

## COMMUNITY TO CITY: A PERSPECTIVE OF AMERICAN LAW ENFORCEMENT

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### *Introduction*

Certainly the need for security forces is as old as the city. Even in the time of Hur Moheb about 1340 B.C. there was a kind of river police force on the Nile in Egypt (1).

The idea of paid, civilian police, distinct from the military and responsible to the public, not the king or central executive, is, however, relatively modern. It is a development of the industrial city of the last two centuries, when population growth made the old concept of citizen-constable unequal to the task of maintaining order in a large and complicated jumble of different communities with separate customs and attitudes. When the entire city was small and homogeneous, and deadly weapons scarce, it was much easier for the average able-bodied citizen to exert his authority over more unruly members of the population.

To many Americans 175 years ago a professional police force was an unthinkable encroachment on basic civil liberties. Wrote one Boston newspaper editor, "If there ever comes a time when Americans have to have their cities hire paid professional policemen, it will be the end of freedom and democracy as we have known it." (2)

Perhaps this was an end to the world they knew, but it was an end brought about by the conditions which necessitated the introduction of policemen, not by the officers themselves.

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(1) Earl E. Riley, former executive director, Mississippi Coast Crime Commission, "Historical Notes", Law and Order Magazine, June, 1975.

(2) Joel Plummer, Commissioner, Tennessee Department of Safety, Address before Tennessee Association of Sheriffs, Aug. 6, 1975.

In colonial America law enforcement as we now know it was largely a community responsibility, undertaken by individual citizens by turns or as the need arose. Preserving order in the boroughs and towns were members of the able-bodied, free citizenry who rotated in the positions of constables and watchmen. The sheriff, principal keeper of the peace for the county, was chosen from among wealthy landowners.

The American sheriff, like his English counterpart, could summon a posse comitatus, that is, raise a group of men to pursue a criminal or squelch an insurrection. He was chief administrator of the county courts, and supervised the impanelment of juries. As a law enforcement officer, the colonial enjoyed far greater autonomy than the Englishman, who was appointed by the king and subject to regular scrutiny by Parliament. This independence extended generally to other officers of local government, the justices of the peace and jurors, and the propertied class from which they came. What direction Parliament and the Crown gave to American affairs was on the colonial level, leaving local government to develop more freely.

The communities which grew up on the Eastern seaboard in the seventeenth century were homogenous, religious societies which strove to suppress immoral as well as criminal behavior. On this side of the Atlantic, convictions for adultery, blasphemy, fornication, swearing and profaning the Sabbath, were frequent in the Southern colonies as well as the Puritan sections. In England prosecution was rare for these misdeeds.

If it was easier to be convicted in the colonies, the penalties were generally less severe. Whipping was reserved for the most shameful offenses, and limited to 40 stripes, lenient by English standards. Certainly our forefathers allowed room for improvement. In Pennsylvania the most horrible punishment for adultery, 21 lashes, seven years in jail, and the imprinting of an "A" on the forehead, was for third convictions. The 40 stripes administered for lying in the Massachusetts Colony were given to eighth time offenders.

Although treating moral offenses as crimes was a natural result of the predominant influence of the church, it was also, in part, an economic necessity. Life in the early colonies was hard, and sexual misbehavior could place a strain on a community which was already living near the edge of survival. In 1658 Maryland's punishment for bastardy became more severe because of the increasing number of servant girls who were becoming pregnant. In the eighteenth century, when life was a bit more comfortable, laws on adultery and fornication were relaxed, with a view mainly toward fixing responsibility for illegitimate children.

In some instances hardship worked to increase freedom. In mid-seven-

teenth century England many prisoners complained of long confinement before trial. The Bay Colony, little able to afford any loss of manpower, in 1648 set down strict laws governing incarceration before trial. No one able to provide bail was to be imprisoned unless the alleged crime was capital or contempt in open court.

