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## Masculinity as Governance: police, public service and the embodiment of authority, c. 1700-1850

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## **Masculinity as Governance: Police, Public Service and the Embodiment of Authority, c. 1700-1850<sup>1</sup>**

Policing has traditionally been considered as a masculine task, which has had significant and often detrimental consequences for the introduction and reception of women into police forces and the nature and practice of the police role more generally.<sup>2</sup> It is commonly assumed that the link between masculinity and policing is a 'natural' one, related to the physical nature of the tasks central to police work. In this chapter I argue that the link between masculinity and policing emerged not simply because it was a natural association in a job that was physically arduous and often dangerous, but because there is also a long-standing link between a certain vision of manly independence and public, civil authority in British political discourse. This was particularly important in the legitimization of a new form of institutional policing in the late eighteenth and early nineteenth centuries when the traditional system of police based on the rotation of unpaid offices amongst local gentlemen was replaced with a paid, hierarchical alternative staffed by men of lower social status.<sup>3</sup>

In focusing on the relationship between masculinity, government and institutionalization in this period I want to say something broader about the emergence and nature of 'bureaucracy' as it applies to policing and its relation to the system of rule that preceded it, as well as pointing to the relatively unexplored links between institutional form and politics. There is a tendency in much historical work to see the emergence of hierarchical, bureaucratic government as a process of 'modernization' or increasing government rationalization. It should be clear from this chapter that rather than replacing a 'customary' system based on symbolic values with one based around reason in many senses the creation of policing organizations seems

to have been a way of institutionalizing the governmental values of the old order, particularly that of manly independence.<sup>4</sup>

Here I demonstrate the centrality and persistence of particular conceptions of character and capacity to late eighteenth- and early nineteenth-century ideas of government: the possession of masculine independence conferred authority and the right to govern others. For a community to be self-governing, and thus free, it was understood to require the presence and activity of a particular kind of public man; to be such a public man required the possession of a certain kind of manly independence. Traditionally it was hoped that the independence, commitment, courage and judgement required of the governor to exercise civil authority would be cultivated in the gentry through their education, which would imbue them with sufficient sense of civic duty to participate actively in the government of their community. This was defined as an obligation, the gentry having a duty to care for their dependents, but also as a right, the capacity to participate setting them apart from the common man and fulfilling their patrician persona. But in practice this duty to govern was often ignored and communities were faced with deputies who could in no sense be said to embody the patrician values idealised for the governor: they therefore devised mechanisms to regulate and secure the values they understood to be important. This included securing a certain level of physical presence in the men and in the process the transformation of police masculinity. In doing so the authorities responsible for policing were using particular conceptions of masculinity programmatically and politically to legitimize the activity of some men, not usually considered in this mould, as public men and thus grant them the right and power to govern.

In this examination of the construction of police authority through masculinity I explore the ways in which police officers were defined discursively, but also created through selection and discipline in order to fashion men who embodied the dominant values of authority understood by the police authorities to be necessary to make them acceptable in the dominant political culture and feared by the 'lower orders'. In doing so I am greatly indebted to Wilbur Miller's excellent comparison between policing in London and New York. Miller quite correctly identifies the importance of creating authority by counteracting accusations of French-style militarism, Executive power and a standing army through the promotion of political independence and impartiality in the Metropolitan Police and he links this explicitly to the institutional form of the force.<sup>5</sup> But since Miller wrote this pioneering study there have been several developments in the study of police history which make it clear that many of the practices used by the Metropolitan police pre-existed their formation and were not unique to them: they therefore require re-assessment.<sup>6</sup> Inevitably, given the lack of knowledge of the subject at the time of writing, there is no sense in Miller's work of any relationship between the 'new' police and the old. Equally, while militarism and Executive power were major fears surrounding Home Office control over London's policing, this does not explain why these strategies were used in forces that were unconnected to central government both before and after the Metropolitan Police Act of 1829, nor does Miller demonstrate how the specific dynamic of that debate related to the construction of a particular notion of the constable as civic official. In order to achieve this re-assessment of the subject I explore policing in places and periods unrelated to the question of Executive control of the Metropolitan police, in particular the period before their establishment in London and elsewhere, through the definition

of the office of constable in the handbooks available throughout the country, and in Manchester, where the question of Executive interference was irrelevant.

## I

It is now well established that the central political problematic in eighteenth-century British political thought was how to maintain liberty, envisioned in neo-classical terms, in the context of the emergence of commercial society.<sup>7</sup> According to the Machiavellian cyclical vision of history states achieved their freedom through wealth and martial vigour, which enabled them to triumph over their rivals and through the disinterested public spirit or *virtù* of the political class: their devotion to the common good ensured that they would be vigilant against attempts to divide the country into factions or draw the state or the government into dependence on any one individual, which would lead to dictatorship. Matthew McCormack has demonstrated how this became manifest in English political culture in the specific value of independence.<sup>8</sup> But although the significance of the Machiavellian imagination is now clear in the history of political argument, there has been little research into the relationship between neo-classical political thought and the conceptualization and practice of government.

Just as corruption and negligence were at the heart of fears about the operation of the political system, so were they central to understandings of the social order. From the Glorious Revolution right up to the 1780s and beyond it was consistently argued that England or Britain could not remain free as long as the population were mired in corruption: ‘no Degree of Wealth, of Trade, of naval or Military Force, have ever been sufficient to support any Nation where Luxury and Vice have prevailed, but

on the contrary the greatest Empires in all Ages have sunk before them'.<sup>9</sup> The manners of the people, then, were as important to the preservation of liberty as a good constitution, meaning 'unless there is a general Disposition in the Body of the People, to co-operate with the Magistrate in the Suppression of Vice and Immorality; and in the Execution of the Laws against publick Offenders, that it is out of the Power of any human Legislature, to contrive Laws, that can make People honest, happy, or free'.<sup>10</sup> Often combining classical and Christian elements it was argued that the nation was liable either to divine retribution or simply to sink into neglect of virtue through luxury and vice. As one author put it, 'we are in the present Age arrived to an Excess in that Vice [luxury] beyond all the past, from which the greatest Danger may be feared to the State, both, on Account of the natural Consequences of that Vice itself ... or the Vengeance it is likely to bring on us from the Hand of Heaven'.<sup>11</sup> Numerous biblical and classical examples were brought out to demonstrate the rise and fall of states through the growth of luxury, irreligion and vice.<sup>12</sup> This danger, it must be recalled, was a very real one in the context of the recent Jacobite rebellion of 1745, which held out the distinct possibility of civil war or conquest by France.<sup>13</sup> The solution was to govern public morality, which was the task of the magistrate, the constable and his assistants (beadles watchmen and so on).

