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A close-up photograph of a police riot helmet with a clear visor. The visor has 'POLICE' written on it. The helmet is dark, and the visor reflects some light. The background is dark with some blurred lights, suggesting a night scene.

# The 2011 London Riots

Photo: Hozinja

**British Politics and Policy**

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## The 2011 London Riots

### British Politics and Policy at LSE ecollections

**British Politics and Policy at LSE** ecollections bring together key articles from the blog on specific themes so they can be downloaded and read as a short series. We hope these will form a useful resource for academics, students and those interested in particular issues that are covered more extensively online. We welcome comments and suggestions as to themes for future ecollections.

### The 2011 London Riots

**British Politics and Policy at LSE** ran in-depth coverage of the riots that took place in London and other major urban centres in England in the summer of 2011, and their aftermath. This ecollection is a select sample of some of the most interesting posts from that series and provides an opportunity to rethink and re-engage with commentary and analysis that was being written as events were still unfolding. Access to the full spectrum of articles is **available online**.

The articles contained herein give the views of the author(s), and **not** the position of the British Politics and Policy at LSE blog, nor of the London School of Economics.

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# *The vulnerability of the British state – deeper lessons from the urban riots*

**Published: 10 August 2011**

**Patrick Dunleavy argues that MPs and government ministers need to take some deeper-lying lessons of the riots to heart. Governance is difficult and needs to be taken seriously. All of modern society relies on the effective operations of the state, with the consent of the governed. Once the state is enfeebled or consent is withdrawn, by any significant group, the costs and risks of governing rise at an exponential rate.**

What was David Cameron thinking on the plane back from Italy to chair the COBRA (emergency cabinet office briefing) meeting on stopping London burning? How did Boris Johnson while away the hours before returning so late and so reluctantly from Vancouver? How did Nick Clegg feel as his planned Birmingham walk-about ended in confusion, surrounded by angry citizens inviting him to get lost? Let's hope that all of them mused and reflected on the vulnerability of the British state to sudden shocks and unexpected crises.

After the phone-hacking scandal kept Parliament in London for two unexpected extra days in July, now the Commons will meet again in the deadest of all political months to do that most difficult of all things – trying to jam the (evil) genie back in the bottle after someone, somehow, let it out. There has already been discussion of the circumstances that **triggered the whole crisis** last weekend, but the lesson-drawing must go far wider than that.

For a Conservative party that had been out of power since 1997, the return to government was always going to be difficult. But it was hugely compounded in 2010 by the culture that developed amongst the resurgent Tories, contemptuous of the Brown government as it became mired in economic crisis and the prime minister lost touch with the electorate. Senior civil servants have told me repeatedly that what astonished them about Conservative ministers coming into office was their combined confidence and complacency. The Tories had convinced themselves that governance was easy, both ideologically because they wanted a smaller state and minimal public services, and in personal practice. Liberal Democrat ministers were more nervous and earnest – they'd never done this before – but later bought into the Tory ethos as if in catch-up mode.

Far-reaching decisions were made in a relaxed, almost recklessly confident way. Everything in the coalition agreement between the two parties began to be implemented in a no-questions-asked manner – what was written must get done. The Number 10 political machine was staffed with inexperienced folk, who let ministers wander off and do almost what they liked, before waking up months too late to some of the implications. The government decided to reorganize the whole NHS almost casually and with little debate.

Ministers froze public sector pay for two years, because it helped fix the books, and then publicly pilloried every high paid public servant. There was no consideration that perhaps the government would need allies on their side. The Chancellor and Chief Secretary enforced unsustainable cuts of up to 40 per cent in departmental budgets over four years, including radical surgery on the police budget. Ministers tripled student fees and scrapped the Educational Maintenance Allowance, which millions of teenagers at school and college had come to rely on. When those affected protested, ministers smiled knowingly – they knew that “special interests” would wail and moan, but these things were do-able. The government would face down its critics and resolution, political élan, would win the day.

In her excellent and entertaining book ***The March of Folly***, the historian Barbara Tuchman dwelt on the quality of “wooden-headedness” in political leaders – the capacity to rack up political fiascos in the face of (lots of) advice to the contrary. The recent collapse of public order across London, and its threatened or near collapse in every major city of the country, will be an object lesson for political science students for years to come in how close a government can come to creating a crisis out of almost nothing through inattention and neglect of the complexity of governance.

This is not the first time that the potential fragility of the British state has been suddenly exposed on a new flank. Margaret Thatcher's government was famously rocked by riots in 31 British cities, sparking the Heseltine-led fight-back against her hard-line policies which eventually scuppered her nine years later, following a second wave of poll tax riots. In 2000 the Blair government was suddenly beached out of nowhere, helplessly flailing for a week in the face of a nationwide protest over fuel prices that almost caused garages to run out of fuel.

What ministers need to realize is that modern government, in Britain more than almost any other western state, runs on fine margins. Everything that government does – *everything* – relies on the active consent of the governed. Decades of “new public management” (NPM) policies implemented by Conservative and Labour governments have left us with an administrative machine that is fine-tuned to run at minimal cost, so long as things go on as expected. But as soon as that ceases to be true, an NPM state is incredibly fragile – it can grind up very swiftly in the light of new events for which there is no reserve of slack resources, no defence in depth.

We do not have enough tax inspectors to make people pay tax if they don't want to. We do not remotely have enough future tax revenues coming in to back up or bail out the liabilities that UK banks have incurred. We do not have enough police to maintain order in any of our cities if just enough people gather in the same place bent on looting. We rely on a whole nexus of fragile social ties to keep the show on the road, some apparently tenuous or intangible, but nonetheless vitally important. We also rely to a high degree on the “mission committedness” of many public service occupations.

Writing nearly a year ago now, I pointed out the extent to which Conservative ministers were practicing a form of “**zombie new public management**” dating from when they were last in office in the mid-1990s, and I forecast that it was doomed to fail. I also argued that every government needs allies and lots of goodwill within the public services, if they are to get change done, or even keep things running. Since then the NHS reforms have crashed and burned; the privatisation of UK forests has been reversed; economic growth has ebbed away into the sands; and public order has spectacularly collapsed.

When Parliament reassembles tomorrow to debate the riots, it is important that MPs of all parties try to renounce ideological simplicities and grapple in grown-up ways with acutely difficult governance problems. “Sheer criminality” is a good description of the riots, but the potential for the self-same “sheer criminality” has always been with us. Why did it happen at this time, on this scale, when it did not happen before? Once it has happened, on this scale and with additional scary complications such as the casual arson of cars and buildings, how can the recurrence of future outbreaks be prevented? Watching Michael Gove blustering and posturing on **BBC's Newsnight programme**, one sensed that the Cabinet minister had not even begun to take his responsibilities seriously.

