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‘Second Wave De-Liberalisation’ and Understanding the Causes and Consequences of Brexit’s Implications for Policing

di Diyana Dobreva e Martin Innes*

*«We...are the anvil on which society beats out the problems
and abrasions of social inequality, racial prejudice,
weak laws and ineffective legislation... » (Mark 1977)*

Speaking at the National Police College in 1975, Sir Robert Mark, the then Commissioner of the Metropolitan Police, reflected upon how the police function in liberal democratic societies is inevitably and ineluctably involved in managing the causes and consequences of disruptive social changes. His subject was how a relatively underpowered, unarmed police service can and should react to a rapidly and profoundly changing social

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order whilst maintaining fealty to the traditions of the UK model of policing by consent, given it is policing's task to manage some of the frictions, problems and tensions that are generated. His lecture was published two years later as part of a book entitled 'Policing a Perplexed Society' in which he expanded and elaborated upon this basic theme. Almost forty years on from its publication, what is striking to the contemporary eye is just how resonant some of the themes Mark set out are. After all, today we live in a society that is differently, but no less perplexed – as manifested in the decision of UK voters to leave the European Union.

Framing an analysis of the likely ramifications of Brexit for the future of policing in Europe, reflects how Mark was writing at a moment of profound social transformation, where the liberal governance of criminal justice policy was being challenged. As Loader and Mulcahy (2003) and Rock (1990) amongst others have documented, up until around this point from the end of the Second World War, policy development had been principally authored by an elite perspective underpinned by liberal values and inclinations. But as documented by Hall et al. (1976) alongside a number of other influential criminological studies from this period, by the mid-1970s this had broken down, as part of a moment that we can label 'first wave de-liberalisation' and its resultant rises in crime, public disorder and conflict.

As it transpired, this social reaction framed the reconfiguration of liberal values and precepts into the formation of neo-liberalism, with its economically liberal but morally individualistic rationalities for the political and social ordering of society (Rose 1990). This in turn induced a more muscular and assertive style of governance of criminal justice that manifested itself in what Tony Bottoms (1995, 15-49) presciently termed 'populist punitiveness' and 'tough on crime' and 'war on crime' type rhetorics (Simon 2007). Our



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argument in this paper is that Brexit and its implications, alongside several other geopolitically significant events and trends (the election of President Donald Trump in the US, and the rise of right-wing populist parties in European politics) collectively signal the onset of a 'second wave de-liberalisation'. We define the concept of de-liberalisation as an explicit reaction and rejection against liberal values and precepts dictated by an anti-establishment imperative and assertions of institutionalised corruption, that tends towards nationalism, unmoderated populism and authoritarian political solutions.

Positioned in this way, our purpose herein is to try and think about what the historic decision for Britain to leave the European Union portends for policing and security. In so doing, our analysis is oriented by the fact that issues of crime, security and policing were not key considerations of the referendum campaigns that were mounted, except where filtered through public concerns about immigration. However, the consequences in these policy domains are likely to be profound. The analysis starts by trying to set the scene in terms of developing a more sophisticated and nuanced understanding of who in Britain did and did not vote to leave, and their respective motivations. This segues into a consideration of the political, economic and social implications that are likely to flow from this decision. The concluding sections of the paper seek to connect the causes and consequences of the Brexit vote to wider and deeper social and political currents, in order to surface its meanings and what it might portend for the future.



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1. Voting for Brexit

The British vote to leave the political and economic arrangements associated with the European Union, can be understood, in part, as a reaction to a complex web of interacting societal and political shifts, presenting in the form of an array of public and political anxieties. Analyses of referendum voting have illuminated the influence of societal cleavages that explain the vote, in terms of how it manifested itself in generational, demographic, socio-economic, and geographic patterns, that recursively signal the types of 'problems and abrasions' to which Mark refers. More fundamentally though, the UK 'Leave' campaign fits into a wider pattern that is manifesting in a number of countries across Europe whereby nationalist sensibilities are becoming increasingly popular as a counter-reaction to the forces of globalisation. To put it another way, we are entering a historical moment where issues of culture and identity are reasserting themselves as engines of history, after a period where economic logics have been the pre-eminent influence upon geo-political patterns of development.