The maintenance of the free state, then, depended upon the activity of a particular kind of public man whose duty it was to maintain good order. Without the activity of the public spirited gentleman Britain faced two alternatives: either living as 'Bond-Slaves to Vice, Luxury, and all Degrees of Wickedness' or 'employing such a force of Guards and Garrisons as must reduce us to a military Form of Government, and leave us entirely at the Mercy of arbitrary Power', 'Slaves to a military Force'.<sup>14</sup> These sentiments were echoed by Saunders Welch who served actively as High

Constable of Holborn in the 1740s and 50s: 'what must become of the civil policy of this country, if men called upon to execute this office are brought to be either ashamed, or afraid, to do their duty?' Laws are nothing, he writes, without the activity and integrity of the executive officers, the negligence of whom 'reduces the very best constitutions to a mere dead letter; and must soon produce that intolerable anarchy, which can alone drive the honest part of mankind to fly to a military force, to a miserable refuge from a still worse evil'.<sup>15</sup> This opposition between surrendering one's liberty to vice and crime or surrendering it to a military force, argues the author of *The Vices of the Cities of London and Westminster*, stems from a mistaken unwillingness to serve as a peace officer, which is founded upon the false idea that there exists a distinction between men and the government and in particular between their interests. In contrast, the author argues that 'a wise Man, so happy to be a Subject of *Great-Britain*, ought to know, that the Government and the People, the Legislature and He are truly the same Thing, that it's impossible to divide them either in Nature or Interests; that he himself is a Part of the Government'.<sup>16</sup> This represents a neo-classical conception of government, whereby the foundation of national liberty lies on a community of self-governing citizens, who gain their freedom by engaging in government themselves. It was a man's duty as a subject and a Christian to bring all offenders before the law: to fail to do so was 'foolish, effeminate Compassion'. Effeminacy, of course, was closely related to the corruption that led to unfreedom, which was by nature feminine and opposed to the masculine vitality of the healthy body politic.<sup>17</sup> Masculinity, then, defines the exercise of authority and underpins liberty. The author goes on to argue for greater care in the choice of constables, the augmentation of the watch and the use of informers.<sup>18</sup>

The kind of manly virtue required for controlling the spread of vice and corruption through the body politic was defined in the conduct manuals provided for constables and other parish officers. Before the late eighteenth century service as a peace officer was seen as a public duty and was rotated amongst the men of the community: service was unpaid and obligatory, with fines for refusal. Constabulary duty was defined in terms of service to the commonwealth,<sup>19</sup> that is the common good or *res publica* and police officers were chosen, depending upon local custom and the seniority of the office, either by the men being selected by the Justice of the Peace or more commonly being elected at the Court Leet or parish council, otherwise the offices were simply rotated regularly amongst the owners of property in the area. The tasks of the constable were to keep the peace, raise and organise the hue and cry if an offence had been committed, pursue offenders reported to them by the victims of crime, maintain public morality and organise the nightly watch. As Ritson put it ‘the commonwealth consists in the well-ordering of particular towns, and order will not be well observed in them but where the officers are *idonei*’, i.e. ‘fit men’ for the execution of that duty.<sup>20</sup>

From the early seventeenth century the duties of these constables and other police officers were laid out in various handbooks which served as guides for their conduct and the basis of their legal authority. Later commentators on these offices drew heavily upon these definitions in a legal system based on custom and precedent. In 1610 Francis Bacon argued that ‘the petty constables in town ought to be of the better sort of resiants [sic] of the said town, save that they ought not to be aged or sickly men, but men of able bodies in respect of the keeping watch, and toil of their places’, ‘Neither ought they to be in any man’s livery’. Bacon’s words were excerpted for the prospective eighteenth-century constable in Jacob’s *Complete Parish Officer*



and were repeated *verbatim* in Ritson's *The Office of Constable*.<sup>21</sup> The petty constables, the chief 'peace officers' for the parish or the tything, were to be men of property who lived in the area they held jurisdiction over, so that the community could be said to be governing itself and they had an interest in its government. They should be physically capable of what was often a dangerous and demanding task and, crucially, they should not be servants to anyone so that they were not subject to the will of their master, rather they were independent men capable of acting according to their own will and judgement. The high constables, that is the constables who had no greater powers, but jurisdiction over the much greater area of the whole Hundred, 'ought to be of the ablest of freeholders, and of the most substantial sort of yeoman, next to the degree of gentlemen'.<sup>22</sup> By the mid-eighteenth century the Fielding brothers, active agents in the government of order through their Bow Street Police Office, were clearly defining these officers as either gentlemen or yeomen.<sup>23</sup> According to Patrick Colquhoun, one of the stipendiary magistrates introduced under the 1792 Middlesex Justices Act, traditional constables should be freemen, the classic propertied independent man of eighteenth-century political culture considered as one with the capacity to act as a free agent in politics.<sup>24</sup>

