are not remunerated and do not serve in this function permanently. Every community has its own police, while higher administrative levels—those of municipality and region—do not. Decentralized and deprofessionalized, police thus serve and are under control of the community that elects them.*<sup>44</sup>

Rojava and the Zapatista communities offer examples of a more decentralised, democratic, community-based approach to policing and security. But would this solve the problems with policing in our own society? A sceptic might respond that decentralising and democratising policing isn't necessarily a panacea. In our own society, we all know that local communities are capable of being just as racist as central government. It doesn't take a great leap of imagination to envision elected community police in an all-white suburban neighbourhood brutalising a homeless Black man or driving Travellers out of the area.

And another disadvantage of a deprofessionalised justice system is that it's more difficult to achieve certainty and predictability. In liberal democracies, we tend to prize the rule of law and due process. We want to have certainty about what the law is, so that we can order our affairs accordingly. We want the law to be enforced consistently and even-handedly. And we want procedural rights to be observed when a person is arrested, charged and convicted. All these things would be more difficult to achieve in a radically decentralised and deprofessionalised system.

## Conclusion

We've seen that policing is often oppressive. We've seen that policing in the US and UK grew up alongside industrial capitalism, and that it serves the interests of the ruling class. We've seen that the police are often used to repress political dissent, and that they're often racist. So now it's time to answer the question: do we need the police? Can the police be reformed, or should they be abolished? Before we reach any conclusions, let's also remember to consider the role technology plays in modern policing. From body cameras aimed at increasing accountability to concerns about facial recognition and potential invasion of privacy, technology's impact on policing is a complex topic that might warrant further discussion in a future lecture.

But returning to the issue at hand, an obvious response to the question is that if we abolished the police right now, and put nothing in their place, the power vacuum would probably be filled by self-appointed vigilantes and private security forces which would commit worse abuses than the police do, with less oversight and accountability. If we abolished the police, we would abolish the state's monopoly on violence, and the rule of law would be set at naught.

To be fair, it has to be acknowledged that most abolitionists don't have such a simplistic approach. In this lecture we haven't had time to get into the ideas of abolitionist theorists, but we looked at them in the last lecture. Abolitionists don't simply want to abolish the police while keeping everything else the same as it is now. They generally want a broader transformation of society in an anti-capitalist direction. They want greater investment in empowering communities to solve their own problems, and giving communities the resources they need, such as healthcare, jobs, housing and education. And as I highlighted in the last lecture, they have developed alternative forms of conflict resolution which don't rely on collaboration with the state, such as transformative justice.

All the same, though, my view – which many people will disagree with – is that abolishing the police entirely probably isn't a realistic or desirable goal. It's difficult to see how any kind of polity could sustain itself without a monopoly on violence, and that means having some kind of police. As we have seen, even radically democratic and anti-capitalist polities like Rojava or the Zapatista communities of Chiapas have a kind of policing. The basic notion of the rule of law – the idea that we should be able to know what the law is and order our affairs accordingly – requires some degree of centralised power. It requires a legislature and a judiciary. That, in turn, requires someone to enforce the laws made by the legislature and the judgments handed down by the judiciary.

But that doesn't mean that abolitionist ideas should be dismissed. Abolitionists are absolutely correct that the way to reduce crime and conflict in our communities is not through more policing or harsher punishments, but through reducing poverty and inequality, and empowering communities economically and socially. We can think of many policy ideas that would achieve this goal. First, we need to invest in our people, through a

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<sup>44</sup> Anna Rebrii, "Zapatistas: Lessons in community self-organisation in Mexico," openDemocracy, 25 June 2020 <https://www.opendemocracy.net/en/democraciaabierto/zapatistas-lecciones-de-auto-organizaci%C3%B3n-comunitaria-en/>

universal basic income, rent control, a massive council housing programme, free childcare, free higher education, and a properly funded NHS. Second, we need to end homelessness, by abolishing the priority need and intentional homelessness tests, and giving councils a legal duty to house every homeless person. Third, we need to reduce the impact of criminalisation on our communities, by legalising cannabis and decriminalising other drugs, decriminalising begging and rough sleeping, repealing racist immigration laws, raising the age of criminal responsibility, reforming sentencing to reduce the number of people who are sent to prison, and getting rid of overweening police powers such as suspicionless stop and search. We should also repeal the latest spate of anti-protest laws. All of these are measures that abolitionists and reformists ought to agree on. And they would all do far more good than investing in policing.

I started with a quote, let me end with one:

***"Power concedes nothing without a demand. It never did and it never will."*** - Frederick Douglass

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