

## Sound the sirens

SARAH WISE

Paul Lawrence, general editor  
THE MAKING OF THE MODERN  
POLICE, 1780–1914  
Part One, three volumes  
1,232pp. 978 1 84893 371 2  
Part Two, three volumes  
1,200pp. 978 1 84893 372 9  
Pickering and Chatto. £275 each

Published: 11 March 2015



“The Manhood Suffrage Riots in Hyde Park”, 1866,  
by Nathan Hughes Photograph: © The Bridgeman Art  
Library

that any pacification of the populace that may have been achieved had been the result of police heavy-handedness, covert surveillance and a legislative crackdown on the traditional amusements and activities of the labouring classes. Peel’s 1829 Metropolitan Police Improvement Act, together with the 1824 Vagrancy Act, had, they said, been framed to make the poor the focus of state supervision, for the greater protection of the bourgeoisie but also to promote the embourgeoisement of the lower orders – or to at least force them into an accommodation with capitalism.

Both of these narratives have been challenged by scholars in the past twenty-five years or so – a golden age of revisionism for this exciting subgenre of social history. Many in this third wave have spotted that the older, unreformed methods of law enforcement had not been as inefficient and ineffectual as the first wave of commentators had claimed; nor had the traditions and mentalities of the older policing systems fully disappeared in many parts of the country. As for the social-control model, it has proved to be inadequate when set against the documentary evidence (vast caches of which have survived) of what the police actually did, or decided they would not do, in their day-to-day implementation of policy.

***We hope you enjoy this free piece from the TLS, which is available every Thursday in print and via the [TLS app](#). This week’s issue also features collectable *Lives of the kings, Italian cinema abroad, Aristotle and the beginnings of science, salty food from Venice – and much more.****

“Some’s very good men, and some on ’em are tyrants”: the verdict on the “New Police” given to Henry Mayhew by a Punch & Judy showman in 1850 is pretty much the one that we reach by the end of Pickering and Chatto’s history of the nation’s modernized police forces. The primary source evidence collected together here contains fuel enough to feed the notion of an intolerably corrupt institution imposed on the British population by a newly enlarged propertied class; but there are also many extracts that could lead us to suppose that the police have, since 1829, been a major reason that we are able to lead decent, civilized lives.

The majority of the earliest historians of the police presented a Whiggish view, in which eighteenth-century judicial ineptitude was swept away by Home Secretary Sir Robert Peel’s police reforms – the power of enforcing public order being transferred from the antiquated, frequently perverse magistrate–militia partnership. In such accounts, the initially unpopular modernized police gradually won the trust of the working- and lower-middle-class citizenry, ushering in an era of social orderliness by the final third of the nineteenth century.

In the 1970s, this view was countered by researchers who claimed

Despite this collection's title, the earliest extracts were written in the 1750s, and highlight the theoretical positions that would underpin the decades-long debate about whether a paid, uniformed, hierarchical body of men should be created to replace the local, unpaid constables responsible for keeping order in public spaces and bringing criminals to justice. Henry Fielding's *Enquiry Into the Causes of the Late Increase of Robbers* (1751) is accepted as the first noteworthy plea for the methodical prevention of crime, rather than solely an improvement in the arrest and punishment of criminals after the fact. Fielding envisaged a new body of crime-fighters as just one element in a new moral order in which the poor would be prevented from turning to vice and crime in the first place. He advised severe curbs on places of entertainment, on the selling of alcohol, on gambling and any aspect of modern life that would tempt the weak-willed into becoming "vicious". An instant refutation, by the journalist Richard Rolt, pointed out that top-down attempts to "moralize" the lower orders would undermine their liberty and sense of independence. A nation of cringing, hypocritical slaves would emerge, Rolt wrote; better to allow the poor to exercise their own moral choices and accept whatever punishments might follow their wrong decisions.

Later eighteenth-century "moral reformists" wished the poor to be able to benefit from the order and stability that a professionalized police force would foster. Writing in 1780, the philanthropist Jonas Hanway pointed out that not having an effective police was "enslaving" British men and women – who were prey to villains of various kinds and were the most vulnerable part of the population whenever serious civil disorder took place. A body of paid and trained "civil soldiers" – men drawn from the citizenry, not from the Army – would protect against the "atrocious violence" visited on people during criminal acts or breakdowns in order. Such an organization would obviate the need for the local militia or the standing Army to be called in during unrest. Or, as the Solicitor-General put it in 1785: "To keep the bayonet out of employ, the power of the civil officer must be rendered efficacious".