Through the time of the Revolutionary War, the agrarian colonies in the south and mercantile societies in the north were able to police themselves by civilian effort. Large scale uprisings, such as Bacon's Rebellion in Virginia, and the mob violence at the time of the Revolution, necessitated the use of the militia, of course. But for the most part communities remained sufficiently small and unified to maintain order by nonprofessional, unspecialized forces.

The movement from communal self-protection to professional law enforcement was an urban development in the United States of the nineteenth century. The term "police" derives from the Greek polis, or city state. Here, as with colonial law, Americans constructed from the English model.

In both England and colonial America towns were patrolled at night by watchmen, whose duty was to look out for fire and to be on guard for street disturbances. Originally an office held in rotation by property owners, in England, at least, it had degenerated into a paid job held by impecunious substitutes, frequently drunk or elderly. For in eighteenth century London there was a trend among the city's wealthy to move to the suburbs to escape the filth, noise and crime.

These undesirable conditions were the result of the early industrial revolution, or at least the enormous population boom which preceded it. London grew from approximately 500,000 in 1700, to more than one million in 1800, an increase which gave rise to entire neighborhoods, who, through the combined forces of poverty and alcohol, could not police themselves, and were just the most in need of policing.

Watchmen and constables proved woefully inadequate to combat city crime. In 1776 the Lord Mayor of London was robbed at gunpoint, and within the following decade both the Prince of Wales and Duke of York were mugged. Riots were not uncommon, and the brute force with which the military suppressed them did little to improve the government image in the darker parts of town.

The Metropolitan Police of London were established in 1829, in the midst of a general reform movement. Under the direction of Home Secretary Robert Peel (the origin of the nickname "bobby"), the new force was organized as a group of professional civilians, initially decked out in silk top hats,

swallow tail coats and white duck trousers, and armed with only truncheons. As was to be expected, they were not greeted warmly in certain quarters. The first casualty was the same year, 1829, to a Constable Grantham, who was unfortunate enough to step between two Irishmen quarreling over a woman. The three of them turned on him, beating him to death. Many people in London then thought he got what he deserved for interfering in other people's business. But affairs improved for the British bobby, and in 150 years of service only about 100 policemen have been murdered in the course of duty in England.

Following the London example, American cities in the mid-nineteenth century founded police departments. First was New York, in 1844; then Chicago, 1851; Cincinnati and New Orleans, 1852; Philadelphia and Boston, 1854; Newark and Baltimore, 1857; Washington, D.C. 1861.

Like most institutional changes, the establishment of a professional police force was not accomplished by fiat, but by a series of adaptations to changing social conditions. In the 1820's American cities were just beginning to experience the population growth London had seen the century previous, and the attendant crowding and poverty. Moreover, this decade began the long period of European immigration which swelled United States cities with groups whose customs and values were different, and often at variance with those of the dominant group. The population of Boston, for example, grew from 49,000 in 1822 to 120,000 in 1846, largely due to the influx of Irish immigrants, whose views of liquor consumption, hardly coincided with those of the Protestant middle class.

While serious crime was not much in evidence at this early time, incidents of drunkenness and assault were emerging in the well-travelled sections of town, much to the distress of the respectable citizens. To deal with these nuisances there was an appointed constable, who was paid, but not well, and 18 night watchmen who hauled disorderly persons before the justice of the peace the following morning. None was stationed in South Boston, where there were no jails and the likelihood of attack while bringing the prisoner across the river was too great to risk (3).

In 1823 Major Josiah Quincy created the post of Marshall of the City, a

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(3) Roger Lane, *Policing the City: Boston 1822-1885*, Cambridge, Mass: Harvard University Press, 1967. Most of the information here on nineteenth century Boston is from Lane's book.

kind of super constable who headed a department of internal police and reported directly to the Mayor and Council. The first to serve in this post was a Harvard graduate, Benjamin Pollard, who had at his disposal a total contingent of two deputies and a horse. During the period of the 1820's and early 1830's criminals posed a far lesser threat to public welfare than poor sanitation and unsupervised traffic in crowded streets. So this first "police department" acted mainly as a Board of Health, handling fire inspections, traffic control as well as issuing summonses for misdemeanors.