The forthcoming political year is not going to be an easy one for the government. Cuts to police forces are likely to be frozen, and later quietly abandoned. The cross-public sector pay freeze must end in real wage negotiations again by spring 2012. Public sector trade unions whose members' living standards have been slashed by 10 per cent or more will be looking for a catch-up pay rise, and their members will be almost unanimous in backing them. A “spring of discontent” could lock down the economy in the run-up to the Olympics if ministers try to defy the inevitable need for normal wage-bargaining to be resumed. The economy looks like it will flat-line anyway, and even the Olympics may have negative net economic effects.

Ministers are living in interesting times. They need to recognize that the British state operates on fine margins and is acutely vulnerable to a withdrawal of consent, by any group. They need to start listening harder to messages they are disinclined to hear. They need to **build allies across government** and across civil society, and to do it quickly before it becomes impossible. They need to do more evidence-based, sophisticated policy-making. The alternative is keep 16,000 police up every night of the year to police London- a route that could be very expensive indeed.

#### **About the author**

Patrick Dunleavy is Professor of Political Science and Public Policy at the London School of Economics and Political Science, where he has worked since 1979.

# *David Cameron may finally have found community spirit amongst the riot clean up, but recent events spell the end for his Big Society fantasy*

**Published: 10 August 2011**

**Following the looting and vandalism in areas across London during the first few days of the riots, hundreds of people came out to help clear up the mess and put their neighbourhoods back on track. Amy Mollett writes that this example of “Big Society” spirit is admirable, but the damage caused by disengaged, angry, and bored young people shows that the Prime Minister’s dream of a Big Society is over.**

Hundreds of local residents gathered outside Hackney Town Hall on Tuesday morning in an effort to start cleaning up the streets after the extreme vandalism and looting that took place in the Hackney Central area the previous night. After watching with shock and disgust the events of Monday evening, residents came out in support of the local area, wielding brooms and bin liners. Some lived nearby on the heavily damaged Pembury Estate but many others came from streets and areas not affected. Similar acts of kindness and concern happened in other areas of the capital, mostly organised through the Twitter account @riotcleanup, which now has nearly 90,000 followers.

Such positive community spirit displayed through the voluntary clean-up operation across London may be characteristic of David Cameron’s flagship policy idea, the Big Society. **Re-launched** for the fourth time in May, the key areas of the agenda involve community engagement, social action, and helping people to come together to improve their own lives. National support for the volunteers who spent the day helping to put right the damage in the lives of others certainly falls under this category. Some media reports live from the clean-up praised “the Big Society in action”, claiming that if everybody pulled together the community would be back on its feet in a short time.

It is unlikely, however, that the commendable clean-up efforts mark a resurgence of support for Cameron’s idea. The sparks of big society rhetoric are ignoring what should really be focused on: that Cameron’s dream is over and lies in the ashes of the burned out buildings.

Residents questioned in anger and disbelief why young people were destroying their very own community, their own local shops, barbers, off licenses, and independent businesses. If rioting was a way of showing anger at the police after the death of Mark Duggan, then why take it out on their own high streets? But whether their actions were connected to Duggan’s death or not, many of those responsible for the damage do not feel that they actually belong to any community or society. In boroughs where more than **half of youth centres are closing, youth unemployment is rising**, and negative experience with police is repeated through the generations, many children and young adults feel that the community has nothing to offer them. David Cameron could not have received a clearer message that we’re not all in this together.

Once the damage to the streets is repaired Cameron and others should turn their attention to feelings of isolation and anger. In a **recent blog post** Tony Travers noted that Haringey Council will need assistance in returning Tottenham to normal as quickly as possible. This is true, but normal is not good enough. Normal will continue to breed the same feelings of dispossession, violence, and parallel, antisocial communities. The government needs to go way beyond normal in order to avoid repeating the scale of recent events.

When it was first launched, the Big Society was criticised as an austerity measure in disguise, cutting funds to charities and organisations which carry out essential community functions, and instead emphasizing the importance of voluntary action, which costs the government nothing. It should now be obvious that cutting services for young people is part of the larger problem. Some will ask why the government should reinvest in areas that have been torched and damaged by young people, and I hope that the defence of reinvestment is just as obvious.

The violence and destruction of the last few days is not acceptable, but some of it can be explained. The Big Society, if it ever meant anything to anyone, certainly means a lot less now.

## **About the author**

Amy Mollett joined the LSE Public Policy Group in September 2010 as a Junior Researcher. She is now the managing editor of the **LSE Review of Books**. She holds an MSc in Gender and Social Policy from the London School of Economics and a BA in English Language and Gender Studies from the University of Sussex.

*The crude moralism that characterises looters and rioters as “scum” is evidence that space for political debate about the causes of things is becoming dangerously limited.*

**Published: 10 August 2011**

**The riots in London and beyond sparked a frenzy of comment that characterised those who rioted and looted as “scum”. Mary Evans argues that this strict, emotional, moralism overruled any chance for a meaningful political debate on the causes of the riots.**

Never has the motto of the London School of Economics, *Rerum Cognoscere Causas* (to know the causes of things) been more pertinent. But if the “things” to be understood are the riots of the last few days, the causes are a bit more controversial.

Thinking about causes is an idea that seems to be vanishing out of the collective consciousness of many in the media and politics. There is not much dispute that people should not have to jump for their lives from burning buildings or that people should not steal. That is the easy bit. It is doing the difficult thing – and being prepared to think about why these things happened – that seems to have vanished. It is not for a lack of suggestions about how the impact of various government cuts (for example of the Educational Maintenance Fund and provision for youth services) will impact communities. It is that these suggestions are somehow being ruled “irrelevant”, as if they belonged to a political and moral universe that has nothing to do with behaviour on the streets.

Refusing the possibility of explanation, let alone understanding, empties politics of everything except a crude form of moralism. This moralism can only see the world and its inhabitants as good or evil, the “scum” who need to be swept from the street or the looters who, according to Tory MEP Roger Helmer, should be shot. Suddenly, a whole new kind of sub-human person is created: a person whose greed or anger or avarice suddenly takes on a uniquely dangerous social form. Conflating our general fears with political rhetoric that denies legitimacy to effective dissent causes us to neglect identifying the causes of things and ignore connections and continuities within the social world.