Sir Robert Peel would reuse the slavery/liberty arguments during the passage of his 1829 Act; and as his Bill passed, the journalist Albany Fontblanque, a supporter of Peel's legislation, wrote of "the liberty we have hitherto enjoyed of being robbed and knocked on the head at the discretion of their honours, the thieves". Legislation similar to Peel's had failed in 1785 because of outrage at the attempt to centralize London's policing – wresting control away from the parishes, and especially from the City of London, and handing it to government. Peel cleverly left the City out of his 1829 draft Bill, circumventing that particular vested interest; and he overcame the fears that the new force was to be a militarized body imposed from above by insisting that the Metropolitan Police would bear firearms only in exceptional circumstances and would wear uniform that was as close to civilian clothing as possible. Nevertheless, "Peel's Private Army" was one of the many slang names Londoners gave to the new force, while the *Weekly Despatch* newspaper routinely referred to them as "police soldiers".

Much mystery remains surrounding what precisely Peel had intended in creating the New Police. In the year before he introduced his legislation, he had appeared baffled by the heterogeneity of modern Britain, writing: "What must I do with the Police? . . . It has always appeared to me that the Country has outgrown its Police Institutions. The difficulty in this . . . is to divine any general rule which shall apply to a society so varying in its subdivisions as ours is". While his Bill was concerned with London only (excluding the City, as noted), it was assumed, or hoped, that other urban areas, and eventually rural districts, would modernize their forces in line with the metropolis, though the mechanics of how this would be achieved were not stated. Among other things, Peel's Act also dodged making a realistic costing of the New Police; and it is uncertain the extent to which he intended the new force to be a tool of control predominantly of the poor and an agency for "improving" their habits. To what extent would the middle and upper classes have their misdeeds scrutinized? The first joint police Commissioners, Richard Mayne and Charles Rowan, drafted an insistence that the New Police must treat all ranks in society with the same firmness and courtesy, but Peel himself had not stated this, and earlier thinkers seem to have been largely silent on the matter, too.

The Act was therefore something of a leap of faith; and while Rowan and Mayne went to work on the detail of how it would operate, they were every bit as reactive as they were proactive. The 180 or so items collected in these volumes spotlight the dilemmas, paradoxes and outright scandals that would continually modify the policing of Britain up to the eve of the First World War. Organized into six volumes thematically – covering the structural and administrative changes; the policing of the poor; of popular entertainments; political policing; and the role of the detective – the material includes tracts, correspondence, police memoirs, parliamentary reports, press cuttings and previously unpublished police internal paperwork.

The story these combine to tell is a necessarily messy one: as late as the mid-1850s, different parts of the country were operating “New”, “unreformed” and “semi-reformed” policing systems, and only by 1870 were the majority of districts operating a relatively standardized system. Even after that, each force tended to work to its own operational priorities, and attitudes to the job would vary from force to force and sometimes from beat to beat. There were bad apples; there were heroes; and the majority of policemen were neither. A linear story – of increasing professional sophistication, and growing approval of the police by ever-larger sections of the population – cannot be discerned; even “two steps forward, one step back” is too neat a line to take. But a confusing tale is not necessarily an incoherent one.

To take the most contentious issue first – the extent to which the New Police were an instrument of class control – what emerges are two major challenges to this notion. First, internal documentation that flowed up and down the hierarchy reveals that such factors as funding, staff capacity and media-inspired moral panics regularly shuffled the priorities of every force. Consistency in crackdowns of any kind was rarely possible. Secondly, it is clear from early police documents, especially the Complaints Books, that the New Police *began* by understanding that they could only be effective if they knew how to reach compromises with many sections of the working class, whenever, for example, noise, unruliness, loitering and out-of-hours drinking were complained of by the “respectable”. The standard line has always been that such compromises were arrived at only after years of failure to tame and bring outside the rougher elements; in fact, it is clear that the need for discretion and a certain amount of turning a blind eye had been acknowledged right from the start.

New Police officers were drawn almost exclusively from the working class and many memoirs of retired policemen refer to the social ostracism that followed when a young man joined the force; friends and sometimes family members no longer felt entirely at ease in his company. However, having the common touch meant that constables could establish informal (technically corrupt, in fact) alliances with such figures as publicans, with a view to minimizing, or at least hiding from public view, many of the anti-social aspects of drinking culture. Maintaining the appearance of public order was a much more realistic goal than keeping order itself.

Just how much of a blind eye could be turned by the police is revealed in a series of exchanges between Charles Babbage and Commissioner Richard Mayne. The father of computing had endured years of nuisance and loud noise outside his home and workshop at Dorset Street, Marylebone (in which his analytical machine the “Difference Engine” had been designed). An Act of 1839 gave the Metropolitan Police the power to move on any noisy entertainment-related street activity if “reasonable cause” could be shown that it was an annoyance to a householder; these powers were strengthened in 1864. Babbage made a very good case that his domestic quiet and his workshop employees’ ability to concentrate were being seriously harmed by the succession of brass bands, organ grinders, fiddlers, bagpipers and foul-mouthed urchins outside his home, plus the stilt-walkers who would regularly peer in at his windows. But Mayne was unshiftable: the amusements of the people, and their love of music and entertainment, were not to be halted on the simple word of a householder. Even when Babbage began to be followed by a hostile local mob, angered by his requests for quiet – and shouting obscene insults, pelting him with stones and mud and attempting to overturn a cab he had entered – neither the Marylebone constables, the local magistrate nor Mayne would side with him.

