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## **LABELLING THE DEVIANT: OTHERING AND EXCLUSION IN BRITAIN FROM PAST TO PRESENT**

*Responsables du numéro :*

Emma BELL & Gilles CHRISTOPH

*Directrice de la publication :* Pauline SCHNAPPER

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## *Foreword*

**Emma BELL & Gilles CHRISTOPH**

*Université de Savoie, ENS de Lyon*

Throughout the ages, different labels have been applied to those who are regarded as a threat to the prevailing value system and social order of British society. From the so-called ‘dangerous classes’ of 19<sup>th</sup>-century London<sup>1</sup> to the ‘underclass’ of contemporary Britain, composed of ‘chavs’<sup>2</sup> and ‘hoodies’, a whole range of groups have been subject to labelling which has set them apart from mainstream society and portrayed them as being ‘deviant’. ‘Deviance’ is a rather elastic concept which can take a wide variety of forms. The principal forms of deviance discussed in this special edition of the *Revue Française de Civilisation Britannique* are: sexual deviance (Grosclaude); religious deviance (Esteves & Garbaye; Farwell); deviance associated with the behaviour of young people (Pickard), notably their involvement in gangs (O’Brien Castro; Chommeloux) or in particular youth cultures (Daniels; Williamson); deviance linked to trade union membership (Lenormand) and lack of participation in the workplace (Jordan); deviant forms of motherhood (Sterling; Portier-Lecocq); and deviance linked to immigration (Chaix). Most of these forms of deviant behaviour (with the exception of sexual deviance) tend to constitute ‘deviance from below’, namely the behaviour which is most readily associated with the most marginalised and disadvantaged social classes whose social problems—including illegitimacy, unemployment, welfare dependency and crime—are often presented as being inextricably linked to their deviance.

Yet, ‘deviance from above’ also constitutes a significant problem. Labels are sometimes applied to the most powerful members of society who are responsible for tax avoidance on a large scale or for taking unacceptable risks in their banking activities, for example. The terms ‘fat cat’ and ‘the one per cent’ are often used to refer to those who are considered to be flouting widely accepted norms which dictate that the tax burden should be fairly distributed across society or that financial rewards should be commensurate to efforts made. Whilst these deviants do attract a considerable amount of media attention, never more so than in the wake of the most recent large-scale financial crisis and its associated banking scandals, they nonetheless remain marginal in discussion about deviance more generally. Research-wise, this is a sorry state of affairs, since there would be much to gain from richer knowledge about deviance at all levels of society—whether it originates from the lower, middle or upper classes.

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<sup>1</sup> Victor BAILEY, ‘The Fabrication of Deviance? “Dangerous Classes” and “Criminal Classes” in Victorian England’, in J. RULE and R. MALCOLMSON (eds), *Protest and Survival: The Historical Experience*, London: Merlin Press, 1993.

<sup>2</sup> Owen JONES, *Chavs: The Demonisation of the Working Class*, London: Verso, 2011.

The disproportionate attention accorded to the deviance of the marginalised can be ascribed to the fact that *vertical* labelling on the part of agents vested with institutional authority towards groups devoid of such authority—e.g. politicians or journalists casting the homeless or the unemployed as ‘underserving’ members of the community—is more socially damaging than *horizontal* labelling—e.g. between two neighbours who might each perceive the other as a ‘neighbour from hell’ because one has a dog who barks all day while the other plays loud music all night. This suggests that the dynamics of stigmatisation and marginalisation may be best understood by analysing who exactly does the labelling. A number of contributions to this collection focus on the representation of deviance in the law (Mohammedi; Chommeloux), in the cinema (Chick), on television (Esteves & Garbaye), in the news media (Pickard; Sterling; Lenormand; Farwell) and in politics (Esteves & Garbaye; Lenormand; Jordan). They reveal that it is generally the most powerful and influential members of society who construct such labels. They are the ‘moral entrepreneurs’, as Cohen famously referred to them.<sup>3</sup> They are those who take an initial problem, amplify it by sensationalising it and presenting those responsible in a highly stereotypical way, and then propose diagnosis and solutions. They are principally the media, the politicians and a whole industry of ‘experts’. They work together to foment a ‘moral panic’ surrounding a particular problem, a panic defined more by the challenge that the problem may represent to the prevailing norms of society than by the problem itself. Those responsible become the ‘folk devils’ or the ‘enemy within’. Cohen developed his model from his study of the reaction to the Mods and Rockers in 1960s Britain, but the model could equally be applied to a number of contemporary problems, notably those concerning youth (see Pickard; Chommeloux; O’Brien-Castro; Williamson).