In 1630 the King issued a directive that constables should be 'fit men'.<sup>25</sup> But what did it mean to be a 'fit man', or *idoneus homo*? Despite several disagreements about the origin of the office of constable, closely related to the political settlements of the Commonwealth and the Restoration, the definition of the 'fit man' remained relatively constant. First, in this context, was the specific exclusion of women from the office: 'The party chosen, as hee must bee a lay person, so hee must bee a lay man, not a Lay-woman, & therefore a widowe or maid, albeit she keep house of her selfe, and dwell in a house whose owner hath been used to serve in this office, is not

to be chosen to this Office'; even in districts where the office was rotated amongst the different properties women were specifically excluded from the role.<sup>26</sup> The popular eighteenth-century guide *The Compleat Constable* argued against the rotation of the office amongst properties for this very reason 'for so it may fall upon a Woman (which is not sufferable) but it may be a good Custom, that every Man sufficiently qualified, shall serve or find one to do it'. Women, either maids or widows, were again specifically excluded, despite the fact that widows could inherit the property of their husbands. The later *Complete Parish Officer* stipulated that 'if the office happen on a woman, where there is a custom for every inhabitant to serve by turns, she may hire one to execute the office'.<sup>27</sup> Likewise 'as hee must be a man, so must he be *idoneus homo, i.e.* a fit man, & that first for his knowledge, that he doth in some good measure understand what he doth & ought to do. And therefore a man that is *non compus mentis*, as an Ideot or mad man, an Infant, or the like, cannot bee a fit man': the constable had to be capable of rational and independent thought, capacities traditionally and legally only granted to adult men.<sup>28</sup> *The Compleat Constable* linked together women, madmen, children and old men as they lacked the material and mental capacity to act without being swayed by the opinions or wealth of anyone else, or did not possess the physical capacity to carry out all the necessary tasks.<sup>29</sup>

Possession of the mental and physical capacity to carry out the duty of a peace officer was only one aspect of the qualifications provided by masculine independence, which also provided the financial security and moral probity necessary to carry out a public trust without payment. The constable 'must bee fit for his honestie, that he may be likely to execute his office truely without ill affection or partiality, and therefore it seemes a scandalous liver, a malicious and contentious man cannot bee a fit man': the most important stipulation here is that the constable must not be partial or malicious

in his office, he must discharge his duty dispassionately and fairly but it is also notable that he must act morally himself in order to exercise moral authority over others.<sup>30</sup> In addition 'Hee must bee fit for his abilitie of Body and Estate. And therefore an old, weake, sick, or otherwise, impotent man; or a poore needy man that lives only by his labour, cannot bee a fit man': being fit in body and estate meant that not only was the constable physically capable of the task, but that he was rendered independent by his property, both in terms of time and resources, so that he did not rely on the patronage of others and would not neglect the office to carry out his own work.<sup>31</sup> As *The Compleat Constable* put it 'This Office ought not to be put on the poorer sort, for they are usually most ignorant and fearful, and less able to attend this Office, their Necessity requiring them to maintain their own Trade and Employment: And 'tis to be understood, that Constables have no Allowance, but are bound to perform their Office *gratis*'.<sup>32</sup> In addition, the poor could be unable or unwilling to attend to the duties of a constable, because they were either 'ignorant what they may and should do, or are over-awed by their richer Neighbours, so as for fear to balk their Duties'.<sup>33</sup> Those serving should not do so simply where they owned property, but wherever they had their residence in order to give them a direct interest in the community they served, but also to ensure that community governed itself, rather than being governed.<sup>34</sup> These principles, phrases and definitions were repeated almost *verbatim* in most constables' handbooks from the Restoration to Waterloo.

This constitutes a system whereby the authority of the constable depended upon his social and physical status. In the social-governmental hierarchy of the eighteenth century the petty constable fell into place below the aristocrats who acted as Lord Lieutenant and their immediate inferiors the Lords of the Manor and higher ranks of the gentry who filled the offices of Sheriff and Justice of the Peace, but

significantly above the 'commonalty'. Jonas Hanway, lamenting the decline of the office, argued that the constable should be drawn from 'the valuable *equestrian* order of men', that is the country gentleman worth between £500 and £1000 a year.<sup>35</sup> The term 'equestrian' explicitly links the constabulary duty of the British gentry to a Roman conception of civic virtue. The possession of manly, propertied independence gave the constable the courage and sturdiness to carry out the dangerous and difficult tasks of pursuit and arrest. It also meant that he did not have pressing tasks that called upon his time and thus he was able to devote all his energy to the office. This masculine independence was embodied in his deportment as much as being a question of legal status, a point made clear in McCormack and Braddick.<sup>36</sup> Equally importantly his status placed social distance between himself and his dependents.

It is often argued that the stipulation that the constable had to live in the same area as those he policed would have made his task difficult as he would have had to face them on a daily basis and be subject to intimidation and reprisal; however this fails to take into account that according to the ideal the constable would live in the area, but not mix with or be an associate of the common people. The constable, as a member of the gentry or yeomanry, in theory at least, could use his social status and influence to command the respect and obedience of his inferiors, whom he should be used to dealing with in the manner of master and servant or patron and client. The gentleman was head of the household, which in the eighteenth century was conceived in terms much broader than the nuclear family. Wife, children, relations, servants and employees were conceived of part of the household and the father governed it as a patriarch. Only he was truly independent and being in any of the dependent roles defined the subject in a feminine role, even if they were male, and it was considered that the dependence of a servant involved a temporary sacrifice of liberty to some

extent.<sup>37</sup> Implicit in the property qualifications and suggestions about the social status of constables were the twin assumptions that the tasks of policing would be carried out by gentlemen over the lower orders, with whom he would be familiar but not on the terms of friendship or personal interest or partiality, and that the task would be possible because of natural authority of the independent man over these dependents. Equally important, of course, would be his developed capacity for judgement and his legal knowledge.

But even in the early eighteenth century such ideals were just that in London, where the practice of using paid deputies for constables was widespread.<sup>38</sup> Over the century this process gathered pace as the number of gentlemen serving as constables and magistrates continued to decline.<sup>39</sup> The consequence of this was that the bodies responsible for London's policing gradually evolved a paid, hierarchical system to compensate for their absence. Using either paid deputies for constables or even permanent paid police officers, often organised hierarchically, provided a solution to the problem of gentry absenteeism and made the conduct of policing duty more reliable, but it also created conceptual problems for the political imagination of the period. When these bodies of men were under the control of the parish council or the manor then the problem was simply one of the status of the paid constables and their distance from their fellows, but when, in the late eighteenth century, the Executive in London intervened and attempted to draw policing under its own authority, this opened up a second issue, that of the potential use of the police as a force for oppression.