The social conflicts of the next decade lent impetus to the movement for a standing professional force for dealing with civilian crime. In 1835 an anti-Catholic mob burned a convent to the ground, forcing the city fathers to allot an unprecedented \$1,500 (normally a yearly expenditure) for special constables.

The following year an attack on abolitionist William Lloyd Garrison required special measures, and in 1837 there was the Broad Street Riot, which began as a collision between a company of volunteer firemen and an Irish funeral procession (4).

By the time Boston came to recognize a formal police department, constables who acted as police were earning \$2 a day, about twice the average for a laborer. In 1853 night watchmen were given warrants as policemen, paid \$2 a night as members of the "Watch and Police Department." Police divisions were created at this time also.

When the first Boston policeman, Daniel Estes, was murdered in 1848, police began informally to arm themselves with guns. But the Civil War brought acceptance to military trappings, and in 1884 police were issued arms at public expense.

The war was also responsible for forcing a metropolitan police force on the nation's capital. Until 1861 Washington had been able to survive with the traditional watch force, but the mass immigration of Union troops and camp followers created a climate of disorder the Congress chose not to ignore. In this year a bill was passed creating the Metropolitan Police District of the

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(4) Volunteer fire companies were the cause of much disorder. In Philadelphia, their practice of starting fires, then competing to be the first company to extinguish the fire and claim the most loot has led James Q. Wilson to maintain, "It is only a slight exaggeration to say that the Philadelphia policemen were created in part to control the Philadelphia firemen." "What Makes a Better Policeman," *The Atlantic*, March, 1969.

District of Columbia and establishing a police force under the direction of a five-man board of commissioners. As in the case of Boston, the first head of the police force was a college graduate and a lawyer, William Benning Webb, paid \$1,500 a year to recruit and train a force.

Although soldiers and prostitutes attracted to Washington by the war were the direct cause of the formation of the metropolitan police force, the record of arrests shows that civilians, particularly Irishmen, far outnumbered the military personnel and ladies of the night in finding their way to jail (5).

With the notable exception of controlling the upheaval which accompanied the Civil War, the policeman throughout the nineteenth century dispensed social services at least to the same extent that he fought crime and probably more. The officer was an integral part of his neighborhood community, one who had benefitted from ward system of city government dominated by ethnic groups. His job had been awarded to him by one of his own kind, and he, in turn, took care of the newest arrivals. Operating soup kitchens, finding jobs and homes for the destitute were among his most important duties.

According to James Q. Wilson in "What Makes a Better Policeman"(6), the decisive movement from peace officer to crime fighter as the primary view of the policeman's role came with Prohibition. This unpopular and widely ignored piece of legislation confronted the cop on the beat with a choice of pestering otherwise law-abiding citizens or leaving himself open to charges of corruption. Wilson explains that in 1931 the presidential Wickersham Commission, having investigated violence in the United States, published a report blaming police and politicians for these conditions. This claim was more politic than discussing more basic causes, such as unemployment and Prohibition.

Throughout the twentieth century there has been a breakdown of community government in American cities, due partly to a conscious reform movement. Eliminating the old Tammany Hall form of government may have done away with a certain amount of corruption, but it also robbed the

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(5) Philip D. Jordan, "The Capital of Crime," *Metropolitan Police Journal*, Washington, D.C. 1975.

(6) Wilson, *op. cit.*

city poor of the ability to help their own by providing jobs (7).

While these changes in city politics were occurring, there was a shift in population to urban areas. The population increase from 1950 to 1960, 28 million, was entirely in cities, and much of it represented urban migration of blacks (8). Discussions of the problem of crime in this country have centered around these people.

In the often made comparisons between the United States and Great Britain, the existence of a large non-white proportion of population is cited as a main factor in the historically higher crime rate here. The extensive use of firearms is also given as a reason for differences between criminal rates and police behavior in the two countries. The British bobby, at least until recently, has been fairly certain that no lawbreaker he chases will carry a deadly weapon. In fact, British constables have traditionally refused to carry guns on the grounds that without the weapons they are likely to have greater public support and less inclined to incur appropriate retaliatory action (9).