Whilst this is a useful model, shedding light on how certain social problems become magnified and those responsible for them demonised, it tends to deny the agency of the ‘folk devils’ themselves. Paradoxically, whilst the deviants are responsabilised for a host of social problems with which they are seen to be associated, they are denied responsibility in constructing their own identities. Yet, many of them may play an active role in appropriating deviant labels, wearing them as a ‘badge of honour’, as Mohammedi and Chick suggest, or using them to delineate the parameters of a particular folk identity, as Daniels argues in the case of the original Teddy Boys of the 1950s.

Whilst some objects of labelling may challenge the way certain labels are applied to them, as Howard Becker highlighted long ago,<sup>4</sup> many accept these labels unquestioningly and may thus engage in what he described as ‘secondary deviance’ once their deviant label precludes them from integrating fully into mainstream society. In this way, deviant labels become a self-fulfilling prophesy. This highlights just one possible negative consequence of labelling, both for those who are ‘othered’ and excluded from mainstream society and for society itself if it hopes that labelling a problem will be part of its solution. The consequences of demonisation for certain

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<sup>3</sup> Stanley COHEN, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers*, London: Routledge, 2005 (1972).

<sup>4</sup> Howard BECKER, *Outsiders: Studies in the Sociology of Deviance*, New York: Free Press, 2008 (1963).



groups can obviously also be very negative in terms of exacerbating social divisions and social exclusion. Most problematic of all is that the social problems which are associated with deviance remain unaddressed since policy focus is directed at the deviant rather than at the possible structural causes of the problems. As a number of contributors to this volume highlight, this may explain why politicians continue to rely on, and even promote, facile labels. In contemporary British society in which the welfare safety net has been substantially weakened and in which the certainties of working-class culture and informal social controls have been eroded by the collapse of stable employment opportunities, deviant forms of behaviour, notably those marked by violence, may be more likely to proliferate, especially amongst young working class males.<sup>5</sup> For contemporary governments who show no commitment to reviving welfare state capitalism, responsabilising the deviant is a much simpler solution to tackling social problems—a constant of neoliberal discourse and practice over the past forty years.

Overall, the aim of this volume is not to deny the existence of problematic behaviour. By attempting to understand why some forms of behaviour are labelled as deviant whilst others are not, by analysing representations of deviance, and by drawing out historical continuities and points of departure, this volume has the twin ambition to suggest that labelling deviance becomes especially noxious when it attaches indiscriminately to a whole group irrespective of the actual conduct of its individual members and that those wishing to see problematic behaviour disappear will be better served by focusing their efforts on practically eradicating its root causes rather than discursively labelling those they perceive as engaging in deviant conduct.

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<sup>5</sup> Simon HALLSWORTH, *The Gang and Beyond: Interpreting Violent Street Worlds*, Basingstoke and New York: Palgrave Macmillan, 2013.



# ***The Labelling of Deviants in the English Criminal Justice System: A Historical Perspective***

**Yasmine MOHAMMEDI**  
*EHESS-Paris IV (MAPS)*

This article sets out to provide an overview of the treatment of criminal defendants by the English justice system across history, in an effort to illustrate how the construction of a criminal justice system in England, involving the creation of both consistently applied procedural rules and substantive principles, coincides with historically meaningful changes in the labels applied to individuals who have run afoul of their community's laws. While drawing extensively on a historiographical body of research in the fields of social history and legal history of criminal justice, I will borrow from symbolic interactionism in sociology to address the issues of labelling and deviance.

The concepts of labelling and deviance, which are central to this discussion, will be understood throughout in reference to interactionist sociology. Deviance is viewed from this perspective as a social phenomenon, dependent on human interactions and subject to historical mutations. It is seen as a constantly evolving construction which finds a linguistic manifestation through the labels created within a group to designate the non-compliers. As Howard Becker famously states in *Outsiders*: '*Deviance is not a quality that lies in behavior itself, but in the interaction between the person who commits an act and those who respond to it*'.<sup>1</sup>

In other words, it is the response to an act rather than the act itself which defines deviance and generates the related labelling processes. The definition applies equally to both extra-legal and legal situations. The focus here will be on the legal institutions viewed diachronically, and more specifically on the labelling of criminal defendants by English justice as an evolving system.