The central problem faced by the authorities responsible for policing was not that of specialization identified by Pocock, but negligence by those whose virtue was supposed to ensure the moral conduct of the people and thus the liberty of the state.<sup>40</sup> Specialization was actually an instrumental solution to the problem of negligence, which was perfectly acceptable provided that the paid specialist could be inculcated with the values of *virtù*. Indeed, it is clear that payment of peace or 'police' officers as they were increasingly being called, gave the authorities a new tool with which to govern these men. The practical problem caused by the shift to paid policing, carried out by salaried deputies and an increasing reliance on paid watchmen to carry out the tasks of constables as well as their own role, was that this task was generally carried out by men of a much lower social status than the authors of the preceding tracts imagined to be ideal. On the one hand this was beneficial, as the threat to dismiss an officer or to fine him for misconduct was a much greater deterrent to those who needed the work than it had been to the man of leisure: Colquhoun is quite explicit in identifying that in fact payment might actually be a lever of greater vigilance rather than corruption: 'From those, who serve in their own right, it is to be feared that little more can be expected than what is *indispensably necessary*' and it is 'from [paid] police officers and respectable substitutes only, that vigour and energy in the ramifications of duty are to be looked for'.<sup>41</sup> But another consequence of this was that these men did not possess the characteristics thought ideal for government or the 'natural' authority of social status and they were not distanced from the people they were policing. This latter subject was clearly stated as late as the 1830s in the context of the un-reformed rural constabulary: 'Even when suited in other respects to the employment, his [the constable's] efficiency is always in a great manner impaired by the nature of his position with regard to those among whom he is called upon to act.

Belonging to their class, and brought into constant contact with them by his ordinary occupations, he is embarrassed in the discharge of his duty by considerations of personal safety, interest or feeling, and by an anxiety to retain the good will of his neighbour'.<sup>42</sup>

The response of the authorities responsible for policing London is well known. Between 1735 and 1774 a series of acts were passed enabling various parishes to establish a nightly watch, paid for by the community. Elaine Reynolds has detailed the way in which the authorities attempted to establish the character and physical fitness of the watchmen through references and age limits and tried to enforce their attention to duty through surveillance and discipline and financial incentives.<sup>43</sup> By the time Patrick Colquhoun wrote on the office of Constable in 1803, the salaried police officer was already a significant presence on the streets of London. Colquhoun was one of the first authors to deal explicitly with the subject of salaried constabulary deputies and watchmen and his work casts interesting light on the practical developments in police organization. Colquhoun estimated that in 1802 there were 832 constables serving in London, Westminster, Holborn, Finsbury, Tower Hamlets and Southwark, of whom 330 were substitutes. Added to this were 213 stipendiary officers established at the seven police offices created by the Middlesex Justices Act, the Thames Police Office and Bow Street patrols and officers and there were therefore 563 paid peace officers in the Metropolis. 'Thus it would seem', he wrote, 'that the imperious necessity arising from the present state of society and manners has rendered it impossible to execute the duties assigned to constables in large and opulent communities, without resorting to stipendiary officers to a certain extent, and hence the propriety is obvious of selecting fit and able men, and such as are qualified *according to law*'.<sup>44</sup> In other words the paid police officer should be selected and

managed so that he fulfil the same qualifications as his unpaid successors. Colquhoun stressed the necessity of ability, intelligence, prudence, probity and discretion in the officers. Most importantly, from our perspective, he stressed that through their estates they should be independent in order to act in the public interest.<sup>45</sup> ‘It is of the utmost consequence to society’ he wrote ‘that they should be men of good moral character, and, in a certain degree, respectable’. He considered that the men should be offered enough money to attract those who were intelligent, but had simply fallen on hard times and that they wanted men ‘who would devote their time and attention to the various duties of the office, and execute the same with zeal, accuracy and probity’.<sup>46</sup> The ideals of temperance, prudence and probity were central to Ciceronian definitions of the ideal governor and have been identified as central to the Machiavellian problem of maintaining the free state.<sup>47</sup>

But despite increasing mechanisms for control of the watchmen many parishes were still reliant on the vigilance of constables to enforce them and there was agitation for reform of the entire system of supervision. This caused considerable controversy in London when in 1785 an attempt was made to draw these paid officers under the authority of the Home Secretary. This prompted accusations that such salaried police officers controlled by the government would constitute a standing army.

Writing in defence of such measures was Sir William Blizzard, a former Wilksite, a member of the Honourable Artillery Company that was active in suppressing the Gordon Riots, surgeon to the Magdalene and London hospitals and founder of the latter’s medical school and acquaintance of Jonas Hanway, working with him in the Marine Society. In anticipation of the Police Bill in 1785 Blizzard argued that ‘VICE foretells a nation’s certain fall’ and ‘That nation must be in great



danger, in which lawless men constitute a considerable part of the community'.<sup>48</sup> Blizard frequently speaks of crime in terms of vice and 'corruption' and the solution, he argues at regular intervals, is for more 'active virtue' in the nation. He explicitly argues against common fears that the creation of a system of police would be equivalent to a standing army: 'although Englishmen will ever, I trust, abhor the interposition of the military in the civil department of government, when not absolutely necessary, yet it does not follow that this remark might not be usefully applied when the services of *armed citizens* should be required'.<sup>49</sup> Blizard is explicitly defining police officers as citizen-soldiers who were not only acceptable, but in the Machiavellian neo-classical scheme were vital to the maintenance of liberty because they were outside the power of the tyrant.<sup>50</sup> Blizard argued that according to the ancient law of the kingdom it was seen 'not only as a *right*, but as a *duty*; for all the subjects of the realm, who are able to bear arms, are bound to be ready, at all times, to assist the sheriff, and other civil magistrates, in the execution of the laws and the preservation of the public peace'. Their task, then, was to 'strengthen the *civil power*' and to be 'at all times prepared for a vigorous and effectual discharge of their duty, as citizens'.<sup>51</sup> It is clear that Blizard saw a government-controlled force as capable of being described in these terms and he explicitly praised 'a minister, virtuous as well as able and active', presumably Pitt or Dundas.<sup>52</sup>