Such an account of the world, in which we can only understand society in moralistic terms takes us towards the eradication of the social in a way that is far more radical than the mere abolition of society. Without straying too far into a consideration of the world views of members of the present government it would appear as if they are all engaged in a fierce battle with any form of material understanding of the world. David Cameron found a magic spell that allowed him to re-create himself as an “ordinary person” and with this he did more than simply disguise his privileged origins, he made these origins not matter. Wealth has been politically both normalised and neutralised.

Since it was decided David Cameron’s origins “do not matter”, the connection was broken between considering how individual circumstance affects individual comprehension. It seemed to follow that there was no need to ask questions about the impact of vastly unequal wealth on social values and behavior: both the extent to which people would go to defend this wealth and the place of those entirely outside any expectation of wealth or even adequate provision.

An absence of adequate provision is precisely what confronts far too many people in those parts of the UK most affected by riot. But to emphasise: this is not to identify poverty (or in the younger generation, the fairly certain expectation of poverty) as a single cause of street riots, theft and arson.

It is rather to suggest that political debate is becoming so furiously entrenched in a refusal of the material that what emerges is a limited, and dangerously limiting, space for political debate and even negotiation. It may be that the present government has come across those terrifying references to the conditions of the collapse of capitalism in which growth cannot be maintained and material misery becomes more widespread. Whether or not this is the case, it might be helpful to encourage political debates that allow at least the naming (and a discussion of the implications) of the material.

#### **About the author**

Mary Evans is a Centennial Professor at the LSE, based at the Gender Institute. She has written on various aspects of gender and women’s studies and many of those publications have crossed disciplinary lines between the social sciences and the humanities.

*The long-standing tension between police and politicians needs to be dealt with now. We cannot keep politics out of the police, and we should not seek to.*

**Published: 17 August 2011**

**Relations between the government and the police further deteriorated in the aftermath of riots. Tim Newburn argues that, tempting though it might be to see this as a small-scale difficulty that will soon pass, in reality it is symptomatic of a long-standing unresolved tension between police and politics in Britain.**

There has been something of a spat over the policing of the recent riots. The Prime Minister argued that the initial response was **too timid** and implied that it took government intervention to ratchet up police numbers on the streets and help restore calm. Sir Hugh Orde, President of the Association of Chief Police Officers, **responded** by saying that the return of leading politicians from holiday had been an "irrelevance" and that the subsequently "more robust policing tactics... were not a function of political interference; they were a function of the numbers being available to allow the chief constables to change their tactics."

On the surface, the argument might have appeared to be simply about who could claim credit for the handling of the crisis. Beneath the surface, however, the bigger argument was about who controls police tactics and, more particularly, where the reasonable limits of political influence should lie. This is a long-standing issue in British policing and the fact that it remains so contentious persuades me that it should be the subject of a major official inquiry.

Whenever the police find themselves under pressure from politicians, one of their first "go-to" defences is to argue that that it is vital that "**politics is kept out of policing**". Quite what this is supposed to mean in reality is far from clear. Indeed, keeping politics out of policing may be precisely the reverse of what we want. Moreover, the events of the last few months should have provided the clearest illustration of sheer impossibility of keeping politics out of policing. The phone-hacking controversy and the role of the Metropolitan Police in that scandal, led quite rightly to sustained political and public debate about the relationship between the constabulary and the press and, to a lesser degree, about how the police should be governed and held to account.

In the last week or so the Tottenham riots and the subsequent looting frenzies have stimulated considerable political controversy over a number of subjects, not just police numbers and public order tactics, but also about proposed government cuts, the introduction of elected police and crime commissioners, and the possibility of importing police chiefs from other countries, to name but a few. If nothing else this should lead us to acknowledge that policing is necessarily a matter of politics. Yet the idea persists that the two should not mix.

Much of the confusion in this area stems from the idea of "operational independence" - a vague and little understood "principle" in British policing. The notion derives on the one hand from a number of legal judgements - most famously by Lord Denning's 1968 observation that the chief constable is "**answerable to the law and to the law alone**" - and on the other from legislation which makes chief constables responsible for the "direction and control" of their forces.

This would not be particularly contentious if this idea (which is not defined anywhere in law) were interpreted as meaning that senior police officers are free to use their professional judgement in individual cases- free from political direction- and then held accountable for those decisions afterward. However, independence in practice tends to be used much more broadly. The vagueness of the distinction between matters that are "operational" and those that are questions of "policy" has meant that the "principle" has been used by senior officers and others as a means of attempting to resist political influence much more generally.

Indeed, it is not just the police. Politicians themselves are far from immune from using such arguments. When the Labour government proposed policing reforms in 2002, which included increasing the powers of the Home Secretary to intervene directly in forces deemed to be "performing poorly", the Conservative opposition criticised the proposals for "**threatening police independence**".

Former Labour Home Secretary Charles Clarke has also recently attacked the government on a variety of the matters already mentioned - their proposals to introduce directly elected police and crime commissioners, the idea floated by the Prime Minister that Bill Bratton, ex-Commissioner of the New York Police Department be appointed to lead the Met, and attempts to influence how the police responded to the riots - on the grounds that each of these represented "political interference" or encouragement of "**direct political involvement in operational policing**".

There may well be good grounds for attacking each and all of these proposals, but “political interference” is not one of them. The Prime Minister and the Home Secretary should be perfectly free to offer views on how the police should operate, how they should be governed, and how best they might be managed. That is not to say chief constables should respond slavishly to such views – that would be an unreasonable politicisation of the police – indeed constables should be free to ignore such views if they feel they have reasonable cause.

That is to say, in relation to a particular police operation, chief officers should be free not only to ignore political advice but to have their officers act in a quite different manner. Equally, having done so they must be accountable for their decisions in the aftermath. There should be operational freedom, but also accountability. It is in this sense that “operational independence” is so obviously a misnomer.

The Independent Commission into the future of policing in Northern Ireland set up after the Good Friday agreement, chaired by Chris Patten, **made precisely this point** in 1999, stating:

In a democratic society, all public officials must be fully accountable to the institutions of that society for the due performance of their functions, and a chief of police cannot be an exception. No public official, including a chief of police, can be said to be “independent”. Indeed, given the extraordinary powers conferred on the police, it is essential that their exercise is subject to the closest and most effective scrutiny possible... We strongly prefer the term “operational responsibility” to the term “operational independence”.