It does not take extensive knowledge of the English criminal justice system—nor indeed of any criminal justice system—to see that the functioning of such institutions offers rich material for discussion on issues related to labelling and deviance. In a society like contemporary England, with its secular justice system organised in compliance with the rule of law, rule-breaking behaviour is generally thought to be identifiable by objective standards; and so legal norms and legislative enactments have striven to use the language of objectivity, rather than, say, that of

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<sup>1</sup> Howard BECKER, *Outsiders: Studies in the Sociology of Deviance*, New York: Free Press, 2008 (1963), p. 14.

religious belief, personal opinion, outrage or animus. Yet such norms reflect the leading political and social values of their time, which they are designed to protect. Accordingly, legal language, which is at once ‘*medium, process and product*’,<sup>2</sup> and legal concepts have gone through significant mutations, which I will discuss here.

Empirical research into the exercise of law enforcement and judicial authority, employing the methodologies of social history and the social sciences, has revealed that the labelling which occurs within those contexts is coloured by individual and group perceptions, and influenced by interactions between the suspect and law-enforcement and judicial agents. Harshness or leniency in the treatment of suspects has been shown to depend, to a variable extent, on a suspect’s social background, behaviour, demeanour, and, crucially, on how these are perceived by the people who exercise that power, whether at the police station or in the courtroom (this includes witnesses who are called to testify and give opinions on the character of the defendant).<sup>3</sup> Of equal importance is, in addition, the correlation between the way in which defendants are viewed and labelled in the judicial arena and through legal interpretation and ideologies.

Unlike court decisions and proceedings, in which the defendant does not merely assume the role of defendant, but also embodies an actual person with a life, a past and a name, a person who can be identified and categorised—for example in terms of gender, physical appearance or verbal skills—, legislative provisions contemplate imaginary potential offenders and lay down general rules as to how such fictitious people should be dealt with in fictitious situations, often drawn and generalised from actual precedents held to be capable of repetition. Throughout history, when kings, clerics or scholars theorised norms and rights, or when legislators have enacted laws, they have done so in a closed circle from which the deviant *other* is absent or only present as a fiction. Through what processes does a lawmaker label a fiction as opposed to an actual person or event? Such imagined interaction, involving complex projections and associations, is crucial to the exercise of legislative reflection, in contrast to the physical actuality of case by case adjudication. A second related issue might be formulated as follows: how does the law refer to the common man or woman, who may appear before its authority, yet does not necessarily belong to the social group or speech community of law-makers and legal scholars? If placed within a broader reflection on justice, these questions bring us back to the fundamental distinction made by Rawls in *Two Concepts of*

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<sup>2</sup> Yon MALEY, ‘The Language of the Law’, in John GIBBONS (ed.), *Language and the Law*, Longman, 1994, pp. 11-50.

<sup>3</sup> Drawing on a massive number of different sources including court transcripts, law reports, sociolinguistic studies of legal proceedings, historians, legal scholars and social scientists have shown how perceptions related to gender, race, or notions of *habitus*, have influenced the exercise of the justice system. Shani D’Cruze and Malcolm Feeley are among historians who have used gender as a very productive analytic category in relation to the English criminal justice system during the Victorian era. From the perspective of legal scholarship, Susan Edwards’s work on sex and gender in the English justice system is another valuable source. In the field of sociology and sociolinguistics, scholars like Atkinson and Drew, or Goffman, with his work on the social significance of self-presentation, have demonstrated how the highly specific context of social interaction in the course of legal proceedings can impact upon the course of justice itself.

*Rules*, when he states that ‘one must distinguish between justifying a practice as a system of rules to be applied and enforced, and justifying a particular action which falls under these rules’ to properly address the issue of punishment.<sup>4</sup>

In keeping with the fundamentally non-essentialist definition of the concept of deviance adopted here, I will consider the process through which individuals who are suspected of violating the laws of England in such a way that they are thought to be deserving of punishment have come to be seen as entitled to procedural and symbolic protections by the system. Particular emphasis will be laid on the presumption of innocence, and on the development of a human rights culture in political and legal circles since the mid-20<sup>th</sup> century, which has undergone some recent setbacks. Following historians such as Philip Rawlings,<sup>5</sup> I will stress that progress towards a more humane and reasonable treatment of the people that society regards as criminal deviants has not been linear. In so doing I will attempt to bring out the way in which an examination of the labels applied to criminal defendants in legal language can contribute to a more comprehensive understanding of the changes in the treatment and perceptions of a specific class within society: those who have faced prosecution, and who have been stamped with the stigma of having encountered the English criminal justice system.