But this was a London-specific problem and the dynamics of the emergence of the Metropolitan Police are well described elsewhere.<sup>53</sup> Rather than dwell on the unusual situation which saw paid police forces drawn under the control of the Executive, I will explore the construction of paid forces in Manchester, which were under no threat of being brought under such control, were not opposed with the rhetoric of a standing army, and yet which implemented very similar structures of

governance to its London counterpart. This suggests that not only can we not accept the idea that the formation of a particular mode of constabulary subjectivity was necessary to ward off accusations of a gendarmerie, we cannot accept this as completely explanatory of the process taking place in London.

1792 saw the establishment of a Police Commission in Manchester, a general body for the government of order in the town, one of whose responsibilities was regulation of the watch. The reorganization of the various committees in 1828-9, before the Metropolitan Police began operation on 29 September 1829, demonstrates very clearly that the kind of developments described by Reynolds for late eighteenth-century London, were also common in other cities, albeit emerging as they experienced the problems of urban transformation somewhat later. On 7 November 1828 the watch committee resolved not to appoint anyone over 50 or pensioned as a watchman, nor to appoint anyone 'who does not belong to Manchester'. The watchman's name was to be entered in a book 'with the particulars of his good or bad conduct described at length, his age, family and residence'. The men were then inspected and accompanied on their rounds by 'overlookers'.<sup>54</sup>

In order to establish the best possible system for Manchester the Police Commission sent delegates to Birmingham, Edinburgh and Glasgow to examine their systems of police. The Birmingham police had no limits on the age or occupation of their watchmen, although they were required to live in their parish, but they inspected the watchmen once a year, dismissing all those considered unfit or unworthy of confidence. They also had regulations enabling them to reward old watchmen and a system of fines on publicans to prevent the watchmen drinking on duty. The regulations of the Lamp and Watch Committee defined the hours of service of the men and their duties and threatened fines or dismissal for those found asleep, drunk

talking on duty or otherwise neglecting his post.<sup>55</sup> Glasgow, visited on 19 June 1829, took no men over the age of 45. There was no periodic inspection but the Superintendent was responsible for ensuring the efficiency of the men and could give a pension to those rendered unfit through service. As well as the usual regulations for the watchmen, the senior police officers were instructed that they ‘must be extremely attentive to sobriety and temperance, active and diligent in the discharge of his duty and maintain on all occasions a calm, civil, and obliging, but firm and steady conduct, not suffering himself to be biased in the execution of his duty’.<sup>56</sup>

Drawing upon their experiences in the various towns they had investigated, the Manchester watch department also drew up a list of regulations for the government of their officers’ conduct.<sup>57</sup> They were to be civil and temperate in their conduct, ‘on the one hand not to interfere with that which does not concern him, and on the other, not to permit anything to be neglected which it is his duty to notice. He must be firm and determined in the discharge of his duty, but, at the same time careful not to make use of unnecessary violence’.<sup>58</sup> As soon as he was appointed he had to give up every other employment and attend his office whenever required. This meant that he would not be distracted by other work, nor would his business interests clash with those of his police duty. Neither he nor his wife should own a pub or sell liquor, nor should he drink on duty or take any gifts from the inhabitants.<sup>59</sup> This meant that there was far less likelihood of the watchman finding himself in a compromising position, open to blackmail over neglect of duty or liable to accusations of taking bribes.

The watchman was to remember that ‘there is no qualification more indispensable to a Police Officer than perfect command of temper, never suffering himself to be moved in the highest degree’, indeed ‘if he do his duty in a quiet and determined manner, such conduct will probably induce well disposed bystanders to

assist him'. In order to stimulate 'an active, steady, and faithful discharge of duty' they would be provided with rewards for merit, but 'none will be suffered to continue on the establishment who are inactive and who do not, on all occasions, shew a marked degree of attention and spirit in the service'.<sup>60</sup> The Watch Committee stressed that they would be assessed only on the performance of their duty and there could be no hope of intercession from a patron: 'It has been the constant aim of your Committee to impress upon the men the responsibility of their situation and to shew them that they have nothing but their own good conduct to depend upon, and they are fully aware that no personal intercession can screen them from the effects of delinquency'.<sup>61</sup> As for the senior officers, they were later instructed to be extremely mindful of their unique situation, they 'being exposed to strong temptation, held out to them by depraved or interested parties, who will be the first to expose their *compromise of independence* and effect their ruin. Integrity, sobriety, intelligence, a systematic correctness in business, civility and humanity are the leading qualities of a good Police Officer'.<sup>62</sup>

If these are compared to the regulations for the Metropolitan Police (which the Manchester Commission explicitly drew upon) the resemblance is striking. The Metropolitan Police were principally governed by the separation of the police institutions from the political process and patronage. Home Secretary Robert Peel's only concrete recommendation on the establishment of the force known afterwards as the 'Peelers' was that 'all nominated for employment in the Police, as well original nominations, as promotions from minor stations, should depend exclusively upon the character, qualifications, and services of the persons selected'.<sup>63</sup> At the same time the officers and men were, even where normally eligible, excluded from the franchise in order to prevent accusations of party-political bias. This, along with the salary, meant

that it was in theory difficult to manipulate individual policemen, particularly the higher-ranking officers, with bribes or offers of political preferment. They also attempted to establish the temperate, manly conduct considered essential for the officers to possess authority. In the *General Instructions* of the Metropolitan Police the constable was instructed to 'devote his whole time to the Police Service', he should not take money from anyone without the permission of the Commissioners and he should not be in debt.<sup>64</sup> He was, like his Mancunian counterpart, to be dependent on no-one and free from potential manipulation. The constable was to be completely sober and well-dressed, should not enter any house or pub except in the pursuit of his duty, should be polite and civil to all members of the public and must be temperate, yet act with decision and boldness.<sup>65</sup> The values of command of the temper and decisive action were the definition of moral masculinity. These values were enforced and transmitted by dismissing those men unable to conform to these ideals and promoting those who embodied them most successfully.