Even though the 'Leave' campaign declared June 23th as Britain's 'Independence Day' almost half the UK voted the other way. First of all, the question of EU membership exposed a glaring generational gap of 'old' versus 'young' (Goodwin and Heath 2016). Some have argued that political disaffection among the younger generation of voters exemplifies a more profound depolitisation (Bowman 2016). Second, the map that came out in the morning after the Brexit result, was a map of a Divided Kingdom - geographically split between those cities that voted 'In' versus the rural areas that voted 'Out' and exacerbated by a staggering separation of Scotland versus England and Wales. Moreover, Brexit told us much about the rela-



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tionship between 'global' London and the other less densely populated and less prosperous cities in UK. One way to explain these seemingly geographical split is through understanding the emergence and role of the so called 'Global Cities' (Toly 2016). Global cities, such as London, are artefact of an open, neoliberal economic order, home to the 'global mobile' that 'span borders and continents' (Toly 2016, 2). Such global cities usually have more in common, and are indeed more tightly linked with other global cities, rather than with adjacent regions in their home countries. Precisely that is one of the reasons for the widening regional inequalities between 'haves' and 'have nots' that emerge as a result. Third, the vote also revealed an apparent socio-economic cleavage suggesting a clear line between haves and have-nots whereby the 'Leave' vote was more dominant among the lower-income working class electorate living in post-industrial cities, and the 'Remain' vote was more pronounced amongst the middle-class and college-educated voters (Pearce 2016).

The success of the Leave vote in mobilising support was a symptom of a broader and rising support for populism and right-wing parties across Europe and the US (Inglehart and Norris 2016; Greven 2016). Unsurprisingly, this shift has been triggered less by financial grievances and popular resentment of economic inequalities among the 'global' left-behinds (Inglehart and Norris 2016, 2). In fact, examining the relationship between culture and economy back in 1994, DiMaggio (1994) observed that aspects of culture, such as shared cognitions, traditional values, ideas, worldviews, and symbols are historically persistent and often shape (rather than being shaped by) economic phenomenon (Inglehart and Welzel 2005, 19-20). Therefore, the occurrence of a 'cultural backlash', predominantly among the older generation, presenting as a rejection of cosmopolitanism and mul-



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ticulturalism, and resentment of the displacement of traditional norms and values, nostalgia for past glories, and mistrust of outsiders – turns out to be the most appropriate lens through which Brexit and the rise of populism can be explained (Inglehart and Norris 2016). Inglehart and Welzel (2005) and Inglehart and Baker (2000) refer to this pattern as ‘Antimodern reaction to modernity’ whereby social changes linked with increasing individual freedoms and growing opportunities for self-actualisation, are met by defensive reactions against globalisation and immigration, in favour of traditional values and norms that endure despite modernisation. Therefore, one can conclude that the social and cultural shifts that underpin events such as Brexit and the election of populist leaders in the United States, are determined not simply by economic motivations and rational choice argumentations, but often by people’s exposure to different existential experiences (Inglehart and Welzel 2005).

Apart from generational, geographical, and socio-economic cleavages, Brexit also revealed an ironical ‘knowledge deficit’ within a ‘knowledge generation’. In fact, the most googled topic post-Brexit was indeed the European Union, and the most popular questions was ‘What is the EU?’¹. The Referendum has been criticised as being ‘Morse code politics in a broadband age’ (Bowman 2016). Even though we have a world of information at our fingerprints we have nevertheless been subject to grand economic, political, and social claims rather than to clear and factual information. Michael Gove himself dismissed entirely the effort of independent experts to

¹ GoogleTrends, Twitter post, June 24, 2016, 4:25 AM, <https://twitter.com/googletrends/status/746303118820937728> (accessed Jan 20, 2017).



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contribute to public understanding of certain probabilities with the words 'People in this country have had enough of experts' (Withers 2016). Moreover, the phenomenon of 'tabloid readers' has contributed the EU 'knowledge deficit' making the UK the country with the least collective knowledge of how the EU works (Hix 2015; Standard Eurobarometer 83 2015, 131-134). This trend may have had important implication for Brexit as a correlation between 'knowledge deficit' and negative sentiments towards the EU has already been studied (Startin 2015).