### ***The labelling of deviants in mediaeval law***

The labelling of a person by another person or group is without doubt a more interactive process than legislative work. It is, however, also interesting to examine what sort of references have been used or created to characterise offences and suspected offenders at various periods in the history of English written law. I shall highlight the point that legislative language from a very early stage onwards has tended to focus more on the description of deviant actions than on the labelling of individuals, while acknowledging some exceptions. In this section I will offer an overview which does not aim at covering English legislative history exhaustively but at selecting the most significant steps in its development.

#### *Labels in Anglo-Saxon law books*

Making allowance for the ‘*peculiar and inevitable difficulties*’ inherent in historical inquiry in the field of law,<sup>6</sup> compounded with the mass of literature available in the field, an examination of early legal codes which have been preserved, such as those of King Aethelbert of Kent (602) and King Alfred of Wessex (who reigned from 871 to 899), reveals that concern for fairness, as it may be understood by power at any given period, has long been a key issue. Interestingly, this aspiration was not only evinced through expressions related to Christianity, but also reflected in the frequent use of unspecific language applied in

<sup>4</sup> John RAWLS, ‘Two Concepts of Rules’, *The Philosophical Review*, vol. 64, n° 1, Jan. 1955, pp. 3-32.

<sup>5</sup> Philip RAWLINGS, *Crime and Power: A History of Criminal Justice 1688-1998*, Longman Criminology Series, 1999.

<sup>6</sup> Frederick POLLOCK, ‘Anglo-Saxon Law’, *The English Historical Review*, vol. 8, n° 30, Apr. 1893, pp. 239-271.

reference to potential rule-breakers.<sup>7</sup> At a very early stage in the development of law in parts of what now constitutes England, when written law was much more the edict of the monarch with or without the advice of his witan, than the product of any parliamentary or collective process, King Alfred's doom book (893), of which the *Anglo-Saxon Chronicle* contained a copy, offers a wealth of information on the social values of his time. It does not, however, constitute a fully consistent system for referring to potential rule-breakers. Some of his prescriptions, patterned after the Mosaic law, use the imperative mode and address the subjects of the kingdom by means of the personal pronoun 'thou'. In the other provisions of the code, however, Alfred makes impersonal references to potential perpetrators or offenders using the words 'men', 'a man', 'a lord', 'a freeman', 'a slave', 'theowmen', thus acknowledging and even codifying social categories. We find, in addition, unspecific references through the use of pronouns such as 'anyone'. In the following excerpts, Alfred makes prescriptions as to how certain types of conduct, which would be considered criminal in nature by today's standards, should be dealt with, although it is not entirely clear to historians to what extent and in what way these provisions were enforced.<sup>8</sup>

*Rule n° 13: Let the **man**<sup>9</sup> who slayeth another wilfully perish by death. Let **him** who slayeth another of necessity or unwillingly, as God may have sent him into his hands, and for whom he has not lain in wait, be worthy of his life, and of lawful bot, if he seek an asylum.*

*Rule n° 16: If **a man** strike his neighbour with a stone or with his fist and he may nevertheless go about with a staff, let him provide him a leech and do his work during the time that he is not able.*

*Rule n° 28: If **any one** entrust his property to his friend: if he shall steal it, let him pay double; if he know not who has stolen it, let him excuse himself.*

The status of women was not that of free individuals, and so they were designated in the code only as potential victims of deviant men, and classified by reference to their conjugal position in society:

*Rule n° 18: If any one in strife hurt a breeding woman, let him make bot for the hurt, as the judges shall prescribe to him. If she die, let him give soul for soul.*

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<sup>7</sup> J.H. BAKER notes in his *Introduction to English Legal History* that 'the earliest surviving legislation, that of King Aethelbert I of Kent, appeared in about 600 AD, and has traditionally been associated with the supposed conversion of that king to Christianity by Saint Augustine' (Butterworths & Co, 1990 [3rd ed.], p. 3).

<sup>8</sup> Benjamin THORPE, *Ancient Laws and Institutes of England*, G.E. Eyre and A. Spottiswoode, printers to the Queen's Most Excellent Majesty, 1840, pp. 47-53. Alfred's whole book runs from p. 4 to p. 101.