The fact that British society is relatively homogenous, while American mixed racially and ethnically is naturally important in understanding how their law enforcement officers behave. The Briton has always been in a better position to act as a peace officer, maintaining order by dint of persuasion, warning, and with fewer arrests. He is considered more disciplined, more courteous than the American.

If American policemen exhibit uncertainty in how to treat the offender, they probably reflect a national ambivalence toward the system of criminal justice, of which the policeman is only a part. While people here may demand on the one hand that a tough stand is taken against lawbreakers, on the other they often find it difficult to apply this to the specific case. In 1925 the editor of the *Cleveland Plain Dealer* explained that in England the public understands the meaning of crime, punishment and the combination of the two. "They accept the major and minor premises and apply the con-

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(7) Daniel P. Moynihan, *Maximum Feasible Misunderstanding*, New York: The Free Press, 1970.

(8) Paul Mundy, "The Implications of Population Trends for Urban Communities," *Police and Community Relations: A Sourcebook*, A.F. Brandstatter and Louis Radelet, eds., Beverly Hills: Glencoe Press, 1968.

(9) Michael Banton, *The Policeman in the Community*, New York; Basic Books, 1964, pp. 113-114.

clusion. Here, in America, somebody is bound to challenge all three (10).

Yet the similarities are as significant as the differences. United States police spend most of their time not enforcing the letter of the law or even making any partial attempt to do so. Forcing drunks to move on their way, dispersing potentially troublesome gatherings of juveniles, is as much a part of the work of a police officer here as overseas. Catching dangerous criminals may have first claim on glamour and publicity, but the routine tasks of handling motor vehicle violations and domestic disputes are the nuts and bolts of a cop's job. This is not to minimize their importance. The FBI Uniform Crime Reports for the first eleven months of 1975 show that a total of 26 local, county, state and federal law enforcement officers were killed by criminals while answering calls for these two kinds of disturbances.

It may be that in some ways Britain is simply trailing behind the United States in developing the conditions which lead to a high crime rate. Crime is on the rise all over the world, and in 1962 the rate of increase in England and Wales was 11%, compared to 5% in this country. The mobility which has characterized life here has come later to Europe, and with it less desire for community approval (11).

There, as here a burgeoning crime rate has caused many people to take a new look at conditions behind it. The old view linking crime to poverty has been reexamined, and if not discarded, at least greatly revised. In 1968 Lord Justice Widgery, addressing the National Bar Association, pointed out that the welfare state in Britain, bringing as it has improved living conditions for the poor in his country, has been accompanied by a steady rise in crime. He concluded that poverty and lack of privilege are not in themselves causes (12).

At times the relationship between poverty and crime can be inverse. This seems especially true of crimes against the person, assault and sexual offenses, and property crimes such as arson and pickpocketing (13).

Not only the causes of crime, but the application of punishment has

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(10) Paul Bellamy, Address before Ohio Welfare Conference, October, 1925, *Selected Articles on Criminal Justice*, James P. Kirby, ed., New York, 1926.

(11) Banton, *op. cit.*, pp. 4-10.

(12) Leon Radzinowicz, "Economic Pressures," *Crime and Justice*, Vol. 1 New York: Basic Books, 1971.

(13) *Ibid.*

come into question. For many years rehabilitation has been the ideal of the judicial system, and continues to be so in some quarters. The maxim, "Let the punishment fit the criminal," rather than the crime, seemed to be the by-word of many twentieth century penologists, and has been criticized by civil libertarians as well as those who place a high value on law and order. Writing in the *American Mercury* in 1924, Harry Elmer Barnes expressed the sentiments of many who would cure criminals of their antisocial inclinations (14)

The important question will be the menace of the individual to society and the possibility of so treating him as to eliminate the menace. If it is found that his personality is such as to make it permanent and serious, he will be segregated for life, whether he has committed a multiple murder or stolen a bag of peanuts. On the other hand, many a person who has committed a murder will be committed to a sanitarium for treatment with expectancy of his ultimate release to a life of freedom, if his motivating compulsive disorder is of the type which promises recovery under treatment.

