

THE MYTH OF BLACK CRIMINALITY

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The Police must win. . . but we must never be seen to win easily. If policemen all loaded down with special equipment went to a demonstration and arrested 1,000 people and no policemen were injured, why the critics would be coming out of the woodwork. Its like a good cricket match: we must thrash the other side, but our public likes us much better if we come from behind to do it.

(Deputy Assistant Commissioner George Rushbrook)

The last decade has witnessed 'law and order' moving steadily to the centre of the political stage. As the national crisis has deepened, the extension of police power and the recruitment of law into political conflicts have become commonplace. The rule of law and maintenance of public order have appeared in forms which involve a racist appeal to the 'British Nation'¹ and have become integral to maintaining popular support for the government in crisis conditions. Indeed the recent history of 'law and order' is scarcely separable from the growth of popular racism and nationalism in the period following Enoch Powell's² famous intervention. Powell's wide-grinning piccaninnies have grown up, and with the onset of their adulthood, potent imagery of youthful black criminals stalking derelict inner-city streets where the law-abiding are afraid to walk after sunset³ has been fundamental to the popularisation of increasingly repressive criminal justice and welfare state policies.

Beacuse of their capacity to symbolise other relations and conflicts, images of crime and law-breaking have had a special ideological importance since the dawn of capitalism.⁴ If the potential for organised political struggle towards social transformation offered by criminality has often been low, images of particular crimes and criminal classes have frequently borne symbolic meanings and even signified powerful threats to the social order. This means that 'crime' can have political implications which extend beyond the political consciousness of criminals. The boundaries of what is considered criminal or illegal are elastic and the limits of the law have been repeatedly altered by intense class conflict. It is often forgotten that the political formation of the working class movement in this country is saturated with illegality. The relation of politics to 'crime' is therefore complex. These points should be borne in mind if socialists are not to rush into the arms of the right in their bid to 'take crime seriously'.

Black Crime and the Crisis

In contemporary Britain, the disorder signified in popular imagery of crime and criminals, to which law and order is presented as the only antidote, has become expressive of national **decline** in several ways. At best, a lingering environmentalism makes a **causal** link between crime and unemployment or the deterioration of the inner-cities. At worst, discussion of crime becomes subsumed by the idea that the rule of law, and therefore the Nation itself, is somehow under attack. Here alien criminals⁵ take their place alongside subversive enemies within⁶ and self-destructive defects in the national culture.⁷ Race is, however, always dominant in the way this decline is represented. The left's failure to appreciate how the racism of slump and crisis is different from the racism⁸ of boom and commonwealth, has meant that they have not grasped how notions of black criminality have been instrumental in washing the discourse of the nation as white as snow and preparing the way for repatriation. The imagery of alien violence and criminality personified in the 'mugger' and the 'illegal' immigrant has become an important card in the hands of politicians and police officers whose authority is undermined by the political fluctuations of the crisis. For them, as for many working-class Britons, the irresolvable difference between themselves and the undesired immigrants is clearly expressed in the latter's culture of criminality and inbred inability⁹ to cope with that highest achievement of civilisation—the rule of law.

The centrality of race has been consistently obscured by left writers on police and crime, often too keen to view 'racism' as a **matter** of individual attitudes adequately dealt with under the headings of **pre-judice** and discrimination, and the struggle against it as an **exclusively** ideological matter far removed from the world of class politics.

In answer to this tendency, it is our contention that recognition of contemporary importance of racial politics allows a number of important analytical and strategic issues to take shape. It is not only that a left movement which makes rhetorical commitment to viewing the law as an arena of struggle can profit from careful attention to the methods and organisational forms in which various black communities have won a series of legal victories whilst simultaneously organising outside the courtroom, though the history of such cases, which span the 12 years between the Mangrove 9¹⁰ and the Bradford 12, does merit careful inspection. It is rather that taking the experience of black communities seriously, can transform 'left wing' orthodoxy on the subject of the police and thereby determine a change in the orientation and composition of the struggle for democratic local control of police services. It is fruitless, for example, to search for programmatic solutions to 'discriminatory police behaviour' in amendments to the training procedure when professional wisdom inside the force emphasises a racist, pathological view of black familial

relations, breeding criminality and deviancy out of cultural disorganisation and generational conflict." If this racist theory is enshrined in the very structure of police work, it demands more desperate remedies than merely balancing the unacceptable content against increased 'human relations' training. However, left-wing writers have tended to ignore the **well-documented**¹² abuse of the black communities by the police which stretches back to the beginnings of post-war settlement in sufficient volume to have made a considerable impact on their critical view of the police. This history not only shows the manner in which police violate the letter and the spirit of the **law** in their day to day dealings with blacks. It is sufficient to prompt questions about the kind of law which deprives 'illegal' immigrants of their rights of Habeas Corpus, restricts their rights of appeal, operates retroactively, and bids its special branches to round them up whilst sanctioning vaginal examinations and dangerous X-rays of other would-be **settlers**.¹³