<sup>9</sup> Emphasis added.

*Rule n° 29: If anyone deceive an unbetrothed woman, and sleep with her; let him pay for her, and have her afterwards to wife. But if the father of the woman will not give her, let him render money according to her dowry.*

The one exception regarding women applied to witches, in rule n° 30, which reads as an invitation to all members of society to take the law into their own hands and rid the community of such frightful creatures:

*The women who are wont to receive enchanters, and workers of phantasms, and **witches**, suffer thou not to live.*

Through these examples, we see that for most of the offences provided for in King Alfred's doom book, the language used in reference to potential perpetrators was rather unspecific, though clearly gendered. Only in two instances does Alfred, in twenty-eight translated pages of code, use more precise labels to designate a certain type of offender.

*Rule n° 25: If a **thief** break into a man's house by night, and he be there slain; the **slayer** shall not be guilty of manslaughter. But if he do this after sunrise, he shall be guilty of manslaughter; and then he himself shall die, unless he were an unwilling agent.*

The terms 'thief' and 'slayer', explicitly incriminating terms, would have no place in the legislation of our time. Let us keep in mind that due process or presumption of innocence are concepts which are inapplicable to the era of Alfred, as is the modern distinction between criminal law and civil law. Nevertheless, we observe in that early version of a code what might simply be called a legislative writing style, which refrains from making excessive use of incriminating labels. This could not be said of King Cnut the Great's doom book, after the Danish conquest which overthrew the dynasty of Alfred, while extending the boundaries of the kingdom. Although historical fact cannot be easily told apart from legend, owing to scant sources and the workings of time, the laws of King Cnut have been preserved and bear witness to a ruthless form of government. Unlike Alfred's book, Cnut's rulebook is full of stigmatising labels, stressing the absolute power of the monarch himself. Here are but a few examples:<sup>10</sup>

*6: Let manslaughterers and perjurers, violators of holy orders and adulterers submit and make bot; or with their sins retire from the country.*

*7: Let cheats and liars, robbers and reavers have God's anger, unless they desist.*

*13: And whoever does a deed of outlawry, let the king have power of the frith. And if he have boc-land, let that be forfeited into the king's hand.*

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<sup>10</sup> Benjamin THORPE, *op cit*, pp. 381-391.

*26: OF THIEVES. Let the notorious thief seek whatever he may seek.*

This apparent step backwards, by modern standards, in terms of legislative linguistic practice, belies any attempt to envisage a linear progress towards fairer legislation and proceedings, and confirms the relevance of studying legislative language as one indicium of social life considered at a given period.

*Magna Carta: a legal instrument against incriminating labels*

I shall now focus on what I believe to be the next essential milestone, *i.e.* Magna Carta in 1215.<sup>11</sup> Article 39 of Magna Carta is often cited both in the UK and the US as a major constitutional reference from which habeas corpus, prohibition of torture, trial by jury, and more generally the rule of law are held to be derived:

*No freeman shall be taken or imprisoned or disseised or exiled or in any way destroyed, nor will we go upon him, nor will we send upon him except upon the lawful judgment of his peers or the law of the land.*

Magna Carta appears to be without any explicitly negative labels applied to potential rule-breakers. That is hardly surprising given that its principal aim was to protect freemen from the king's abuses. The type of defendant envisaged in the enactment is not thought of as a deviant *other*. On the contrary, most of the charter is concerned with establishing safeguards from unfair prosecution or oppression, to the benefit of noblemen. The relationship between the individual and the group reflected in article 39 of Magna Carta seems to be orientated towards identification rather than stigmatisation, and towards the justification of certain rights. In no way does the charter provide for the stigmatisation of deviant rule-breakers. It thereby constitutes a major shift in perspective explicitly transcribed in legal language, without which modern concepts such as due process would be unthinkable. The implications of this turn, notably in terms of the generation of procedural rules of general application, would be more fully realized during the time of Sir Edmund Coke.<sup>12</sup> One such rule, of direct relevance to present concerns is the right for any person in a judicial process not to incriminate themselves, which is to say label themselves as criminals publicly.

*Towards modern legislation: Treason*

The Treason Act 1351, a piece of legislation from the 14th century written in English, deals with what the Crown regarded as the first and most grievous of all criminal offences, *i.e.* treason. High treason is the last crime which warranted capital

<sup>11</sup> As is well-known, the charter, which was written in Latin, was extracted from King John by a group of rebellious Barons.