The Referendum campaign was pock-marked with a series of 'exaggerated claim and counter claim' actions (Bowman 2016), that illuminate some fundamentally important implications about the shift in mood that can be observed across the British and European communities. Most obviously this includes a roaring disillusionment with the 70-year-old idea of a shared European future (Room 2016). The EU, once perceived as a positive move towards rebuilding the continent after the horrors of the second World War and the establishment of a single market among European countries, became synonymous with the forces of globalisation and the popular reaction was to reject both (Davies 2016). In this context, Brexit revealed a backlash against the open borders of the global economy (Sharma 2016) and a predominant 'feeling' among communities that globalisation had benefited only small groups of privileged elites (Elliott 2016). In this context, Brexit manifested a revolt against neo-liberalism, multiculturalism, and the reassertion of national difference (Davies 2016). It was also a revolt against the rising and widening inequality, amplified by rising stock markets, but declining wages (Sharma 2016). Therefore, it was in a way a revolt of those who feel that 'globalisation' has left them behind against the City and its globalised elites.



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The pre-referendum campaigns unleashed a mix of strong sentiments, fears, and passions.

It became increasingly clear, in the months preceding the referendum, that the debate over EU membership was highly polarized (Startin 2016), both at the political and public levels. The 'Britain stronger in Europe' campaign principally accented the economic benefits of EU membership whereby the growth and prosperity of the UK economy was perceived to endure only as part of the Union's financial loop. Contrastingly, the 'Leave' campaign was far more explicitly affective in tenor and tone, successfully focusing in on concerns about immigration and border control in particular. Despite lacking robust evidence for many of its claims, the 'Leave' campaign was emotionally powerful winning the hearts and minds of those who felt disadvantaged by European regulations, or by foreign 'invaders' threatening all that is familiar and trusted. 'Remain's' focus upon the value of maintaining the status quo, which even though based on a 'rational choice' argument (Startin 2016), failed to engage those voters who felt that the current system does not have much to offer them (Elliott 2016). 'Radical' change was wanted by many and encapsulated in a succession of emotionally literate soundbites ('take back control'; £350 million a week extra for the NHS; erosion of UK sovereignty, etc.), that won the 'emotional' race. As we will develop in subsequent sections, this is symptomatic and emblematic of political behaviour in what has been labelled a 'post-factual' age (Ettema 1987; Bybee 1999), whereby factual, scientific and rational evidence are unlikely to succeed on their own, without strong narratives that resonate with people's values and provide emotional appeal.



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2. The 'wicked problem' of immigration

An especially powerful and persuasive element of the Leave campaign's narrative pivoted around a constellation of claims about immigration. Indeed, The British Election Study Insights study (Prosser, Mellon and Green 2016) identified this as a major 'game changer' in the Brexit vote, as the main concern for leave voters was 'immigration' followed by 'borders', 'control', and 'laws'.

The particular claims they mounted about immigration and associated social problems plugged into a longer standing set of concerns that have become increasingly apparent in recent years (Hughes 2001; Smith 2008; Griffiths 2014). On the one hand, certain sections of the public call for a total curb on immigration and the closing of UK borders; and on the other there are the others who believe such views to be synonymous with racism. At the governmental level, there is similar confusion. Reports by The Migration Policy Institute (Page 2009) and Ipsos MORI (2016) suggest that public interpretation of immigration as a social problem understands it as representing a threat to national security, economic prosperity, and British cultural identity, that regularly surpasses all other issues. The immigration 'problem' has also been subject to different interpretations from different stakeholders in the UK (Smith 2008, 422). For example, a Home Office report on the economic and fiscal impacts of immigration to the UK determined that immigration has clear benefits for both the labour market and the



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economy as a whole². A second report from the Home Office on the impacts of migration on native employment highlighted that there has been little evidence of a statistically significant impact from EU migration on UK native employment outcomes (Devlin et al. 2014). However, The Migration Advisory Committee (2012) imputed quite negative and statistically significant displacement effects in the context of non-EU migrants. Moreover, the National Institute of Economic and Social Research (George et al. 2011) reported that migrants in general are unlikely to place a disproportionate burden on health services and social services in the UK.