Lack of attention to other important issues has similarly reduced the value of left analysis of police and crime. The continuing war in the six counties of Northern Ireland has had profound effects on the police service on the mainland. These go beyond the simple but important idea that operational techniques, methods of surveillance and even structures of criminal justice refined in that experience are being progressively implemented in **Britain**.¹⁴ The appointment of Sir Kenneth **Newman** to the Metropolitan Commissionership indicates the official premium placed on lessons learned there, but the fact that senior policemen routinely study General Frank Kitson's, *Low Intensity Operations*¹⁵ and Colonel Robin Eveleigh's *Peace Keeping in a Democratic Society, The lessons of Northern Ireland*,¹⁶ more accurately conveys the transformation of policing theory which has followed the impact of counter-insurgency planning. It has been argued¹⁷ that theories of 'Community Policing' most clearly represent the fruits of this relationship, and though we cannot go into this in detail here, several basic points can be made. Counter-insurgency theory not only stresses the need to combat domestic subversion,¹⁸ but also the annexation and synchronisation of social and welfare state institutions under police control. Though all of **Kitson's** methods are not readily transferable to the current situation on mainland Britain it is clear that his definition of subversion includes activities which are neither illegal nor alien to the political traditions of the working-class movement in this country.

It (subversion) can involve the use of political and economic pressure, strikes, protest marches, and propaganda.¹⁹

General **Kitson** has recently been appointed Chief of Land Forces in the UK. It is also worth pointing out that it is the liberal ex-police chief

John **Alderson** who has been credited with pioneering the study of counter-insurgency theory on the senior command course at Bramshill Police College.²⁰ **Kitson's** emphasis on the psychological dimension to law enforcement and peace-keeping operations 'psyops' is echoed in Alderson's stress on the imagery and language of police politics:

We need a climate to be created in which we (the police) are seen not as potential enemies, but as potential friends and, dare I use the word, brothers. You have to start talking like that. You have to use expressions like that. The rhetoric of leaders and administrators is critical.'

If policing by consent is the fundamental principle of the British approach, crisis conditions dictate that policemen have ceased to merely pay lip service to this idea, they now recognise that consent must be won, maintained and reproduced by careful interventions in popular politics.

It has been suggested that the use of computers in Northern Ireland has made a considerable impact on the British police in its own right, here too there are lessons which have been learned from maintaining law and order in the six countries.²²

Popular Politics of Law and Order

Various fractions of the left movement, increasingly marginal to popular concerns, have recently glimpsed in the intensity of feeling around questions of law and order a means to gain proximity to the working class. These theorists²³ take note of the fears of crime and violence which have been amplified by the entry of police chiefs into media politics. But rather than view these fears as themselves produced by a novel situation in which the police have begun to derive their ideological authority from a direct relationship to the people, and their political legitimacy from an increasingly acceptable voice in matters of social policy, this fear is taken as an unproblematic reflection of the reality of crime in working class communities. There is not the slightest acknowledgement that police are in a good position to mould and even create public fear in such a way as to justify an increase in their powers. This is a serious lapse in view of the fact that they state intellectuals have begun to abandon the idea that detecting and preventing crime can be the principal object of police work, arguing instead, that²⁴ 'the fear of crime. . . is perhaps only marginally related to the objective risk of becoming a victim' and that 'people who feel well policed are well **policed**'.²⁵