The Patten Commission raises the possibility that we have too little rather than too much political scrutiny of policing, at least in some respects. Rather than keeping politics out of policing we need to be thinking much more clearly about how we go about inserting democratic influence much more centrally into policing. In recent decades the general drift has been toward ever greater central control of policing, and an ever-diminishing role for locally-elected representatives. Some fresh thinking about how and to what extent local constabularies should be influenced and held accountable is long overdue.

This is the case not least because the one obvious exception to the general trend toward centralisation – the high profile role of the Mayor of London in the governance of the Met – can hardly be said to have been an unmitigated success. The force is looking for its second new Commissioner in the space of three years and the force itself appears to be stumbling from crisis to crisis.

So where do we go from here? Though they are deeply unfashionable, I remain of the view that this is the moment for a new Royal Commission on the Police. Governance and accountability ought to be the key themes, but unresolved issues should be addressed: the number and nature of police forces in England and Wales (the current 43 have been largely unchanged for the past 40 years), the resourcing of policing, and the independence and robustness of the complaints system.

#### **About the author**

Tim Newburn is Professor of Criminology and Social Policy and Head of the Social Policy Department at the London School of Economics. His major research interests have focused on policing and security, youth justice and policy-making and policy transfer.



# Research shows that governments trying to impose cuts above 2 per cent of GDP have been met with a major surge in social instability

Published: 16 August 2011

**Do government cut-backs lead to greater levels of social unrest? Hans-Joachim Voth and Jacopo Ponticelli have analysed 90 years’ worth of data for 26 European countries and found an unambiguous message - the more governments cut, the greater the levels of social unrest.**

Many incidents can lead to an eruption of violence – from the **killing of Mark Duggan** in London last Saturday to the high-speed pursuit gone wrong which resulted in the **Rodney King riots in LA in 1992**. This begs the question: why are urban areas at some points in time like tinderboxes? Why does it only take one act of police brutality for riots to erupt?

We have analysed **this question for 26 European countries for the period 1919-2009**. We looked at instability in a number of dimensions, from the relatively mild to the deadly serious – demonstrations, riots, general strikes, political assassinations, and attempts at revolutionary overthrow of the established order. Ninety years of data send an unambiguous message – the more governments cut back spending, the greater the chances of social unrest. Of course, not every rioter or looter in the streets is merely trying to make a public statement against coalition cuts., but the chances of things going wrong in a spectacular way increase as the fiscal conditions change. Once cuts go above 2 per cent of GDP, a major surge in the frequency of destabilizing incidents can be expected.

The same is not true for tax increases (the UK’s experience with the poll tax notwithstanding). While there are cases of unrest when taxes are raised, the effect is mild, and could even be down to chance. The reason is that most of the time, taxes are levied on people whose opportunity cost of rioting is high. Cuts, on the other hand, fall disproportionately on those for whom trouble-making is a low-cost affair.

Figure 1 shows our main result. The darker the bars, the larger the budget cuts (as a percentage of GDP) and the higher the level of unrest. This relationship holds when we add up all indicators of instability (CHAOS), and in each subcategory (CHAOS is the sum of demonstrations, riots, strikes, assassinations, and attempted revolutions in a single year in each country).

When expenditure is increasing, the average country-year unit of observation in our data registers less than 1.5 events. When expenditure cuts reach 1per cent or more of GDP, this grows to nearly 2 events, a relative increase by almost a third compared to the periods of budget expansion. As cuts intensify, the frequency of disturbances rises. Once austerity measures involve expenditure reductions by 5 per cent or more, there are more than 3 events per year and country — twice as many as in times of expenditure increases. Most of the increase in unrest is driven by more riots and more demonstrations.