Apart from diverging opinions over the economic impacts of immigration, debates surrounding its potential correlations to crime, security, social order and community safety have featured persistently in academic, government and public discourses (Hughes 2001; Griffiths 2014). Hughes (2001, 935) explored the phenomenon, process and consequences of 'securitization' and 'criminalization' of migration, arguing that 'the conflation of 'migrant'/'asylum seeker'/'terrorist' is fast becoming one of the most striking of all shared European (and more broadly western) nightmares'. Similarly, Crawford (2012, 35) and Goodey (2012, 136) acknowledge that debates about immigration (and migration) have become 'increasingly filtered through a crime and insecurity lens'. However, even though a growing body of literature focuses on the 'gloomy tale' of immigration to the UK (Yuval-Davis, Anthias and Kofman 2005),

² UK Home Office and Department for Work and Pensions, *The Economic and Fiscal Impact of Immigration: A Cross-Departmental Submission to the House of Lords Select Committee on Economic Affairs*, London: TSO, 2007, p. 11.



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some studies do afford more nuanced experiences and tell more positive stories (Griffiths 2014).

In this context, the lack of clear-cut consensus among government agencies, the media, and the public, conveys how immigration conforms to what Rittel and Webber (1973) label a 'wicked problem' (Tan 2014). That is as a societal problem where there is no clear-cut solution or resolution (Rittel and Webber 1973), but instead necessitates responses pivoting around some kind of compromise or 'trade-off'. For instance, the National Institute of Economic and Social Research report acknowledges that 'setting migration policy involves tradeoffs, in particular between the likely economic and labour market benefits of migration and the potential costs resulting from the impact on public services' (George et al. 2011, 1). Similarly, in the context of community safety and social cohesion, Hughes (2001, 948) suggests that 'there are translations of the 'problem' of asylum seeking and forced migration which may have a solidary potential when conceived in terms of shared suffering and frailty.'

3. Post-Brexit consequences

The likely consequences of Brexit for policing and criminal justice can be categorised on the basis of them being principally political, economic and social.



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3.1. The Politics of Planning Failure

One thing that became vividly clear in the morning after the results was a failure to plan for a post-Brexit world during the referendum campaign. There was and continues to be confusion and obfuscation about how the Brexit transition will happen and who will be responsible for drawing plans together? What was not clarified by either side during the campaigning period was the scale and complexity of the task of extricating the UK legal system from European institutions and structures. It is an undertaking that some have defined as the ‘most daunting, resource-intensive bureaucratic challenge since World War Two’ which ‘will strain British institutions, and might be too much for their finite human, intellectual and organisational resources’ (Besch and Black 2016). There is a likelihood that implementing Brexit will consume much of the political and intellectual capital of the UK government, which is already starting negotiations with a civil service 18% smaller than what it was in 2010 (Besch and Black 2016, 64).

Another neglected issue was the now widely recognised failure to engage seriously with issues of policing and national security. Attention was focused primarily on the impact of EU membership at the national political and economic levels (Jensen and Snaith 2016; Ramiah, Pham and Moosa 2016; Marshall 2016). However, the topic of policing barely featured in the referendum debate and any security considerations circled around the issue of immigration and the fear of foreign terrorists sneaking into the UK through the EU’s open borders, allowing ‘Leave’ to weaponise the ‘Take Back Control’ slogan (White 2016).

Similarly, Post-Brexit discussions of policing and security have been narrow and shallow, concentrating on: legal instruments such as the European



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Arrest Warrant (EAW); Joint Investigation Teams (JITs); the fate of Europol and its intelligence sharing mechanisms; and the Schengen Information System (SIS). Albeit these are significant and important issues, the implications and consequences are liable to extend beyond these issues and this is being neglected.

3.2 Economic consequences

The logic of 'taking back control' especially of border security to manage public concerns about immigration and legal decision-making to enhance sovereignty, is presuaged by a capacity and capability to undertake a number of tasks that were previously performed by supra-national institutions. The key practical issue in this respect is having the resources required to make the investments in the UK based institutions, such as 'border force' policing, set against a backdrop of ongoing public sector austerity. For the last five years there have been significant reductions in public spending, that have been especially acute in terms of spending upon policing and criminal justice. Layered on top of which now, are the geopolitical economic implications of departing the EU.