<sup>12</sup> The American historian of law Leonard W. LEVY, in an article on the US constitutionally protected privilege against self-incrimination, 'The Right Against Self-Incrimination: History and Judicial History', explains how Coke and other jurists in the 16th and early 17th century imposed the view that Magna Carta should be interpreted as outlawing compulsory self-incrimination (*Political Science Quarterly*, vol. 84, n° 1, Mar. 1969, pp.6-7).



punishment (otherwise abolished in 1965) in England until the *Crime and Disorder Act 1998* removed the exception.

*Declaration what Offences shall be adjudged Treason. Compassing the Death of the King, Queen, or their eldest Son; violating the Queen, or the King's eldest Daughter unmarried, or his eldest Son's Wife; levying War; adhering to the King's Enemies; killing the Chancellor, Treasurer, or Judges in Execution of their Duty.*

*Whereas divers Opinions have been before this Time [in what Case Treason shall be said, and in what not;] the King, at the Request of the Lords and of the Commons, hath made a Declaration in the Manner as hereafter followeth, that is to say; **When a Man** doth compass or imagine the Death of our Lord the King, or of our Lady his [Queen] or of their eldest Son and Heir; or if **a Man** do violate the King's [Companion,] or the King's eldest Daughter unmarried, or the King's eldest Son and Heir; or if **a Man** do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be [probably] attainted of open Deed by [the People] of their Condition: [...] and if **a Man** slea the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assise, and all other Justices assigned to hear and determine, being in their Places, doing their Offices: And it is to be understood, **that in the Cases above rehearsed, [that] ought to be judged Treason which extends to our Lord the King, and his Royal Majesty.***<sup>13</sup>

Under this act, while a specific type of conduct is labelled as treason, the potential perpetrator is simply referred to as 'a man', not 'a traitor'. This is one instance of a modern form of legislation which labels conduct rather than the imagined person behind the deed. It is, in its form, consistent with most of today's standards of writing, and remains on the statute books to this day.

#### *Towards modern legislation: Bills of attainder*

The abolition of bills of attainder in 1870 is a step of constitutional significance insofar as it goes towards a self-definition of Parliament as a body dedicated to the fair exercise of legislative functions, and no longer empowered with the authority to condemn individuals. Bills of attainder were passed by the English Parliament to pronounce an individual guilty of treason, with the effect of dispossessing him of his property and titles. The 'attainted' person was declared a traitor without trial and usually executed. The Bill of attainder was thus the ultimate stigma for an aristocrat and his family; beyond a criminal penalty, it stood for a label of dishonour. Attainders were used frequently during the Wars of the Roses, under

<sup>13</sup> [http://www.legislation.gov.uk/aep/Edw3Stat5/25/2/images/aep\\_13510002\\_enm\\_1517663\\_001](http://www.legislation.gov.uk/aep/Edw3Stat5/25/2/images/aep_13510002_enm_1517663_001).

the Tudor dynasty and exercised posthumously when the monarchy was restored in 1660 against Cromwell and members of his Commonwealth.<sup>14</sup>

### *Trends and paradoxes in contemporary forms of labels applied to criminal defendants and offenders*

Let us now examine some specific issues that are relevant to the labelling of criminal defendants by law today, as well as the social significance of legal labels in contemporary England. In this pursuit, it will be useful to consider three distinct levels: the law, the application of the law and social response outside the courtroom. English criminal justice has ostensibly embraced the principles of fairness embedded in the *European Convention of Human Rights*, incorporated them into its domestic body of legislation, and generally adhered to presumption of innocence and other standards of due process, which rule out the use of incriminating labels in judicial practice. However, in face of the failure to guarantee a society free from terrorism, paedophilia or other ills, successive governments and parliaments have since the early 21st century begun to chip away at those standards. In many ways, legislation has reached an unprecedented level of technical prophylaxis, with gender-neutrality and the removal of all incriminating or biased labels. Yet such advanced standards are often frustrated when political decisions establish practices which run counter to otherwise extolled ideals of fairness, as the following examples will seek to demonstrate.