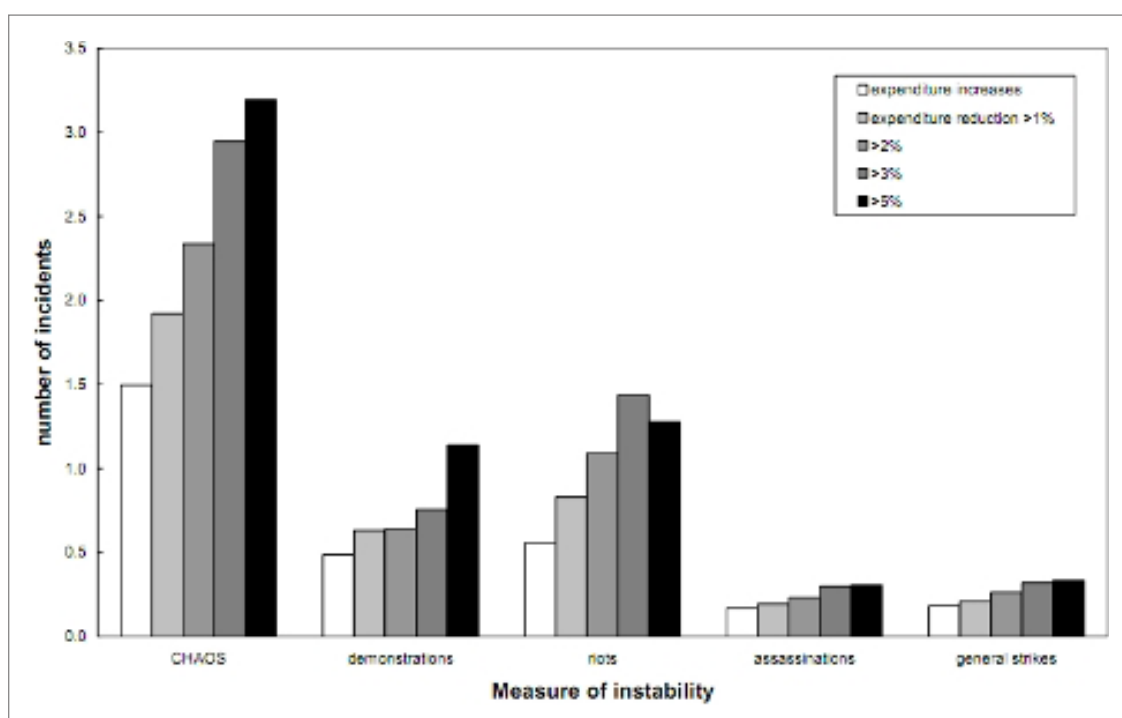
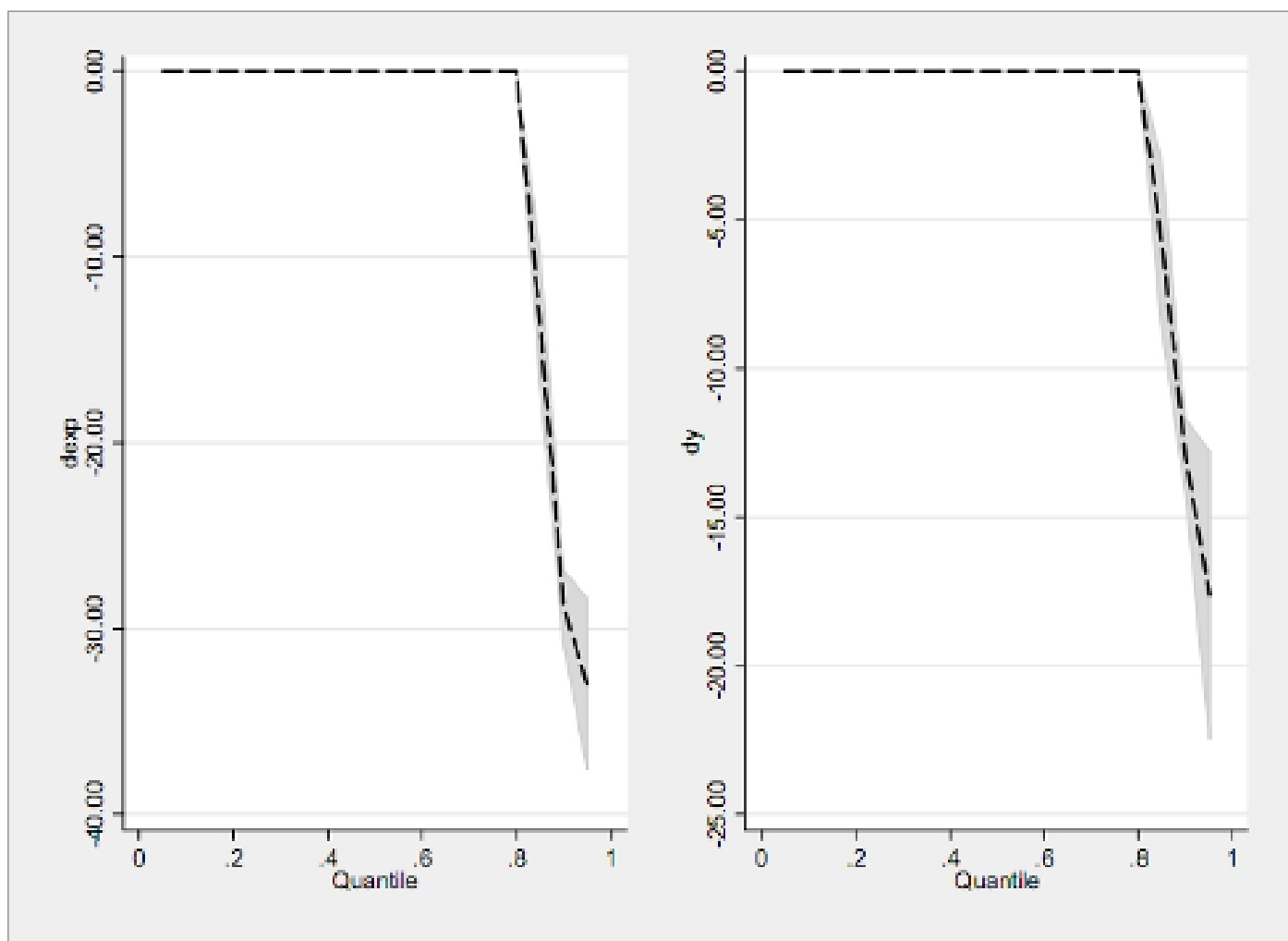


Figure 1: Unrest and budget cuts

The effect is not simply driven by hard times. When growth dips, unrest becomes more common – but austerity makes it much worse. The pattern we find still holds when we filter out the effects of the business cycle. Interestingly, the higher the level of instability, the greater the role of budget cuts. Over the last century, the worst periods of unrest (indicated by quantiles above .6 in the chart) coincided with budget cuts (Figure 2).

**Figure 2: Quantile Regression Plot, Effect of Expenditure Changes (left) and GDP Growth (right) on the number of incidents**



Cuts can have an effect even before they are implemented. Previous studies analysing high-frequency data found that unrest peaks *before* the implementation of budget measures, and declines thereafter. This suggests that there is an element of “negotiations on the street” to social unrest, with some success in influencing policy. In line with this trend, countries that have more unrest are also more indebted.

What are the implications for the UK? Interestingly, the UK has a higher frequency of incidents than the average– 3.5 per year, as compared to 1.5. It has also reacted more strongly to cuts over the last 90 years. While expenditure cuts by one percentage point of GDP typically increased unrest by 0.4 incidents per year and country, in the UK, the increase was three times as large – 1.2 incidents per year.

Unrest can lead governments to change their minds in a hurry. In the summer of 1931, Britain was also in the middle of implementing many austerity measures. Just as EU governments are doing today, these were designed to keep the markets' trust in the UK government's commitment to a fixed exchange rate alive. Back then, it was the gold standard. Today, it's EMU. Amongst the measures implemented were pay cuts of up to 25 per cent for the Royal Navy. In September, when battleships of the fleet arrived in Invergordon, in Scotland, sailors learned of the cuts and mutinied. A week later, with a bit of help from the markets in the form of speculative pressures, the UK had left the gold standard, without even raising the discount rate to crisis levels.

Nobody knows what the future will bring. History does not repeat itself, but, in the words of Mark Twain, it rhymes. If past experience is anything to go by, the UK should brace itself for many more incidents like the riots of this week – and the rest of Europe should prepare for reruns of events in Athens.

#### **About the authors**

Hans-Joachim Voth is ICREA Research Professor at the Economics Department, Universitat Pompeu Fabra, Barcelona. He has written extensively on the determinants of long-run growth, the causes of asset price instability, and the influence of culture on racial hatred.

Jacopo Ponticelli is a PhD candidate at the Economics Department of Universitat Pompeu Fabra, Barcelona. His research work is on firm dynamics, institutions and economic development.

*Punitive reactions by ministers and the judiciary seek to deter future riots. But if such measures undermine the perceived fairness and legitimacy of the criminal justice system and worsen police-community relations, they could prove counter-productive*

**Published: 17 August 2011**

**Ministers and like-minded judges and magistrates clearly believe that harsh sentences for those convicted in the recent disorder will create strong disincentives for future potential rioters. But Chris Gilson points to voices suggesting a significant downside which, when allied with aggressive post-riot policing, may only exacerbate existing tensions in high-stress urban areas.**

From the Prime Minister downwards the government feels that it must demonstrate in that it has restored order after the biggest outbreak of social disorder in Britain in the last 30 years. From the outset the government has publicised strong disincentives for those who might be keen to repeat riotous behaviour. Yet, punitive strategies have already caused alarm in some cases. The rush to send out a message on law and order has led to some “bad sentences” that appear disproportional when set against other offences. In a recent speech on the riots, Ed Miliband warned of the dangers of ministers adopting “knee-jerk gimmicks” in order to be seen grappling with the problem.