This kind of psychiatric tyranny is as unfair to the man who steals the bag of peanuts as it is to society at large which must suffer the misdeeds of the released, but insufficiently rehabilitated murderer. The goal of rehabilitation should not be dismissed out of hand, but a balance must be struck between the interests of the offender and those of his potential victims.

It seems that the scale is now tipped in favor of the serious offender, a fact demoralizing to law enforcement officers. Revolving door justice, as it has been termed, is an enormous frustration to cops who see committing a crime on the street a person whom they hauled in for the same offense shortly before. Much of the apparent leniency of the courts can be attributed to inefficiency, and some reforms recently proposed by William F. Buckley Jr. are worth consideration (15).

In 1900, with a population of 1,900,000, Manhattan had six felony judges. In 1973, with its population dropped to 1,500,000, the borough supplied 30 such judges, who are faced with an insurmountable backlog. Perhaps more meaningful for an understanding of the problems of the law enforcement officer is the fact that in 1970, of the 94,000 arrests made,

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(14) Bellamy, *op. cit.*

(15) William F. Buckley Jr., *Four Reforms: A Program for Today*, New York: Putnam, 1973.

only 522 went to trial.

Referring to the tendency of the Supreme Court to overturn criminal convictions on the grounds that the defendant had not been properly advised of his rights, Buckley maintained, "The recent convention that evidence must be excluded because it was obtained by unlicensed means is not reasonable. Its sole justification is to punish the policeman or prosecutor for having stolen a base . . . However zestful the constable, to rob him of a conviction is not to punish him." (16)

The columnist suggests that the jury trial, which takes anywhere from three to ten times as long as one before a judge, be eliminated as a requirement for petty offenses carrying penalties under six months, and that, as England did in 1967, states here do away with unanimity requirement in place of a 10 vote verdict.

At least two of the Supreme Court reversals (Escobedo, Miranda) were based on the assertion that the defendant had not been properly advised of his rights to an attorney and to remain silent. Buckley proposes that the accused in a murder case be brought before a magistrate within 24 hours of his arrest, advised of his rights then interrogated, the procedure recorded on a video-tape which could be introduced as evidence at the jury trial. This procedure would obviate the defense attorney's objection that subtle (or overt) forms of torture had been used in the interrogation.

Obviously the police as well as the courts have received criticism, particularly for the role they played in the civil disorders of the 1960's. Charges of brutality were leveled at police in cities across the country, and subsequently studies were done to find out what determines a cop's attitude toward the public.

In *Minorities and the Police: Confrontation in America*, authors David H. Bayley and Harold Mendelsohn published results of a study of the Denver police department. Officers were tested against the rest of that city's population to measure anomie and authoritarianism. On both scales they tested lower than average, less given to despair of their situation and less rigid in their judgment of others (17).

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(16) *Ibid.*

(17) David H. Bayley and Harold Mendelsohn, *Minorities and the Police*, New York: The Free Press, 1969, pp. 1-34.

Not too surprisingly police were found to be more conservative than the average. After all, as Bayley and Mendelsohn observed, the policeman's basic responsibility is to preserve the status quo. He is trained to look for incongruous situations or individuals, and is a family man with a stake in the community.

When police departments were first formed in the nineteenth century, the salaries of officers relative to those in the laboring trades from which the men were drawn were high. Police officers are still largely the children of working class families, but today the pay compares much less favorably, and the number of applicants is down (18).

James Q. Wilson, writing in 1969, maintained that most people who considered the problem of the police officer were agreed on high salaries, more extensive training, better legislative and administrative guidance and more modern equipment. Yet decisive action is rarely taken, because of a public failure to comprehend the dual role of the policeman, serving both as a crime fighter and peace officer. (19). While the soaring crime rate indicates that there is a need for the officer to act in the former capacity, to enforce the letter of the law and do his best to find and apprehend criminals, there is still a wide area of responsibility in which the police officer must act without a specific law to guide him.

