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## PREVENTIVE PRINCIPLE OF POLICE\*

Charles Reith

Britain is accustomed to hearing the phrase "Your police are wonderful!" from overseas visitors, and people usually greet it with a smile.

They are willing to agree that their police deserve praise, but they are so used to them that they do not see anything particularly "wonderful" in the fact that Britain's high standard of public order and public insistence on law observance is maintained by unarmed policemen who are regarded and treated as friends by men, women, and especially, children of all classes; and whose behavior towards the public is consistently kindly and readily good-humored and helpful at all times in solving personal difficulties and facing dangers, whether the peace-time dangers of the streets or the wartime menace of aerial bombardment.

Foreign visitors often conclude that what they find wonderful and astonishing in Britain's system of police can be accounted for by the highly-developed sense of orderliness and love of public order inherent in the character of the people. It is assumed that these traits make the task of the police easy, and insure for them ready and willing obedience which makes it unnecessary for them to carry arms.

History proves that this reasoning is fallacious. It is true that the people of Britain show how innate faith in Law and respect for it, but during the eighteenth and early decades of the nineteenth centuries they were the most disorderly people in Europe.

They never experienced the *gendarmerie* police-system which had maintained a degree of public order in European countries by military repressive methods. Britain's police-system had been that of the conscript parish-constable, working in conjunction with the local Justices of the Peace, but it was effective only as long as the country was an agricultural community.

With the Industrial Revolution of the eighteenth century, and the accumulations of population in towns, the parish-constable and Justice system broke down completely, at first in London, and later in all other industrial centers throughout the country. There was no *gendarmerie* system to take its place, and Britain embarked on a period in which the helplessness of Law and authority and the sufferings which ensued from the absence of public order are outstanding features.

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\*This article constitutes a portion of the book "British Police and the Democratic Idea" by Charles Reith, which is soon to be published by the Oxford University Press, England.

The appearance of orderliness and love of public order is coincident with the adoption of the system of Preventive Police inaugurated throughout the country during the middle years of the nineteenth century.

In 1750, Henry Fielding, the novelist, a magistrate in London during the last four years of his life, proposed the formation of a body of men who would go into the streets to frustrate and prevent the activities of potential criminals. Successive governments in the latter part of the century tried to develop the idea by creating a Police Force for London, but the plans were defeated by powerful, gangster-elements among the City Merchants who profited by the inability of the authorities to enforce observance of Law.

Patrick Colquhoun, a Scots magistrate in London, developed the police idea in books and pamphlets, and coined the phrases, "The Preventive Principle of Police" and "The New Science of Preventive Police," but he, also was defeated. Not until 1829, when the helplessness of authority and Law had created an intolerable situation, was the idea of a Preventive Police Force made practicable. Peel succeeded that year in putting through Parliament an Act which created the "New Police," a small Force which tried out the preventive principle in a defined area of London.

The new Police found, as soon as they appeared in the streets, that their creation had united against them, in a demand for their immediate disbandment, all parties, classes, and factions in the state. Even the Tories were their enemies, on account of Peel's own unpopularity with his Party. The Whig Government which succeeded the Tories in 1830 disliked the Police because they were a Tory invention.

Through the medium of the Parish Vestries, whom Peel had deprived of their constables, the opponents of the Police succeeded, by skillful propaganda, in stirring up the hostility of the middle and working-classes, largely on the plea that the New Police were modeled on the Secret Police of France, which was palpably untrue. The criminal classes required no stimulus for their animosity. Every man's hand was against the Police, and their sufferings amounted in many instances to martyrdom. They were attacked in the streets, maltreated, and thrown into the Thames.

Some remarkable consequences followed. The Police, under the able leadership of the first Commissioners, Charles Rowan and Richard Mayne, discovered that they were completely unable to fulfill their task unless they could secure public approval of their existence. By the exercise of a skillful combination of courage and firmness, patience, tact, and modesty of manner, they succeeded in less than a decade.

In the process they made the following additional discoveries. To gain the approval of the public it was necessary to offer un-

stinted personal service and sacrifice, and to treat all people alike, without distinction of wealth or social standing. It was necessary to avoid carefully behavior that could be construed as pandering to any form of sectional public opinion, and to demonstrate perfect impartiality of service, in complete independence of government policy and Party or class politics, and in complete disregard of the nature of the laws which had to be enforced and the justice or injustice of their substance.

When the motives and the ideals of the Police were at last clearly understood, from the evidence of their daily behavior and accomplishments, the public began not only to approve of their existence, but to respect and like them. These feelings found expression in willingly-offered public co-operation and, in increasing volume, public insistence on law observance without the aid of the Police.

The Police had discovered their fundamental dependence on public approval and co-operation, and had learned that these were an infinitely more powerful force for compelling observance of laws than physical compulsion. They used only the minimum degree of physical force which the occasion made necessary.

Co-operation between the Police and the public produced a new and hitherto-unimagined standard of public order, and people quickly realized the personal and communal benefits which could be derived from it. This sense of order is largely the basis of the national unity which, in 1940, enabled the people of Britain to rally round effective leadership and face, alone, the menace of German aggression after the fall of France.

Another important rule which the Police discovered as the result of their successful application of the preventive principle was the need of keeping completely separate Police and judicial functions.

They realized early the need of consistently refraining from even an appearance of usurping judicial functions such as judgment of guilt or ignorance, and punishment of the guilty.

The Commissioners were active and successful in securing improved legislative definition of Police functions in 1839. By this time the little London Force had become famous. Its organization and the principles on which it was based were being rapidly copied and applied in all parts of the country and throughout the Commonwealth; a process which was complete less than thirty years after the first appearance of the "New Police" in the streets of London.

Today military force is never used either in Britain or in the Commonwealth for the purpose of maintaining internal order, except in support of Police functioning in accordance with the

preventive and other principles, who are temporarily unable to secure a Police objective by their own efforts.

Britain's preventive and other principles of Police are among her most valuable contributions to civilization. Their evolution is still in its infancy. Their possibilities in the task of the future reconstruction of the world, and the part they can play in making Democracy secure, are great.

Democracy's strength lies in the methods which it provides for insuring that laws have the approval of the people. Its weakness is the difficulty, inherent in the system, of finding means for securing efficient observance of laws without undue and unjust interference with individual liberties.

In all human communities it is essential to provide authority with force for the purpose of securing observance of laws. Britain's system of a preventive Police Force is one answer to the problem. It is a fully-effective alternative to the use of repressive military force, and to Police who depend for their power on their ability to terrorize the people.