While Ed Miliband preached restraint on Monday, David Cameron spoke of a security and social “fightback” going beyond keeping **16,000 police** on the streets of London last week. The measures seem to be twofold: a stronger line on criminal punishments and additional civil punishments to remove the social benefits of those found guilty of rioting.

Since the riots subsided last week police have been continually **raiding** houses across London and other English cities, aggressively stoving in the doors of properties, arresting hundreds of people (1,700 in London alone since the riots) and recovering large amounts of stolen property. Theresa May has also mooted plans for the police to be able to impose **curfews** on specific areas to clear the streets.

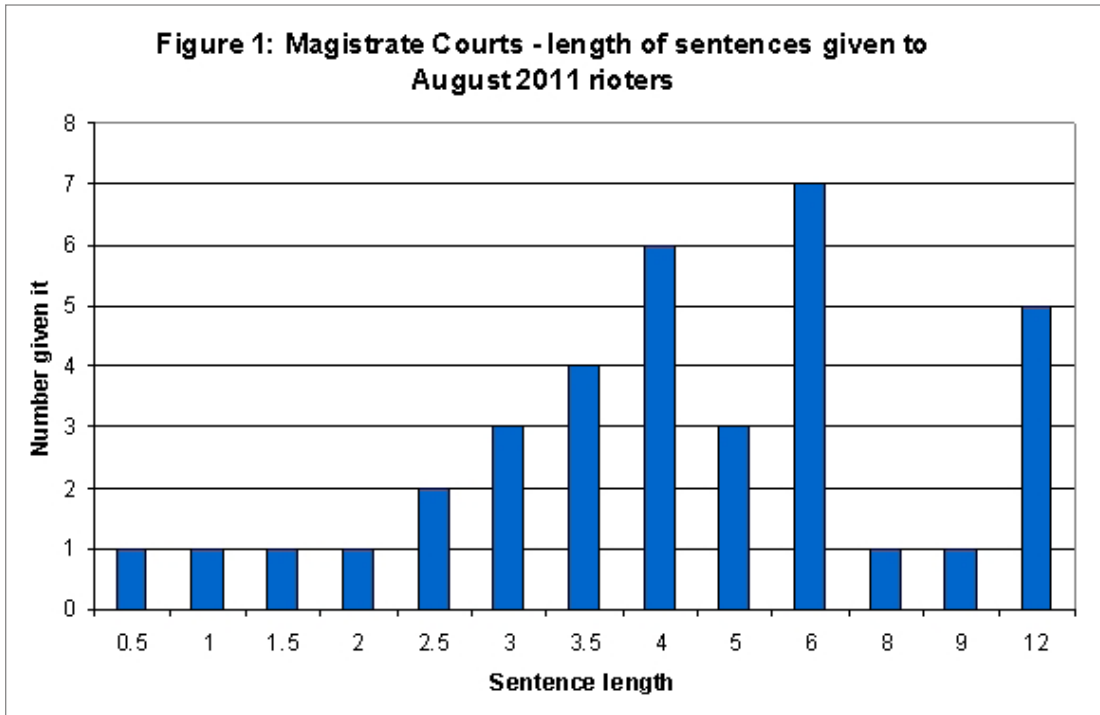
Soon after Cameron’s speech on Monday, Her Majesty’s Courts and Tribunals Service gave advice that local magistrates should **disregard their normally short sentencing guidelines** and instead refer cases to the Crown Courts. The government’s intended message here is loud and clear: if you have participated or benefited from the riots, we will find you, arrest you, and ensure that you go to jail for a significant period of time.

New civil law punishments are also now in play. Last Friday, Wandsworth Council in London, served one of their Battersea tenants with an eviction notice – not because the tenant herself had participated in the riots, but **because her son had** been charged with (but not convicted) of doing so. In a similar vein, on Monday morning, the Work and Pensions Secretary, Iain Duncan-Smith **told** the BBC’s *Today* programme:

‘We already accept that if people who are receiving benefits do not.., are not prepared to seek work.., [do not] take the work that’s available to them, we take the benefit off them. And if you go to prison we take your benefit off you. So what we’re looking at is: “For criminal charges, should we take the benefit?” And the answer is: “Yes”’.

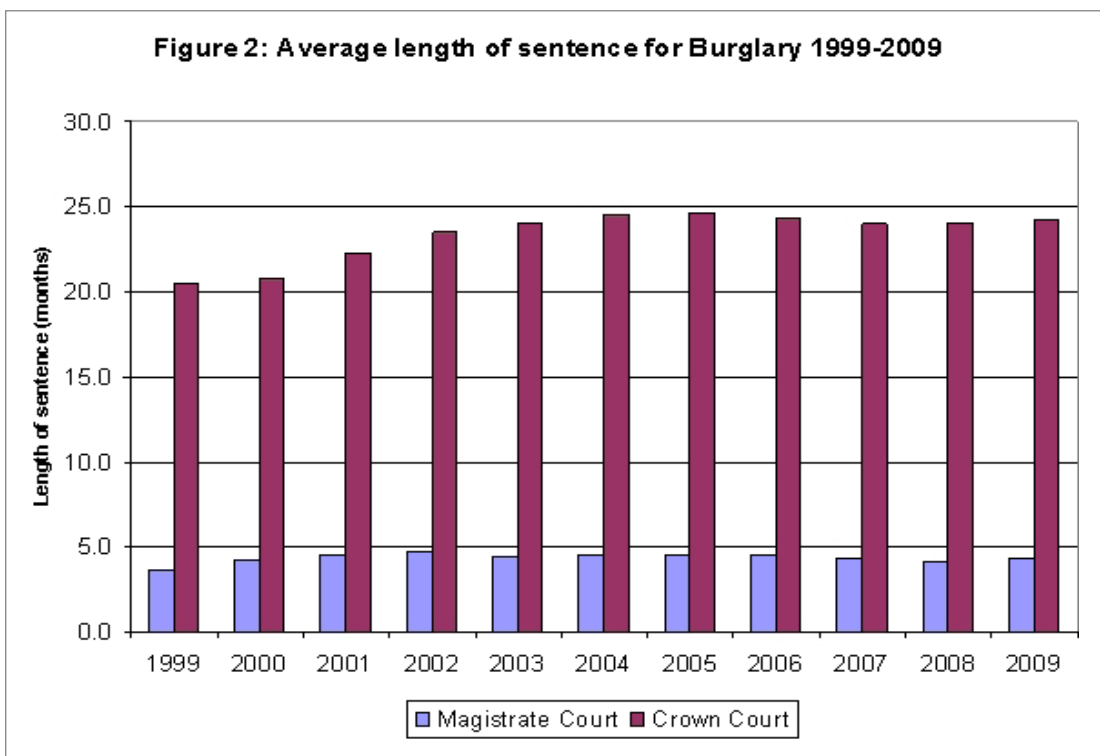
The post-riot strategies have had some impressive results in terms of the numbers of arrests made, and clearly meet the Conservatives’ urgent political need to being seen (after such an extraordinary lapse) as “tough on crime’. But there may also be significant downsides to these polices, that will surface strongly in the near future.