A considerable part of the problem of police administration arises from this dual role, for the administration of a department of law enforcement officers differs substantially from that of peace officers. If all which is required of a policeman is that he arrest each and every lawbreaker within his ken, then the administrative task is fairly simple; an efficient, well organized bureaucracy should do the trick. Duties can be refined and compartmentalized and each officer will become a specialist.

To some extent, this has happened all along, not without bad side effects. In the 1800's police detectives in charge of criminal investigation were on the take by official sanction. In cases of larceny, they were supposed to find the thief in return for a portion of the recovered goods. Later, when they were placed on the public payroll, their status was enhanced in

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(18) Seymour Martin Lipset, "Why Cops Hate Liberals and Vice Versa", *The Atlantic*, March, 1969.

(19) Wilson, *op. cit.*

the public eye at the expense of the patrolman on the beat. The man who captured the crooks was more highly regarded than the one who performed the more important task of maintaining some kind of order in the community (20).

Some specialization has occurred in response to modern technology. In Atlanta, for example, it was the practice to use police officers as school crossing guards, giving officers an opportunity to become acquainted with neighborhood children under cordial circumstances. This seemingly trivial duty formed an important link in police-community relations, according to Herbert Jenkins, Police Commissioner in Atlanta from 1947 (21).

Mass automobile ownership following the Second World War broke this link, by forcing policemen into the onerous job of traffic patrol at morning and evening rush hours. Economic necessity forced the department to hire women part time to help children across the streets.

In spite of the fragmentation of police functions attendant upon modern life, there is evidence to support the assertion that the policeman is fundamentally a professional. All the high ranks of police exercise the same authority as a patrolman, that of (in this country) a specially armed citizen, paid to protect others (22).

Not so much enforcing the law, but maintaining order requires discretion and quick judgement on the police officer's part. Whether a particular drunk should simply be told to move on, or whether he should be detained for his own protection is a question only the cop on the beat must decide. A group of people on the sidewalk may be a friendly gathering or a brawl in the making, and each cruising officer must choose, risking the hostility which a poor judgement can arouse.

Police collectively must decide how to allot man hours and equipment nowhere nearly sufficient to the task. Unlike other professionals, they cannot pick and choose among their clients, but must take all, and the worst, comers.

There is also some discretionary power granted to policemen in the area of law enforcement, regarding drug law offenses. Like cops of the Prohibi-

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(20) *Ibid.*

(21) Herbert Jenkins, *Keeping the Peace*, New York; Harper and Row, 1970.

(22) Banton, *op. cit.*, pp. 106-108.

tion era, officers today can be damned if they do and damned if they don't. Many citizens realize that the use of certain drugs is widespread, and find cops who arrest for it unnecessarily harsh. Yet the feeling that the police who consciously overlook law breaking are somehow corrupt is pervasive. This ambivalence is something police must accept until the public and legislators choose to take a logically consistent position on the matter.

Police failure to enforce unpopular laws also represents a reluctance on their parts to run counter to public sentiment, and place themselves at complete odds with everyone else. Unless they have support within a neighborhood, they will not succeed in their primary duty of maintaining order. At times when police seem corrupt by not enforcing to the letter, they are simply being more realistic than many other people.

While there is need for each police officer to retain a certain autonomy in order to exercise his judgement on the beat, this sort of professionalism need not preclude departmental reorganization and centralization. A British Royal Commission concluded in 1962 that the optimum size for a police force is 500 or more, in order to provide sufficient distance between officers of different rank and insure that private associations will not affect work efficiency. In Britain at this time there were only 44 forces meeting this requirement, but only 13 forces with fewer than 100 men. The United States on the other hand, then had 40,000 separate departments, many with memberships under a few dozen (23).