#### *The issue of gender in legislative language*

One salient change in the way criminal suspects have been designated in legislative language has of course to do with gender. Until recently, the designation of criminal defendants in law projected the representation of a male individual. The social significance of this gender imbalance can be seen, for instance, in those cases where female offenders have been cast in more abhorrent and sensationalist terms than their male counterparts. Although women have never been immune from forms of prosecution, cultural representations of criminals are not exempt from the impact of gender in language. Only in 2008 was gender-neutral language adopted in English legislative enactments (simultaneous to its adoption by the European Parliament). For earlier provisions still in force, masculine pronouns have to be given a gender-neutral interpretation. As an illustration, we shall look at two provisions, about 50 years apart, both concerned with homicide, in particular with certain partial defences allowing a murder charge to be converted into a manslaughter conviction.

#### *Homicide Act 1957, Part I, Section 3: Provocation.*

*Where on a charge of murder there is evidence on which the jury can find that the person charged was provoked (whether by things done or by things said or by both together) to lose his self-control, the question whether the provocation was enough to make **a reasonable***

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<sup>14</sup> The House of Commons issued bills against the late Oliver Cromwell and other figures of the Commonwealth involved in the death of King Charles I. (*Journal of the House of Commons*, vol. 8, 1660-1667, <http://www.british-history.ac.uk/report.aspx?compid=26189#s11>.)

*man*<sup>15</sup> do as *he* did shall be left to be determined by the jury; and in determining that question the jury shall take into account everything both done and said according to the effect which, in their opinion, it would have on a reasonable man.

*Coroner and Justice Act 2009, Section 54 (1):*

*Section 54: Partial defence to murder: loss of control:*

*(1) Where a **person (“D”)** kills or is **a party** to the killing of another (“V”), D is not to be convicted of murder if—*

*(a) D’s acts and omissions in doing or being a party to the killing resulted from D’s loss of self-control,*

*(b) the loss of self-control had a qualifying trigger, and*

*(c) a person of D’s sex and age, with a normal degree of tolerance and self-restraint and in the circumstances of D, might have reacted in the same or in a similar way to D.*

In keeping with new social standards, D and V, the initials standing for *defendant* and *victim*, have replaced the gender-specific pronouns and possessive adjectives used in the old law. With those initials, the potential defendant becomes even more of an abstraction; the labelling operations within legislative language seem to have reached an advanced state of minimalism.

Beyond this significant linguistic aspect, some major substantive differences should be highlighted. Section 54 (1) abolishes the defence of provocation formerly provided by the *Homicide Act 1957*. In its place, a loss of control standard requires triers of fact to consider the age and sex of D and a number of other factors in deciding upon the issue of defence to homicide in cases where defendants have been provoked. This has proved a contributing factor towards renewed perceptions of homicide defendants, especially females, and conceptions of deviance. Indeed, both civil and criminal jurisprudence first developed along gendered notions of how a ‘reasonable man’ should behave.

Susan Edwards is among legal scholars who have contributed to raising judicial awareness in relation to the quintessentially ‘male’ character of homicide law in particular. Legal defences, which further legitimate already acceptable excuses or justifications for deviant conduct, have often been structured to reflect gendered constructions of what is considered acceptable behaviour. Edwards, in her discussion of the issue of the provocation defence, notes that the device was designed to fit the impulsive type of response to provocation empirically observed in most male defendants, thus failing to provide battered women with adequate means of successfully using the same plea, inasmuch as women were often observed to be culturally less prone to immediate violent response than males.<sup>16</sup>

Until a string of landmark rulings issued in the 1990s opened new perspectives, evidence of years of abuse in the cases of women charged with

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<sup>15</sup> Emphasis added.

<sup>16</sup> Susan S.M., EDWARDS, *Sex and Gender in the Legal Process*, Blackstone Press Ltd, 1996, p. 395.

murdering their husbands, was consistently rejected as a ground for provocation, while discovering a woman's adultery could serve as an excuse to a man's killing of his spouse.<sup>17</sup> Prior to those rulings, a long history of battering was held to defeat the masculine snap trigger logic inherent in the defence of provocation. Since the heated debates on the battered women syndrome which agitated the courts and public opinion in the late 1980s and 1990s, with high-profile cases such as those of Sarah Thornton and Emma Humphreys, juries have been allowed to consider a broader variety of circumstances which may serve as a legal excuse for loss of control following provocation, including social and gender roles within couples.<sup>18</sup> The reforming process of the provocation defence culminated in the passing of the *Coroner and Justice Act 2009* with its loss of control test, cleared of any requirement of immediacy. This major modification has made it possible for those specific types of defendants to wear two apparently contradictory labels: that of criminal and that of victim.