Already there is more than anecdotal evidence that the sentences for those convicted of crimes in riot contexts have been appreciably longer than they otherwise would be for the same offences outside of these events. Preliminary results from the *Guardian* of those sentenced in Magistrate Courts show that most sentences are around 4- to 6 months in prison.

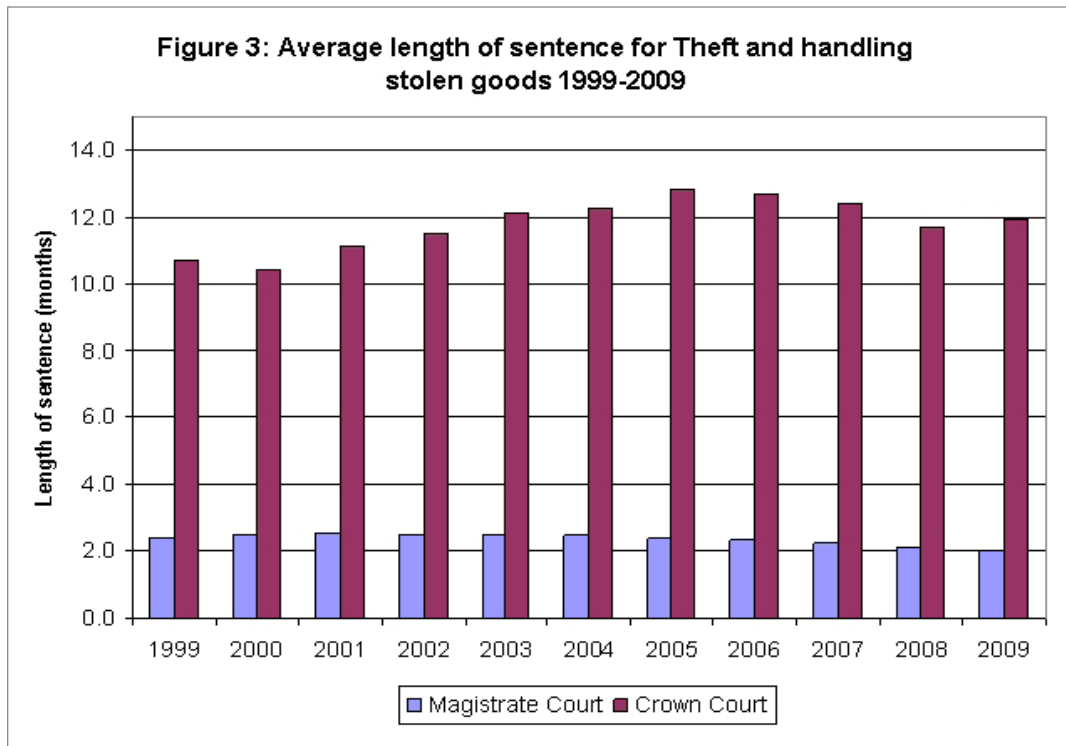


Source: [Guardian Datablog](#)

If we look at sentencing up until now for the type of offenses that the rioters are being convicted of, such as burglary and the theft or handling of small amounts of stolen goods, the logic of bringing in Crown Courts sentences is clearly to allow much harsher, more punitive sentencing.



Source: [ONS sentencing statistics](#)



Source: **ONS sentencing statistics**

For both types of offence Crown Court sentences are, on average, about six times longer than those in magistrates' courts. Anecdotal evidence shows that the police and CPS are **pushing hard** for longer sentences and meeting a ready response. In one example of "tough" sentencing, a Manchester woman was **jailed** for 5 months for receiving a stolen pair of shorts. In another case two men who posted messages inciting people to riot in Warrington (which did not happen) were each sentenced to four years in prison at Crown Court.

An important element of justice is that it should be clearly perceived as fair and equal for all – a core element of legitimacy may be imperiled if but much harsher punishments are handed out for offences linked in any way (however loosely) to the disorder. John Cooper QC told BBC's **Newsnight programme** that it is very likely that some of the longer sentences would be overturned at the Court of Appeal. But in riot-hit localities, the damage to perceived legitimacy may already have been done, and police-community relations ratcheted downwards accordingly.

David Cameron's, Ian Duncan Smith's and other ministers' push for benefits and social housing to be withdrawn from individuals associated with rioting appears to be a form of collective punishment exacted from the households of those involved. Those immediately responsible will go to prison and their families may lose their homes and benefits. Those immediately convicted of offences may thus be punished twice, while the lives of other household members could be damaged without any reason in ways that may also prove legally **dubious**, coming up against welfare law and the European Convention on Human Rights, which prevents retrospective punishment for crimes.

Divisive policies that risk undermining the perceived impartiality of justice and worsening police-community relations for short-term or party-political gains are especially unlikely to be helpful for the social cohesion of communities where riots happened. A Brixton local, Michael Ibitoye, was **interviewed by BBC News** in Ealing last Friday night, stating:

"I believe that opportunity's key. I believe that maybe a lot of us feel that we don't have enough opportunity, and I'm talking opportunity, in a work, study, and just business life. A lot of people come to me with ideas, and there's no-one to pass on the message to. You understand? So we need key communication – we need someone to be able to communicate to, to allow opportunities. Otherwise people will go and loot, because that's the opportunity available to them, even though it's a negative opportunity."

Harsh sentences and police tactics will also risk reinforcing the adversarial relationship that the police already have with many people within the riot-torn communities. Just as the current outbreak spread from a single point of tension in Tottenham, leaving a trail of broken-down front doors, disproportionate sentences for apparently minor crimes, and politically inspired collective punishments of whole households could create incentives for future disorders.