One consequence of this is that the public, particularly the black public must be re-educated²⁶ in more realistic expectations of the police and their capabilities. We shall explore the way in which this shift has transformed the politics of policing below, but it must be immediately related to an understanding of the manner in which Chief Constables have

become media personalities and also to the personalisation of their office which has followed Sir Robert Mark's reign at Scotland Yard. It is remarkable that the left has accepted the over-polarisation of debate around the contrasting police personalities of James Anderton and John Alderson.²⁷ Alderson has himself warned that this simplistic view 'obscures more than it reveals'. There is also evidence to suggest that the police in Devon and Cornwall are as capable of the excesses of 'fire-brigade'²⁸ policing as their brother officers in Manchester. This makes nonsense of the view of community policing as a miraculous cure-all for urban ailments and the symptoms of economic crisis. Alderson's much publicised solutions to the problems of a society 'in which the only permanence is change' appear attractive when contrasted to the crudities of operation 'Swamp 81', but the reality of community policing is rather more complex in theory let alone in practice, than the optimism and enthusiasm of some left commentators would suggest. It is not always appreciated, for example, that 'community policing' is not planned to be an alternative to other 'more dramatic'^p modes of police work, but rather a 'complementary strategy' designed to 'bring the reactive and preventive roles of the police service'³¹ into a balance appropriate to long-term aims and objectives'.

A senior officer from the West Midlands where Alderson's ideas have been put to the acid test of the inner-city, dispels the idea that community policing alters the fundamental orientation of aims of the police officers who practise it: 'We are not always the nice guys. . . these are good sound operational PCs in uniform doing an operational PC's job, but they are doing it more effectively. . . We're not trying to create a force of social workers or make claims we are getting involved in welfare. It's very much policing.'³¹

In his evidence to the Scarman enquiry, Brixton's home beat policeman, John Brown³² provided further insights into the relationship between the 'criminal intelligence' gained in the practice of 'penetrating the community in all its aspects' and the more reactive and aggressive styles of policing. Brown explains that he not only guided the special patrol group round his own beat during their last tour of duty in Brixton, but also that in the past he aided officers from a neighbouring district in collecting the names of demonstrators engaged in an entirely lawful and non-violent trade-union dispute. When asked if this could be described as intelligence gathering, Brown replied, 'No it is not that.'

Illusions about the nature of policing theory revealed in the naive view of community policing are compounded by an innocent faith in the even-handedness of police practice on the ground. Ian Taylor, for example, criticises the left as conspiratorial in their approach to policing issues and 'proves' this by suggesting that the police have been systematically curtailing the military activities of the fascist right, and calling for bans of their marches. That the gun-running activities of the right can be exposed on

prime-time television without the police prosecuting the individuals responsible makes nonsense of Taylor's first claim.³³ The nature of blanket bans which restrict all protest, and which cannot therefore be regarded as victories, invalidates his second. On this last point, it is remarkable how little critical comment has greeted Lord Scarman's recommendation that the Public Order Act 1936 be amended so that the police must be notified in advance of any procession or demonstration.³⁴

The left's failings in relation to law, police and crime go far beyond poor analysis of the immediate situation or misunderstanding of the Scarman Report. However, discussion of the conflicts of Summer 1981 and the political responses to them can illustrate more general failings with great clarity.

In a series of influential articles, John Lea and Jock Young³⁵ have argued that the source of the summer riots lay, not in matters of police harassment and abuse, but in the political marginalisation of inner-city communities. Their analysis is disabled by a startling ignorance of police/community relations. Worse than this, the view of the black communities which they advance shares a great deal with the most conservative explanations of the conflict. They view West Indian life as characterised by pathological family relations and a high degree of generational conflict, but these are not presented as the sole source of black criminality. Discrimination, disadvantage, and economic alienation clash with inappropriate aspirations derived from the internalisation of 'British values' (sic) and this also generates the 'propensity' to crime. Thus the relation between race and crime is secured, not directly, as in the biological culturalism of Conservative explanations, but at one remove which is equally dangerous, particularly as it prompts speculation as to why it is only the black poor who resolve their frustration in acts of criminality. To present 'black crime' as a primarily cultural problem whether forged in the economic 'no man's land' between deprivation and restricted opportunity, or secured in a spurious social biology, is a capitulation to the weight of racist logic. This suggests a total discontinuity between the cultures of black and white youth which is inappropriate given the multi-racial character of the riots, and becomes openly visible when Lea and Young trace the roots of urban British street crime to a 'minority and deviant sub-culture within the West Indies'.

The emphasis on black culture legitimates the idea that any black, all blacks, are somehow contaminated by the alien predisposition to crime which is reproduced in their distinctive cultures, specifically their family relations. Police theorists have already made the link between supposedly 'Victorian' conceptions of discipline in the West Indian home and the growth of Rastafarian inspired criminality:

This unfortunate break-up of family association has seen the formation of

substantial groups of young blacks leaving home and banding together in numerous squats and communes, unemployed and completely disillusioned with society. Most of them have donned the Mantle of Rastafarianism, or more precisely the criminal sub-cult of the dreadlock fraternity.³⁶

Young and Lea do little more than reproduce this pathology in polite social-democratic rhetoric.