These negative economic effects of Britain leaving the European Union have been well documented (Dhingra et al. 2016a, 2016 b; HM Treasury 2016; Kierzenkowski et al. 2016; PwC 2016; Emmerson et al. 2016). A formal exit from the European Union is perceived as likely to induce a major negative shock on UK trade, GDP, Foreign Direct Investment (FDI), businesses, the labour market, public finance and living standards. This projection, dubbed 'Project Fear' by the Leave campaign (Hobolt 2016), has been



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challenged only by a small group of economists (Chu 2016) supporting 'Leave'. 'Economists for Brexit' (2016a, 2016b) provide an alternative economic model and forecast that Brexit will bring measurable net advantages to the UK 'while also restoring its democratic self-government' (Economists for Brexit 2016a, 3). However, this 'Britain Alone' scenario has been severely criticized by analysts at the London School of Economics for 'defying the laws of gravity' and for being grounded in 'ideology' rather than facts (Sampson et al. 2016a, 2016b). Moreover, it has been observed that their policy recommendation to unilaterally abolish all import tariffs and pay the tariffs imposed by other countries on UK exports, would lead to the 'elimination' of UK manufacturing and a sharp increase in wage inequality. However, as the LSE authors argue, in an age of austerity and fears over economic injustices, where public spending cuts have already put pressure on government departments and local authorities (Brambini 2016) this will be a very hard sell to British people.

Thus the uncertainty surrounding the likely short and long term economic impacts of Brexit has been further exacerbated by the instability of public sector spending which has already fallen by 4% since 2010 (Brambini 2016). Phillip Hammond, the recently installed Chancellor of the Exchequer has stated he will not pursue his predecessor's deficit reduction policies due to Brexit's economic 'turbulence'³. One negative result is that the government is now facing the challenge of maintaining its commitment to increasing policing and defence spending in less certain financial conditions. It has

³ "Brexit 'rollercoaster' warning as Hammond axes deficit target", in BBC News, October 3, 2016, <http://www.bbc.co.uk/news/uk-politics-37536943> (accessed Nov 11, 2016).



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already been observed that such pressures will present challenges for UK police forces which have already experienced budget cuts and reduces manpower, with more budgets cuts being discussed (Wiggett 2016; Veness et al. 2016, 13). Currently, the UK Border Force only has five ships to cover the UK's coastline and does not have enough maritime patrol aircrafts or patrol boats to cover the Channel (Wigget 2016). If the UK does not negotiate sufficient cooperation from EU neighbours in this regard, it will need to invest in new capability and resources. As a result, it will be hard for the government to match the brave rethoric made by the Leave campaign with the actual funding available for upgrading the national border security functions.

3.3. Social consequences: community tensions and hate crime

One immediate consequence of the general toxicity of the referendum campaign was rising community tensions and a surge in reported and recorded hate crime across England, Wales and Northern Ireland. Because of the political polarity of Brexit and the fact that some politicians adopted a rather irresponsible approach to narratives, language and rhetoric connected principally to immigration issues (such as UKIP's 'Breaking Point' poster and the Home Office's 'Go Home' ad vans) (Singh 2016), there can be little surprise that this was generative of anti-social behavioural responses.

Statistics released by the National Police Chiefs' Council (NPCC) less than a week after the referendum showed a 57% increase in hate crime



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reported to their online reporting system⁴. Mark Hamilton, of the NPCC observed that the spike in hate crime post-Brexit has been the worst on record and clearly exacerbated by the pre-Brexit referendum debate (Dodd 2016). Online social media platforms, such as Facebook and Twitter were in fact the first to document rising xeno-racist aggression following the Brexit vote (Komaromi 2016). The Twitter page 'PostRefRacism'⁵, the Facebook group and Twitter page 'Worrying Signs'⁶, the website 'iStreetWatch', the community group 'Tell MAMA'⁷ and the Institute of

⁴ *Hate crime is unacceptable in any circumstances say police*, in *National Police Chiefs' Council*, June 27, 2016, <http://news.npcc.police.uk/releases/hate-crime-is-unacceptable-in-any-circumstances-say-police> (accessed Nov 11, 2016).