Obviously, both geography and state government militate against central control in this country as it exists in Britain. But a quick glance at the Uniform Crime Reports indicates that the greatest increase in crime recently has been in the suburbs, where, not too surprisingly, the population growth has been. In these areas with hundreds of tiny departments of often no more than a half dozen men there is a great need for stronger organization and communication. Suburbs which ten or 15 years ago were composed of genuine small towns have been assimilated into the greater metropolis, with all its appurtenant crime and disorder.

American police as we know them are a modern development, an outgrowth of urban life. In smaller, more homogenous communities which predominated until this century, each able-bodied citizen could assume respon-

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(23) *Ibid*, pp. 88-89.

sibility for law enforcement as the need arose. Familiarity and economic necessity in towns and villages worked against the commission of crime, by making community approval desirable, and collective disapprobation hard to avoid.

The city limited the ability of the average citizen to act as constable, bringing, as it did, greater freedom of movement, more apparent poverty, and more continual disorder. Police departments were created to meet the problems of early city life, among which crime was not always the most pressing. The policeman was often a kind of catch-all public servant, charged with enforcing public sanitation and health codes, supervising traffic and running soup kitchens. The idea of a policeman as primarily a crime fighter did not evolve completely until well into this century, given much impetus by the Prohibition era gangster.

Even today, with all the talk of crime and law enforcement, most police work still falls within the time-honored duty of preserving the peace. But the dramatic rise in crime in the United States, as in the rest of the world, may well be an indication of the difficulty of maintaining order in societies increasingly crowded, ever more mobile. It may be necessary now to place greater emphasis on crime fighting efficiency, and to this end to improve the criminal justice system, giving police assurance that much of their work need not be in vain, and that dangerous criminals will be removed from society.

It may be that drastic reorganizations of our police departments are in order. Many are too small to perform efficiently, especially those just outside the jurisdiction of metropolitan police departments. And although I am not advocating a federal police force to handle most crime, former Atlanta Police Commissioner Herbert Jenkins has made an interesting point in *Keeping the Peace*.<sup>(24)</sup> Since city police departments spend much of their time enforcing federally imposed laws, it may be no more than reasonable to ask the federal government to reimburse them for these activities.

However, much we reinforce the ability of law enforcement agencies to combat crime, we must not lose sight of their original and still important role, that of citizens specially empowered to maintain order. This will require that we continue to allow the policeman to exercise his own judgment in his daily rounds, and that we treat, and expect him to behave, as a professional public servant.

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(24) *Op. Cit.*

## BRITISH POLITICS AND THE PRESENT DILEMMA OF THE BRITISH CONSERVATIVE PARTY

Rhodes Boyson, M.P.

The British Conservative Party is at a parting of the ways which could take it to dominance of the British scene or to an obscurity only rivalled by the period 1846-1874 after the Party broke between Peel on one side and Lord John Bentinck, Lord Derby and Benjamin Disraeli on the other.

The Left swung into political, if not electoral, dominance in Britain in the late 1930's before World War II. It then seemed to many people that capitalism could not cure massive unemployment and that state planning could increase industrial production and the national standard of living without any loss of liberty. The swing of the pendulum to the Left even affected the thinking of the Conservative Party.

A total war always increases the move to collectivism and Britain was probably more totally organised economically in World War II than any other country. Thus it could be easily argued that if to win a World War one required collectivist organization then a similar organization could win the peace. This move was increased by the fact that most Conservative Ministers in Churchill's World War II coalition Government were involved in Ministries fighting the war while very many Labour Ministers were at seats of office where they could plan the advance to socialism in health, welfare and education.

The 1945-51 Labour Government brought in the welfare state with little opposition from the Conservative Party. Most of the plans for the welfare state had been prepared by the Wartime Coalition Government. Winston Churchill could make dramatic speeches about individual initiative and self help but the ground was prepared for socialist advance.

By 1951 when the Conservatives came back to power the Party had changed considerably. There was acceptance of the welfare state, even a competition to make it more effective and the argument was simply as to whether capitalism or socialism would create the additional wealth to make the welfare state that much more effective. There was a bonfire of economic control but Winston Churchill's slogan of 'Set the people free' did not extend to welfare.