The kind of masculinity established by these regulations was not, of course, only a question of character, it was also a question of physique. The recruitment practices of the various forces contributed directly to the establishment of a muscular police presence. Recruits to the Metropolitan Police had to be fit men between the ages of 18 and 35 and over five feet seven inches in height, above average for the time. All men were given a medical inspection on recruitment and those whose chest size was less than a certain proportion of their height, or who were unable to lift basic weights, were rejected. There were various stipulations as to appearance with some forces allowing only clean-shaven men, some beards, a great symbol of nineteenth-century masculinity. In the Maidstone borough force it was actually compulsory for the men to have whiskers.<sup>66</sup>

The Chief Constable of the Manchester borough police, introduced over the period 1839-42 replacing the Police Commission, was particularly concerned with the physique of his force. He discovered that the Dublin City police derived great power 'from the size and strength of the men who average nearly 5 feet 11 inches in height, they possess a great advantage in putting down street disturbances, indeed it is assured by the Officers of the Force that many parties who would with men of their own size not to be taken into custody quietly, give themselves up immediately to the large sized and powerful men feeling satisfied that it would be useless to resist'.<sup>67</sup> In fact the physical presence of the police on the streets was considered a great deterrent to disorder in general. In Manchester itself the Chief Constable was informed by his superintendents, most of whom had served in the old police before the borough force, that 'in former times, when the police constables were not placed on duty in the streets, broils frequently took place from the want of some one near at hand to suppress the affrays in their commencement'.<sup>68</sup> The result was often that the constables had to use their cutlasses to suppress the riot and on some occasions had to call for military assistance. The physical presence of these strong men on the streets, then, was one aspect of the preventative nature of the new police. Equally, the numerical presence of these forces on the streets was significant. Paid watch and police systems greatly increased the numbers of men patrolling the streets and after 1829 in London and 1830 in Manchester all these officers had the increased legal authority of a constable.

Throughout the nineteenth century the police authorities actively sought to promote the masculine physicality of their officers by introducing an array of competitive sports that emphasised manliness, character and camaraderie following the public school model. The homo-social environment was promoted by building

large-scale dormitory and barrack accommodation for the officers to live in, by ensuring that the hours of police work meant that the men could only socialise with one another, and by encouraging the practice of manly sports such as rugby and boxing, football, cricket and athletics. The aim of this was to make the men into career officers, to attach them permanently to the force and more importantly, to separate them from their existing social world.

### III

In this chapter I have argued that the transition to a paid system of policing does not represent the abandonment of the idea that good government and even the free state depended upon the public activity of energetic men to maintain them. The idea that good laws required good, active men to execute them remained, what changed was the social background of the constable and the mechanism that ensured the engagement of these men in public life. Paid policing can be said to represent the institutionalization of independence, but this does, of course, result in a significant transformation in its nature replacing one kind of public man with another. Ironically it was precisely the financial, propertied independence of the gentry and the yeomanry that allowed them to be negligent in their duties towards government of the community, rendering them immune from the impact of the fines levied on non-service or able to pay deputies to serve in their stead; real independence here led to negligence. Equally ironically it was the ‘necessity’ of the lower orders that meant that they could be compelled to be active through a system of payment, fines and rewards, which they could not so easily afford to ignore; real dependence here led to activity. At the same time this dependence on payment and reward and particularly

the threat of fines meant that it was also possible for the police authorities to encourage men not usually considered suitable for wielding public authority to abide by the Ciceronian ideals set out for the governor in the traditional definitions of constabulary duty. But this independent, temperate, prudent manliness which legitimized intervention in public conduct was also backed up by a new kind of manliness, a powerful physical presence produced by selection of particular physical types from amongst the working population, creating a powerful combination of moral and physical authority on the streets.



<sup>1</sup> This chapter was first delivered under the title ‘Public Service, Masculinity and the Police in England, c. 1750-1950’ at the conference ‘Public Men: Political Masculinities in Britain, 1700-2000’, *University of Manchester*, 15-16 July 2004. My thanks to all the participants for their useful suggestions and special thanks to Matthew McCormack for organising this productive exchange of ideas and for conversations on masculinity, militia and public service over a long period. Thanks also to Clive Emsley, Paul Lawrence and Chris Williams for reading this chapter at an early stage. For Rebeca Sanmartín Bastida.

<sup>2</sup> M. Young, *An Inside Job: Policing and Police Culture in Britain* (Oxford: Clarendon, 1991), pp. 191-252 and *passim* demonstrated the importance of masculinity in police culture and the tendency for women police to assume masculine roles in their work. L. Westmarland, *Gender and Policing: Sex, Power and Police Culture* (Cullompton: Willan, 2001), particularly pp. 134-75, argues that in beat work this tendency is now less pronounced, but that in certain key ‘frontline’ areas of police work the masculine culture remains intact. The problems this masculine culture caused for the introduction of women in the police are made clear in L. Wyles, *A Woman at Scotland Yard: Reflections on the Struggles and Achievements of Thirty Years in the Metropolitan Police* (London: Faber and Faber, 1952). Harry Daley eloquently describes the problems and benefits of a masculine police culture for the homosexual officer in the early twentieth century in *This Small Cloud: A Personal Memoir* (London: Weidenfeld and Nicholson, 1987).

<sup>3</sup> This work forms part of a wider study of the relationship between cultural and social change being undertaken at the University of Manchester and The Open University.

See [www.cresc.ac.uk](http://www.cresc.ac.uk) for more details.