⁵ See for example: PostRefRacism, Twitter post, July 29, 2016, 12:10 PM, <https://twitter.com/PostRefRacism/status/759103933944037376?lang=en>; (accessed Nov 11, 2016); PostRefRacism, Twitter post, August 24, 2016, 2:45 AM, <https://twitter.com/PostRefRacism/status/768383684663775232?lang=en> (accessed Nov 11, 2016); PostRefRacism, Twitter post, August 2, 2016, 12:00 AM, <https://twitter.com/PostRefRacism/status/760369754737614849?lang=en> (accessed Nov 11, 2016); PostRefRacism, Twitter post, July 30, 2016, 6:55 AM, <https://twitter.com/PostRefRacism/status/759386840059305984?lang=en> (accessed Nov 11, 2016); PostRefRacism, Twitter post, July 30, 2016, <https://twitter.com/PostRefRacism/status/759284930434174976?lang=en> (accessed Nov 11, 2016).

⁶ See, for example: WorryingSigns, Twitter Post, July 14, 2016, 4:01 AM, <https://twitter.com/WorryingSigns/status/753544986541584384?lang=en-gb> (accessed Nov 11, 2016); WorryingSigns, Twitter Post, July 2, 2016, 5:20 PM, <https://twitter.com/WorryingSigns/status/749397401530761216?lang=en-gb> (accessed Nov 11, 2016).

⁷ *Anti-Muslim Hate on National Rail and TfL Services, Jan to Sept 2016*, in *Tell MAMA*, November 5, 2016, <http://tellmamauk.org/tag/hate-crimes/> (accessed Nov 11, 2016).



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Race Relations⁸, provided their own accounts of the post-Brexit passions since June 24th, consistent with the police figures.

The key soundbite of the leave campaign was 'take back control'. From a crime control perspective the irony of this is emphasising the importance of national boundaries as a solution to social problems, during a period where much crime is 'de-territorialising'. There is a growing awareness of how transnational organised crime networks are engaged in causing harms across many European countries. This is especially true in terms of the organisation of undocumented immigration passageways and human trafficking which is clearly an enterprise dependent upon crime networks. What Dick Hobbs (1998) incisively referred to as the 'glocalisation' of organised crime (where global forces present and are acted out locally) is also plainly evident in respect of the risks and threats of terrorism that European states both individually and collectively are trying to counter.

Layered on top of these fairly traditional 'high policing' problems are other forms of more 'normal' crime which are also less and less bound to physical spaces. Hate crime and other forms of abusive conduct such as cyber-bullying are increasingly performed through social media platforms. As noted previously, the most prevalent form of acquisitive crimes are now cyber-enabled. The irony is that the decision to 'take back control' and assert the primacy of nationally based institutions and decision-making is occurring at a juncture where the effective management of some of the most

⁸ See, for example: *Post-Brexit Racism News*, in *Institute of Race Relations*, July 7, 2016, <http://www.irr.org.uk/news/post-brexit-racism/> (accessed Nov 11, 2016).



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pressing crime problems seems to rely, to an even greater extent, upon closely co-ordinated and collaborative forms of problem-solving action.

Having reviewed some of the principal causes and consequences associated with the Brexit decision, it is evident that there are subtle and intricately woven social, economic and political forces at work that served to shape the outcome that the referendum delivered. In the concluding sections of the paper, we want to turn to develop these aspects of our account. The motivation being that rather than interpreting the UK's decision to leave as an unexpected and somewhat anomalous event, it can be understood as what Edelman (1971) labelled a 'condensation symbol'. That is, something that condenses together a range of complex factors and forces into an emblematic and more easily comprehensible form.

4. Post-factual politics

As noted in the preceding sections, one of the most striking aspects about the referendum campaign was how affiliates of both sides engaged in 'claims-making' behaviours that sought to predict what the likely consequences of the decision would be. As a number of Brexit commentators noted, for the most part, many of these claims were not grounded in any evidence, but tended to be inflected by and articulate the established values and prejudices of the claimant. They were purely ideological statements, albeit frequently presented as 'facts', motivated by an intent to justify a particular course of action. Positioned in this way, several of these commentators have argued that the Brexit campaign was infused with traits of an emergent 'post factual politics'.