Their political solution to **police/community** conflict is built on the possibility of instituting what they describe as 'consensual policing'. This, they explain, is a situation in which 'the policeman is in and with the community'. They refer to the breakdown of this relationship, implying therefore that it existed in the past, yet are unable to cite a single concrete historical instance of where or when this model of social harmony has actually existed. Their related view of the police officer as a friendly or avuncular figure, acceptable to the urban working-class bears scant relation to the numerous instances of conflict between class communities and the police which appear to have extended well into this century. Their view is also unable to accommodate the practice of forms of social crime in urban working-class communities, particularly by young people,³⁷ let alone patterns of intra-class struggle which have often involved forms of property crime.³⁸

Young and Lea present the militarisation of inner-city policing as a straightforward, if undesirable, response to rising levels of 'street crime' in inner areas. There is no acknowledgement of the possibility that broader imperatives of social control and public order have been transformed by crises of political representation and in the economy. The neat scenario which presents rising street crime as the cause and police militarisation as the effect, places the blame for this state of affairs squarely on the shoulders of minority of deviant blacks. It is posited at the expense of engaging with the history of **police/community** relations, particularly in so far as this relates to the black communities. Supt. Lawrence Roach,³⁹ sometime head of the Met's Community Relations Branch has revealed how the development of specialist community relations policing has arisen out of the exigencies of policing the blacks; police theorists' views on the functions of communities in police strategy⁴¹ also suggest that techniques devised in policing black areas can provide a new paradigm for policing cities in crisis conditions.

Significantly, prior to their defeat by black youth at the Notting Hill Carnival in 1976, Metropolitan police evidence to the Commons Select Committee described a situation in London where, during the preceding 12 months, forty incidents 'carrying the potential for large scale disorder' had developed out of police attempts to arrest black youths. The pattern of this conflict dates back to the early 1970s, landmarked by notable cases of **police/community** conflict in Notting Hill (1970), Brockwell

Park (1973), Stockwell, Cricklewood, Dalston, Hornsey and Brixton (1975). However, London was not unique in the scale of street-level conflict between the police and the black communities. In Birmingham, the massive stop and search operation which sealed off the Handsworth area following the murder of a policeman in July 1975 involved the arrest of 600 blacks though only one was charged. (The officer had been stabbed after setting his dog on a young woman outside the Rainbow Room Club.) In Leeds, the bonfire night confrontations in Chapeltown occurred annually from 1973 to 1975. The summer of 1976 saw well-documented conflict in Manchester, Birmingham and at least four different parts of London.⁴¹

The combined weight of these 'isolated incidents' is sufficient to transform the picture presented by Young and Lea, restoring in the process a determinancy to the dynamics of **police/community** conflict which is obscured by their idea of black 'counter culture' or 'unintegrated ethnic culture'. The systematic application of militaristic and reactive policing to black areas the length and breadth of Britain undermines any view of consensual policing—black streets have never enjoyed the benefits of this police policy. Furthermore, the nature of these police operations is not adequately grasped by reference to 'discrimination' or the 'prejudice' of individual officers. They are systematic and, in police terms, rational, as a complex body of specialised policing theory informs them and legitimates the view of blacks as disproportionately prone to criminality.

Black political organisation against police abuses has frequently exhibited a unity between people of Asian and Afro-Caribbean descent,⁴² yet most left-wing writers on the subject seem curiously keen to introduce a pernicious contradiction between the interests of the two communities with regard to law and order. Several authors have identified an implicit Asian demand for more rather than less police activity,⁴³ albeit of a rather different type from that which they have come to expect from the British police. This suggestion, which derives its plausibility from the twin racist stereotypes of the quiescent Asian victim and the criminally inclined West Indian street youth, has been achieved at the expense of historical record. Young and Lea, Taylor and Frith all cite the rioting outside the Hamborough Tavern in **Southall** last July as an example, and each views this incident as violence of a different order from that experienced elsewhere. Their suggestion that the militant Asian youth did not know what they were doing when they attacked police and skinheads alike is derisory. It is impossible to grasp the meaning of the 1981 riots in **Southall** without careful attention to previous confrontations there. In 1976, after the death of Gurdip Singh **Chaggar**, and again in 1979 during the police riot there, Asian youth acquired their own grievances against the local police whose abuse of the black community had been catalogued as early as 1973 by Dr. Stanislaus **Pullé**. It is therefore more plausible to suggest that their assault on the police was not an inarticulate demand for more bobbies

on the beat, but a sign of their deep anger, created by years of harassment and a powerful statement to the effect that like their sisters and brothers in the Afro-Caribbean communities, militant Asians viewed community self-defence as the legitimate answer to racist violence. It is worth recalling that the initial response by officers at a police disco in Hammersmith to the news that rioting had started was to sing 'there ain't no black in the Union Jack'.⁴⁴ They were silenced by their senior officers.