<sup>4</sup> On which see M. L. McCormack, *The Independent Man: Citizenship and Gender Politics in Georgian England* (Manchester: Manchester University Press, 2005).

<sup>5</sup> W. Miller, *Cops and Bobbies: Police Authority in New York and London, 1830-1870*, 2<sup>nd</sup> edn (Columbus Ohio: The Ohio State University Press, 1999), pp. 12-16.

<sup>6</sup> Recent accounts of the gradual transformation of policing are, for Westminster, E. A. Reynolds, *Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720-1830* (Basingstoke: Macmillan, 1998); for the City of London, J. M. Beattie, *Policing and Punishment in London, 1660-1750: Urban Crime and the Limits of Terror* (Oxford: Oxford University Press, 2001) and A. T. Harris, *Policing the City: Crime and Legal Authority in London, 1740-1840* (Columbus Ohio: The Ohio State University Press, 2004).

<sup>7</sup> This argument was made by J. G. A. Pocock in *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Chichester: Princeton University Press, 1975) and *Virtue, Commerce, and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century* (Cambridge: Cambridge University Press, 1985). It has subsequently been modified in important ways through the work of S. Burt, *Virtue Transformed: Political Argument in England, 1688-1740* (Cambridge: Cambridge University Press, 1992) and Q. Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998) and *Visions of Politics*, 3 vols (Cambridge: Cambridge University Press, 2002), particularly Vol. II, *Renaissance Virtues*, pp. 160-212 and 308-67.

<sup>8</sup> McCormack, *The Independent Man*.

<sup>9</sup> [James Burgh], *Britain's Remembrancer* (Philadelphia, 1747), p. 8.

<sup>10</sup> *The Vices of the Cities of London and Westminster. Trac'd from their ORIGINAL ... In Five LETTERS, from a Citizen of London to a Member of Parliament* (Dublin, 1751), p. 5.

<sup>11</sup> [Burgh], *Britain's Remembrancer*, p. 14.

<sup>12</sup> [Burgh], *Britain's Remembrancer*, pp. 9-13.

<sup>13</sup> [Burgh], *Britain's Remembrancer*, p. 6.

<sup>14</sup> *The Vices of the Cities of London and Westminster*, p. 6.

<sup>15</sup> Saunders Welch, *Observations on the Office of Constable. With Cautions for the more safe Execution of that Duty. Drawn from Experience* (London, 1754), pp. 1-2.

<sup>16</sup> *The Vices of the Cities of London and Westminster*, p. 7, pp. 9-10.

<sup>17</sup> *The Vices of the Cities of London and Westminster*, p. 10. On the opposition of masculine *virtù* to feminine *fortuna*, see Pocock, *Virtue, Commerce, and History*, pp. 98-9 and 114-15. See also McCormack, *The Independent Man*.

<sup>18</sup> *The Vices of the Cities of London and Westminster*, pp. 11-12, p. 15, pp. 30-1.

<sup>19</sup> W. Sheppard, *The Offices of Constables, Churchwardens, Overseers of the Poor, Supravisors of the Highways, Treasurers of the County-Stock: And Some lesser Country Officers, plainly and lively set forth* (London, 1652), sig. A2-A3.

<sup>20</sup> [Joseph Ritson] *The Office of Constable: Being an Entirely New Compendium of the Law Concerning that Ancient Minister for the Conservation of the Peace* (London, 1791), pp. 3-4.

<sup>21</sup> Sir Francis Bacon, 'The Office of Constables', in G. Jacob, *The Complete Parish Officer*, 16<sup>th</sup> edn (London, 1772), *Addenda*, p. 3; [Ritson], *The Office of Constable*, p. 4.

<sup>22</sup> Bacon, 'The Office of Constables', pp. 3-4.

<sup>23</sup> Henry and John Fielding, 'A Treatise on the Office of Constable', in J. Fielding, *Extracts from such of the Penal Laws, as Particularly relate to the PEACE and GOOD ORDER of this METROPOLIS: with OBSERVATIONS for the better Execution of some, and on the Defects of others* (London, 1768), p. 322, p. 331. N.B. this treatise was begun by Henry Fielding before his death in 1754 and completed by his brother John.

<sup>24</sup> P. Colquhoun, *A Treatise on the Functions and Duties of A Constable; Containing Details and Observations Interesting the Public as they Relate to the Corruption of Morals, and the Protection of the Peaceful Subject Against Penal and Criminal Offences* (London, 1803), p. x.

<sup>25</sup> Sheppard, *The Offices of Constables*, sig. A3-A4.

<sup>26</sup> Sheppard, *The Offices of Constables*, sig. A3.

<sup>27</sup> R. G. [Robert Gardiner], *The Compleat Constable*, 4<sup>th</sup> edn (London, 1710), p. 8; Jacob, *The Complete Parish Officer*, p. 6.

<sup>28</sup> Sheppard, *The Offices of Constables*, sig. A3.

<sup>29</sup> R. G. *The Compleat Constable*, p. 7.

<sup>30</sup> Sheppard, *The Offices of Constables*, sig. A3; this is echoed in R. G. *The Compleat Constable*, p. 7 and [Ritson] *The Office of Constable*, p. 3.

<sup>31</sup> Sheppard, *The Offices of Constables*, sig. A3; R. G. *The Compleat Constable*, pp. 7-8; [Ritson] *The Office of Constable*, p. 3.

<sup>32</sup> R. G. *The Compleat Constable*, p. 7.

<sup>33</sup> E. W. [Edmund Wingate], *The Exact Constable, With his Original and Power in all Cases belonging to his Office*, 6<sup>th</sup> edn (London, 1682), p. 13.

<sup>34</sup> Sheppard, *The Offices of Constables*, sig. A4; R. G. *The Compleat Constable*, p. 8; [Ritson], *The Office of Constable*, p. 4.

<sup>35</sup> J. Hanway, *The Defects of Police the Cause of Immorality, and the continual Robberies committed particularly in and about the Metropolis...* (London, 1775), p. 285.