**About the author**

Chris Gilson joined the LSE PPG in December 2007 as Editor/Researcher. He has undertaken review work for the European Court of Auditors, and is the managing editor of the [\*\*LSE EUROPP\*\*](#) blog.

# *The riots and the Occupy movement are both protests against, and a rejection of, an economy that is no longer working for most ordinary citizens*

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**2011 saw the streets of London dramatically occupied: first with the riots and looting that struck in August, and then with the tents of the Occupy LSX encampment. Rodney Barker argues that both forms of “street theatre” are a response to the perceived ills of the modern economy.**

Two dramatic and apparently utterly contrasting presences burst onto the streets of London and other major cities in the United Kingdom in the summer and autumn of 2011; each of them a form of street theatre even if the character of the two dramas seemed very different. In August television and computer screens throbbed with images of rampaging youths carrying off lap tops, trainers, and small portable booty bundled out through smashed doors and windows. **Rioting** and looting destroyed shops and homes in a circle of London inner suburbs and the violence spread to other cities such as Manchester. Newspapers, with familiar exaggeration, carried headlines that London was in flames, even though for **99 per cent of streets life continued as peacefully as ever**.

There is little that is new in the riots. City populations have again and again, and not only in Britain, rampaged and destroyed in a collective and public version of the unthinking and inarticulate rage that, at an individual level, breaks out as violence in the household or on the motorway. And as always, when public order is in abeyance, minor criminality and minor criminals take advantage to seize in full public sight what, in more orderly times, could only be seized covertly and in the dark.

The shock to the public mind thrust politicians into instant comment, condemnation and analysis, while longer and **slower examination** tried to explain what had happened by analysing the social composition of those who were brought before the courts, and those who were not. That analysis is continuing, though any data is qualified by the uncertainty as to how representative those subsequently arrested were of all those who took part in the disorder. It may well have been easier to charge those who were already known to the police.

But whilst there is still dispute about how many of the looters had previous criminal convictions, the relative poverty, deprivation, and unemployment of the areas where the looting happened and the people who carried it out, is not in dispute. The looters were heavily drawn not so much from, as the Justice Secretary Ken Clarke put it, a “feral underclass” as from the sections of society most wounded by government policy.

There is no single or simple explanation of what happened, though plenty have been offered: poverty; criminality; gang culture; insensitive policing and a perception of police discrimination. But by their actions the looters and arsonists, of whom the greater part were young males, presented themselves as an alienated generation. Although the press talked of crowds of rioters, those involved were mostly in relatively small groups, hundreds not thousands, and often fairly closely co-ordinated on mobile phones and via social media. This is rather different from what one would think of as crowd behaviour. The technology enabled small groups to spread their message far and wide. There was a toxic combination of a section of the population which is socially alienated and excluded, but technologically integrated into a virtual society.

A government must show itself to be governing, and any failure to establish and maintain public order carried a huge and potentially fatal political cost. But it was under pressure not only to respond to the immediate crisis, but to solve the long term problem of alienated young males who see no moral impediment to looting and arson. Government’s abilities are limited here, and the most obvious measure is to increase social spending in all its dimensions, the very thing that the current government of the United Kingdom is ideologically and politically prevented from doing.

The other long term measure, which is a sticking plaster rather than a cure, is to invest in policing in such a way that such outbreaks are impossible or difficult in the future, and that too imposes financial costs which the government is ideologically committed not to accept. The August days presented grave problems ahead not only for public order but for the government.

As late summer moved into autumn, the streets of the major cities were again dramatically occupied, but this time in what seemed an utterly different way. Occupy Wall Street, which quickly became Occupy Pretty Well Every Major Financial Centre, has spread across the northern hemisphere, and tents have blossomed in the square around or next to the banking and financial headquarters of cities from New York to London. We are presented with two kinds of street theatre, and each is a response to the ills of western economic life. Some of the looting rioters said they were against capitalism, but then attacked small family owned and run local shops.



The Occupy demonstrators were far more nuanced. The garden of posters, banners, and manifestos around St Paul's Cathedral in London certainly contained condemnations of capitalism, but there were also demands for the regulation of a system that had run totally out of control, not for the destruction of capitalism, but for civilising and moralising it. The looting and the camping are each a protest against and a stepping away from an economy which not only isn't working, but which is condemned as corrupting social life and infecting the lives of ordinary citizens.

Whilst the police in the United Kingdom were caught unawares by the rioters, the settled presence of the Occupy demonstrators has given the authorities time to consider how they wish to respond. In London the financial government, but not the Church, is seeking to evict the camping demonstrators. In New York's Zuccotti Park the police cleared away the hundreds of members of the public who were demonstrating their rejection of the ways in which the world's economy is being run, and run down, and the people who are doing it. But the shutdown in New York may prove no more than a local repression, and has not dispersed the protestors. Occupy is already an international movement, and all the more difficult for governments to curtail because it doesn't work by formal organisation, central committee, or any of the features of a conventional party or political association. You can't join Occupy, except by occupying.

Policy action against the occupiers has been slow in coming, but when it arrived it was far more forceful than anything done against the looters of August. Why? The riots illustrated alienation. The occupation pointed a finger. Occupy is the articulate version of the alienation which in the riots and looting was opportunistic private rage.

But whilst there is alienation from some of the dominating institutions of the contemporary economic world, and condemnation of the irresponsible looting at the top, what is happening is the very opposite of opting out of society. Occupy is an expression of citizenship, and a citizenship of action not formal, hollow enrolment. The only qualification for being a member, is acting as a member. And in the collective action, of citizens doing what Old Testament prophets did so well, speaking truth to power, there is a reassertion of equality.

The many discussion groups which take up a prominent part of the occupation make the pavements of London look and sound like university seminars. Or rather like university seminars where a more perfect equality is achieved or aspired to than in academia. Participants in Occupy do not interrupt, speak at great length nor do they express agreement or disagreement by voice, but by elaborate hand gestures. The tyranny of the loudest voice is thus replaced by the equality of participants.

Each of the street politics events announces a challenge to the way things are, the one inarticulate rage at government's response to the economic crisis, the other calm condemnation of its causes. The call for reform will not be ended by law enforcement, merely contained, and avoided.

#### **About the author**

Rodney Barker is Emeritus Professor of Government at LSE and Emeritus Gresham Professor of Rhetoric, Gresham College, London.

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- open up academic research to increase its impact.

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