The central argument here is that the question of black crime must be approached in a historical fashion, and in a context supplied by the overall pattern of **police/community** conflict in conditions of deepening crisis. In conclusion, there are several general points about the priorities and structure of police practice which need to be brought into the discussion. There is strong evidence to suggest that emphasis on particular crimes can engineer what appear to be crime waves of these offences, not only because of heightened public sensitivity to these crimes, but also as a result of changes in police **practice**.⁴⁵ It is certainly plausible that 'mugging' has constituted a self-fulfilling prophecy of this type. Blom-Cooper and Drabble⁴⁶ have recently shown that the Met's manipulation of the compound categories in which their statistics are recorded can be used to support this view. Young and Lea are not alone on the left in their tendency to take critical crime statistics at their face value.

E.P. **Thompson**⁴⁷ and Ian **Taylor**, among others, have also been disinclined to question these figures. It is important that the left clarify their views of officially recorded crime rates, particularly as a growing number of police thinkers and right-wing ideologists proceed unimpeded by the idea that they are an accurate reflection of crime actually experienced.

The Police Federation magazine, hardly noted for its radical politics, recently argued: 'no informed person regards the existing criminal statistics as the most reliable indicator of the state of **crime**'.⁴⁸ More significantly, Inspector Peter Finnimore's essay 'How Should Police Effectiveness Be Assessed', winner of the 1980 Queen's police gold medal essay competition, attacked statistics not only as a guide to the level of crime, but also as a measure of police activity:

It is difficult for experienced police officers to concede that skilful police work has relatively little effect on overall crime levels, but it must be realised that no criticism is implied by such a view.⁴⁹

In addition to this, the fact that official surveys of the victims of crime have consistently returned findings⁵⁰ which are completely at odds with the idea that crime itself rises when 'crime rates are soaring', should draw comment from the left. None of these authors appear to be aware of this. Finnimore is correct to insist that the issue of objective knowledge of crime leads directly to whether it is within the capacity of police to

prevent or deter. Most recent left thinkers subscribe to what Home Office researchers have called the 'rational deterrent' model.⁵¹ Young, Lea and Taylor, though they are correct to emphasise that the flow of information from communities is the main source of police knowledge, balance this by the idea that in exchange for the information the police will prevent crime. They are particularly concerned with the everyday forms in which it is experienced by working class communities. This view of police capability is debatable to say the least, for two distinct, but related reasons: Scrutiny of the history of policing in Britain,⁵² particularly its cities, suggests that everyday crimes in which the working class are the victims have never been of major concern to police; and secondly, the proliferation of private security firms described by Hilary Draper⁵³ suggests that the police may not even have been very successful in protecting the property of the bourgeoisie. Recognising these limitations to their capacity, Police Chiefs and Senior Home Office researchers have begun to raise the question of whether police are capable of deterring or preventing criminal activity. Assessing recent British research into the effectiveness of policing, R.V.G. Clarke and K.H. Heal from the Home Office Research Unit conclude:

The crime prevention value of a police force rests less on precisely what it does than on the symbolic effect of its presence and public belief in its effectiveness.⁵⁴

Sir Robert Mark, who uses these arguments to justify a greater police concern with public order and anti-terrorist crime, puts the same point with characteristic bluntness:

A great deal of crime is simply not preventable. Even the biggest police force that society could want or afford to pay would be unlikely to have any significant effect on the numbers of thefts, burglaries, or on crimes of violence between people who know each other.⁵⁵

This points to the need for more imaginative and bold initiatives from the left on the issue of law and order. Contemporary 'socialist' thinking on crime and police is dominated by pathological and environmentalist explanations wedded to a practice of progressively greater demands of a criminal justice system in which it is often forgotten formal, legal equality sits uneasily on real inequality and relations of power and domination. In crisis conditions, police have increasingly separated the crime detection/prevention side to police activity from its political and ideological requirements.

The implications of this, and the role of representations of black criminality in securing legitimacy for police actions, is explored below in discussion of police responses to the riots in July 1981 and the Scarman inquiry which followed them.