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The key features of this were exemplified by a headline published by the Daily Mail on 17/02/16 (similar stories were published by other newspapers) where it was claimed that criminal convictions for EU migrants had risen by 40% in 5 years, with “700 being found guilty every week.” (Drury 2016). However, it was subsequently clarified, and the Daily Mail had to retract parts of the story, that the figure quoted did not just refer to ‘convictions’ but also breaches of court orders and appeals. The way in which this story was constructed and the misleading use of statistics to endow it with an air of plausibility is emblematic of how post factual politics works. Importantly, this particular story was framed by predecessors that all adopted a similar narrative line. For instance, a year earlier on 31/07/15 the Daily Mail’s front-page carried a migration story entitled “The ‘Swarm’ on our streets” where they told their readers of how police had arrested multiple “alleged illegal immigrants” across the counties of the South of England (Ellicott and Wright 2015). These examples are drawn from a mainstream, centre-right newspaper, which is subject to some degree of regulatory oversight and correctional mechanism. But other communication platforms, especially online forums and social media channels, which have become increasingly important and influential upon public debate, are frequently awash with rumours and conspiracy theories of varying ideological hues.

The concept of ‘post factual politics’ is an intriguing and emergent idea, that potentially illuminates some important facets of our contemporary condition. Because it is new there is not an agreed definition of the constituent components of post truth, nor is there an established manifesto. Most accounts though seem to agree that it is generally anti-establishment and anti-expert, displays a distrust of authoritative social institutions, privileges emotion over reason, and places less reliance on notions of ‘objectivity’ and



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'evidence' in terms of how social issues and situations are interpreted and made sense of. As the American comedian Stephen Colbert neatly described it, decisions and interpretations tend to be guided by a sense of 'truthiness' – that is a semblance of plausibility and possibility, rather than requiring any objective validation.

The emergence of post-truth politics and its increasing importance and influence can be attributed to a number of interacting and inter-linked causes. First there is a rising distrust among sections of the citizenry in a number of key social institutions, including the procedures and practitioners of science, the mainstream media and the criminal justice and judicial systems. The significance of these is that within liberal democratic polities these have traditionally been some of the key sites for arbitrating claims of truth and falsehood. As the authority of these institutions is de-stabilised and weakened, so a space is opened up for assertive alternative claims to be accorded more attention and plausibility. In particular, these alternative claims seem to resonate particularly strongly amongst groups in society who perceive themselves as increasingly politically and economically disenfranchised. As a consequence, there is a deep seated anger and anti-establishment sentiment amongst those who feel left behind.

In terms of how these groups are making sense of the world around them, it is not that 'facts' are irrelevant, but rather that they are understood as what Innes refers to as 'soft facts' rather than 'hard' ones (Innes 2014). According to this definition, information and knowledge is held to be 'malleable' and available to be manipulated, as opposed to providing an incontrovertible truth. The workings of these kinds of political logics were neatly summarised in a speech made by Karl Rove in 2002, Deputy Chief of Staff to President George W. Bush, when he said: "We're an empire now, and



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when we act, we create our own reality.” It is this idea that authoritative and powerful social institutions, who are in a position to utilize social media to persuade and influence public perceptions and sentiments, can function as authors of the social ordering of reality that lies at the heart of the post-factual approach.

It is important not to over-state or over-play the significance of this post-factual shift. It is something that shapes that interpretations and decision-making processes of a minority of citizens, rather than the majority. Nevertheless, it is a sufficiently sized minority that it has the capacity and capability to impact upon the overarching political system. Understanding the Brexit decision as having been, at least partially shaped by the influence of post factual politics, both helps us to tease out some of its causes, but also how it is recursively symptomatic of a wider shift in society which may shape the future of criminal justice politics over the next few years. For the historic problems and scandals emanating from the criminal justice system, in the form of miscarriages of justice, have been important drivers of the post-factual disposition. There have been a series of miscarriages of justice, that subsequent enquiries have identified have been deliberately covered up or at least obfuscated by the relevant authorities. Included here are: the findings of the Hillsborough Independent Review Panel; the phone hacking scandal; the child abuse cases up and down the country; as well as a series of seriously flawed police investigations where various forms of corruption are alleged to have subverted the outcome. Collectively, these scandals and cases have fed a perception for some groups in society at least that the legal and criminal justice systems cannot be trusted, that they are systematically biased towards protecting the interests of the political and economic elites,



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and are consequently inadequate in terms of performing their societal functions.