<sup>36</sup> McCormack, *The Independent Man*, pp. 31-55; M. J. Braddick, *State Formation in Early Modern England, c. 1550-1700* (Cambridge: Cambridge University Press, 2000), particularly pp. 17-25, 34-5 and 76. See also Idem, 'Civility and Authority', in D. Armitage and M. J. Braddick, *The British Atlantic World, 1500-1800* (Basingstoke: Palgrave, 2002), pp. 93-112, particularly p. 95.

<sup>37</sup> N. Tadmor, 'The Concept of the Household-Family in Eighteenth-Century England', *Past and Present*, CLI (1996), 111-40; P. Langford, *Public Life and the Propertied Englishman, 1689-1798* (Oxford: Oxford University Press, 1991), p. 449, pp. 503-4; McCormack, *The Independent Man*, p. 19.

<sup>38</sup> Beattie, *Policing and Punishment*, pp. 140-8 and on the watch, pp. 173-97.

<sup>39</sup> P. King, *Crime, Justice and Discretion in England, 1740-1820* (Oxford: Oxford University Press, 2000), pp. 66-7; D. Philips and R. Storch, *Policing Provincial England, 1829-1856* (London: Leicester University Press, 1999), pp. 18-20; Langford *Public Life*, p. 367 ff shows this problem was widespread and not confined to policing.

<sup>40</sup> Pocock, *Virtue, Commerce, and History*, pp. 109-10, emphasises the Aristotelian dimension of Machiavellianism to define specialization as the central threat to virtue provided by commerce. Skinner, *Visions of Politics*, Vol. II, pp. 164-5, emphasises the Ciceronian element that stresses the instrumental nature of the 'neo-Roman' concern for liberty where laziness (*ozio*) and negligence of duty are as great a threat as corruption.

<sup>41</sup> Colquhoun, *A Treatise on the Functions and Duties of A Constable*, p. xv.

<sup>42</sup> *Second Report of the Commissioners on County Rates* P.P. 1836 XXVII, pp. 8-9, concerning the appointment of constables from petty tradesmen or mechanics, quoted in Philips and Storch, *Policing Provincial England*, p. 11.

<sup>43</sup> Reynolds, *Before the Bobbies*, pp. 22-57.

<sup>44</sup> Colquhoun, *A Treatise on the Functions and Duties of A Constable*, pp. xiii-xiv.

This is in addition to the 2,200 watchmen and patrols he thinks active in the metropolis, p. 87.

<sup>45</sup> Colquhoun, *A Treatise on the Functions and Duties of A Constable*, pp. ii-iii.

<sup>46</sup> Colquhoun, *A Treatise on the Functions and Duties of A Constable*, p. xv.

<sup>47</sup> Skinner, *Visions of Politics*, vol. II, pp. 202-5.

<sup>48</sup> W. Blizzard, *Desultory Reflections on Police: With an Essay On the Means of Preventing Crimes and Amending Criminals* (London, 1785), p. 11.

<sup>49</sup> Blizzard, *Desultory Reflections on Police*, p. 42.

<sup>50</sup> The role of the citizen-soldier in preserving British liberty was well established in English neo-classical political theory, see Pocock, *Machiavellian Moment*, pp. 381-3.

<sup>51</sup> Blizzard, *Desultory Reflection on Police*, p. 60, p. 65.

<sup>52</sup> Blizzard, *Desultory Reflection on Police*, p. vi.

<sup>53</sup> Reynolds, *Before the Bobbies*.

<sup>54</sup> Manchester Central Reference Library, Local Studies Unit, Archive Service, M9/30/5/1, *Proceedings of the Watch, Nuisance and Hackney Coach Committee*, pp. 4-7.

<sup>55</sup> Manchester Central Reference Library, Local Studies Unit, Archive Service, M9/30/9/1, *Reports of the Police Establishments in Various Towns*, pp. 5-6, pp. 12-13.

<sup>56</sup> *Reports of the Police Establishments in Various Towns*, p. 28, p. 62.

<sup>57</sup> Manchester Central Reference Library, Local Studies Unit, Archive Service, M9/30/1/6, *Proceedings of the Commissioners, 25 Aug. 1828 – 9 Jan. 1833*, p. 407 state explicitly that the Police regulations for London, Edinburgh and Glasgow were drawn upon when writing Manchester's regulations.

<sup>58</sup> *Regulations for the Government of the Watch Department of the Manchester Police* (Manchester: Henry Smith, St Anne's Sq., 1830), p. 3.

<sup>59</sup> *Regulations for the Government of the Watch Department of the Manchester Police*, pp. 8-10.

<sup>60</sup> *Regulations for the Government of the Watch Department of the Manchester Police*, pp. 12-15.

<sup>61</sup> *Proceedings of the Commissioners, 25 Aug. 1828 – 9 Jan. 1833*, second annual report of the Watch Committee, p. 273.

<sup>62</sup> *The Orders and Instructions to Be Observed by the Officers of the Manchester Police* (Manchester: Cave and Sever, 1836), pp. iii-iv, my emphasis.

<sup>63</sup> The National Archives, MEPO 2/38, letter 'As to Recruitment' from Peel to the Commissioners of the Metropolitan Police, 10 Dec. 1829

<sup>64</sup> The National Archives, MEPO 8/1, 'General Instructions' [1829], pp. 7-10.

<sup>65</sup> MEPO 8/1, 'General Instructions' [1829], pp. 41-2.

<sup>66</sup> D. Taylor, *The New Police in Nineteenth Century England: Crime, Conflict and Control* (Manchester: Manchester University Press, 1997), p. 54.

<sup>67</sup> Manchester Central Reference Library, Local Studies Unit, Archive Service, *Watch Committee Minutes*, vol. 1, 16 Oct 1845 – 28 September 1848, pp. 119-20.

<sup>68</sup> Manchester Central Reference Library, Local Studies Unit, Archive Service, *Watch Committee Minutes*, vol. 2, 5 October 1848 – 8 January 1852, pp. 258-9.