Mayne was at this time on the back foot with regard to crowd control. Serious disorder had broken out on July 1, 1855 in Hyde Park when a peaceful demonstration against a Sunday Trading Bill turned ugly, with allegations that the police had instigated the violence. A parliamentary report criticized Mayne and the Met, and did so again in 1866, when Mayne acted on the Home Secretary’s order to ban a Reform League meeting in Hyde Park; three days of rioting followed as a result. This shift towards prohibiting marches, and the presence of massed police preventing entry to public space for a legitimate rally, appear to have brought previously uninterested Britons into sympathy with the franchise reformists. (The Second Reform Act was passed the following year.)

Although the prevention of crime was the first duty of the New Police, the policing of public meetings and demonstrations had been part of their remit from the start. But just four years after the Met’s formation came the discovery that a sergeant, William Popay, had not just infiltrated the National Political Union of the Working Classes, but had attempted to incite its members into expressing revolutionary sentiments. Although the subsequent inquiry exonerated the Metropolitan force as a whole (Popay alone was sacked), this was the first warning to the public that their fears had been well founded – that the New Police would contain plain-clothes officers undertaking covert surveillance of perfectly legal organizations. The use of British policemen as agents provocateurs has never ceased to be unsettling; this year there is to

be a judge-led inquiry into the activities of the Special Demonstrations Squad, which infiltrated deep into environmental and socialist pressure groups to the extent that children were fathered by undercover officers with unsuspecting female campaigners.

In 1870, however, Sir Robert Anderson, Home Office adviser on political crime (and previously the British government's "spymaster" in Ireland), reported how little, and how inefficiently, infiltration and reporting on political meetings was being done. The data that was being collected – almost solely on radical English, and Fenian groups – was rarely shared or acted on, Anderson claimed. The formation of Special Branch in 1888 (arising out of the Irish Special Branch, founded in 1883) led to more thorough surveillance of leftist political bodies. The Metropolitan Police had now travelled a long way from the stated aims of Peel, Rowan and Mayne and the sacking of Sergeant Popay, and was operating an unashamedly politically partisan department. The concept of localism was also set aside by the creation of Special Branch – another decisive break with the formative spirit of the New Police, which at least knew that lip service needed to be paid to localism.

A similar hardening with regard to civil liberty is evident in the passing, between 1869 and 1879, of a number of Acts that permitted police to arrest on sight those who had previous convictions. (These laws were known colloquially as "The Fly Paper" in poor districts: once caught, it was almost impossible to get free.) Accusations of police harassment of those who were attempting to go straight became common.

The extent to which police officers were prepared to use excessive violence on unarmed protesters and without provocation became public (with photographic evidence, no less) with the events of Black Friday – November 18, 1910. Numerous bystanders were willing to testify that the police on duty in Parliament Square had gone far beyond simply blocking the path of the deputation of the Women's Social and Political Union to the Houses of Parliament, but had terrorized, intimidated and inflicted sexual humiliation. Prolonged physical and sexual assaults, against a group of women who included the elderly, the frail and even one woman with the Edwardian equivalent of a zimmer frame, were recorded. Those who intervened to help were also punched to the ground and kicked by police officers. The Home Secretary, Winston Churchill, said that the combined statements accompanying requests for a public inquiry were mendacious, and no further official action was taken.

The episode is particularly well covered by the selection of texts presented by the editors of this collection. It would have been a bonus if some of the mid- and late nineteenth-century calls for greater police action in the domestic sphere had been included in one of the volumes. As early as the 1840s, assaults committed within the home on wives and children were being pursued by such organizations as the Associate Institute for Improving and Enforcing the Laws for the Protection of Women and Children, which encouraged the prosecution of violent husbands; the police were said to have co-operated with the Institute, despite the taboo of intruding into private lives and domestic spaces.

Also missing is the role that the Thames River Police (a reformed and dynamic small specialist force, formed as early as 1798) may – or may not – have had as a model for Peel's New Police. And a consideration of the policing, or lack of it, of upper-class hoodlums on the rampage in the West End after a hard night's drinking would have been welcome, too. But these are minor criticisms of an otherwise excellent compendium, which is likely to be a huge help to anyone who wishes to set about mining the many rich seams of police history.

**Sarah Wise's** books include *The Blackest Streets*, about the Old Nichol, a notorious Victorian slum, published in 2008, and, most recently, *Inconvenient People: Lunacy, liberty and the mad-doctors in Victorian England*, 2012. She teaches Nineteenth-Century Social History and Literature at the Bishopsgate Institute, London.