5. Conclusion

Writing during during the first wave of de-liberalisation and its associated processes of rapid and profound social change, one of the solutions to the resultant abrasions that Sir Robert Mark advocated was that police should invest in enhanced education and research as a way of helping them navigate the complexities of policing a perplexed society. It is of more than passing interest, that the contemporary moment is pursuing a similar remedy under the auspices of the evidence-based policing movement. This historical perspective is something that the advocates of the 'strong programme' of evidence-based policing should be more aware of than they appear to be. But potentially more significant is the consideration of whether, simply developing more and better evidence is sufficient to shape and steer the politics of the police in an era where 'facts' are less influential.

These 'post-truth' arrangements are playing an important role in setting the conditions for what we have cast as a 'second wave de-liberalisation' movement that involves a reaction against and rejection of some hitherto accepted tenets of liberal democratic political and social orders. Brexit is one inflection of this, as is the election of President Donald Trump in the USA, and the increasing profile of populist right-wing politics in several European states. A pivotal element of which is how economic issues have become less influential in the political calculus of many citizens, replaced instead by concerns about a particular blend of cultural and social identity. In positing



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the emergence of this ‘second wave de-liberalisation’ moment, we are not suggesting that this is a uni-directional trajectory of development, nor that it is unassailed. There are counter-moves and other political logics and discourses in play. Rather, our argument is that the de-liberalisation tendencies are becoming sufficiently significant in the conduct of liberal democratic politics that they are able to exert influence over the wider scene.

Viewing such developments through a socio-historical lens, as we have attempted to do here, helps to clarify how these are not entirely new issues. As the sociologist Paul Rock (1973) termed it, there is an element of ‘eternal recurrence’ at work here, in terms of how the institutional structures of a society are struggling to respond to the private troubles and public problems that almost inevitably accompany periods of rapid and profound social disruption.

The politics of the police matters after Brexit. For we are confronting a range of risks and threats to our security which are not constrained by symbolic constructs of national identity or territory. There is broad consensus, for example, that there will be an ongoing threat to all European states from a network of Islamist jihadist extremists willing to engage in terrorist violence. Indeed, at the time of writing, if the military offensive against ISIL’s territory in the Middle East succeeds, it is more than likely that European states will find themselves having to deal with citizens with extremist mindsets and skillsets who have been displaced by the conflict. At the same time and inter-mingled with these developments, populist far-right agendas are becoming increasingly influential which may have ramifications for individual security and human rights, as well as inter-community tensions. Likewise, transnational organised crime groups will dynamically adapt and move their activities to wherever they detect criminogenic opportunities. At



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the same time, cyber-enabled acquisitive crime, that can be conducted at a considerable distance from where any victims reside, is becoming far more prevalent.

Albeit they were not perfect and somewhat cumbersome, what EU institutions such as Europol provide, is a set of arrangements that reduce the 'friction' involved in collecting and sharing information and intelligence that could be of use in protecting people from criminal harms. The problem with contemporary politics is that it tends to want to bifurcate issues into categories of good and bad, right and wrong, when what is needed is a more pragmatic and realist position. It is entirely plausible that something can be flawed but necessary. In respect of the role of the EU in managing crime and security threats this represents quite an apt descriptor. Very few people would describe EU political and legal mechanisms as ideals, but they did nevertheless have some usefulness in tackling some of societies' most perplexing problems. In their absence, we face profound uncertainty about how to respond to some of the most pressing risks and threats of the twenty-first century.



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Abstract

'Second Wave De-Liberalisation' and Understanding the Causes and Consequences of Brexit's Implications for Policing

Britain's historic referendum decision to leave the European Union can be understood as part of a broader pattern of profound social transformation. This phenomenon, which we call 'second wave de-liberalisation', is geared towards the rejection of liberal ethics and inclinations in favour of other norms and values. We are entering a historical moment where issues of culture and identity are reasserting themselves as engines of history, after a period where economic logics have been the pre-eminent influence upon geo-political patterns of development. Even though crime and security were not key considerations in the UK's referendum campaign, it is, nevertheless, the role of the police to manage some of the causes and consequences of such disruptive social changes, whilst maintaining fealty to the traditions of the UK model of policing by consent. This paper explores what Brexit may portend for policing and security by examining the political, economic and social implications of the vote. In doing so, we establish that Brexit is ultimately a symptom of wider and deeper trends feeding into the emergent 'post-factual politics'.

Keywords: second wave de-liberalisation, security, Brexit, post-factual politics, policing.