Besides gender, other significant changes have impacted on the way in which legislation refers to criminal defendants. The terms 'person', 'defendant', or D, for example are now used while the term 'the accused', which was in use until the 1960s and 1970s, has virtually disappeared. The term 'prisoner', similarly, is less favoured in courtroom proceedings. These practices reflect the necessity to comply with the requirement of the presumption of innocence in the *European Convention of Human Rights* and the culture which developed under that influence.

#### *Presumption of Innocence*

Why is presumption of innocence relevant to a discussion of labels in criminal law? The inclusion within principles of due process of the presumption of innocence is in itself recognition of the power of labelling in the judicial process. The presumption of innocence rests on the notion that the prosecution needs to prove its case. The burden of proof is on the prosecution to establish the guilt of the accused 'beyond a reasonable doubt', not on the accused to demonstrate his or her innocence. Presumption of innocence is intended to protect defendants in the course of their trials from any negative inferences which jurors might draw from the use of incriminating labels. Accordingly, the accused should then be presumed innocent unless proven guilty.

The legal scholar Kenneth Pennington<sup>19</sup> records that the first person expressly to refer to a 'presumption of innocence' was a French canon lawyer, Johannes

<sup>17</sup> Two landmark cases should be mentioned here: *R v Humphreys* (1995) 4 All ER 1008 Court of Appeal as well as Sarah Thornton's second appeal, *R v Thornton* (n° 2) (1996) 2 All ER 1023 Court of Appeal.

<sup>18</sup> For a factual reminder and a media perspective on those two cases, one might find it useful to look at the following article: E. Jane DICKSON, 'Sisters to the Death', *The Independent*, Saturday 16 September 1995, <http://www.independent.co.uk/arts-entertainment/sisters-to-the-death-1601284.html>.

<sup>19</sup> Kenneth PENNINGTON, 'Innocent Until Proven Guilty: The Origins of a Legal Maxim', *The Jurist*, n° 63, 2003, p. 106. Pennington quotes a gloss by Monachus of Pope Boniface VIII's decretal *Rem non Novam*: 'item quilbet presumitur innocens nisi probetur nocens.' Pennington translates this as 'a person is presumed innocent until proven guilty'.

Monachus, who died in 1313. In England, Murphy's case (1753) is cited by historians of law as one of the first known cases in which the argument was raised.<sup>20</sup> In Murphy's case, counsel for the defendant is recorded to have stated: '(E)very man, my Lord is by law presumed to be innocent, till he is proved to be guilty'. However it wasn't until 1935 that a case set a binding precedent in favour of presumption of innocence. In his ruling in the case of *Woolmington v DPP* (1935), House of Lords justice Viscount Sankey used the metaphor of the 'golden thread' to emphasise the value of presumption of innocence. In this case, the trial judge instructed the jury that there was a presumption of guilt weighing upon the defendant, who had pleaded not guilty to a charge of murdering his wife.

*Through-out the web of the English Criminal Law one golden thread is always to be seen that it is the duty of the prosecution to prove the prisoner's guilt subject to what I have already said as to the defence of insanity and subject also to any statutory exception. No matter what the charge or where the trial, the principle that the prosecution must prove the guilt of the prisoner is part of the common law of England and no attempt to whittle it down can be entertained.*<sup>21</sup>

Thus the precedent recognised one exception for the burden of proof to establish insanity (reaffirming the *M'Naghten* principle<sup>22</sup>) and another potentially broader one for statutory exceptions. The presumption of innocence as a legal standard has never been absolute. Yet the incorporation of this principle into criminal procedure has quite logically entailed certain linguistic standards as to how to correctly refer to a defendant standing trial in English courts. However overwhelming the evidence, it is prejudicial and objectionable for a defendant charged with murder to be referred to as a murderer in the course of the proceedings, or for any defendant to be called an offender or a criminal prior to any verdict. The professional jurists in a trial are well aware of these linguistic norms and conceptual distinctions, although lay people playing a role in trials, witnesses in particular, may be less accustomed to them.

The emergence of presumption of innocence as a concept and a legal safeguard has been regarded as an important paradigmatic shift in the official labelling of criminal defendants. I will try to explain why some scholars have argued, not without cause, that the presumption of innocence has in recent times suffered a partial erosion. Article 6 (2) of the *European Convention of Human Rights* reads:

*Everyone charged with a criminal offence shall be presumed innocent until proven guilty.*

On its face, this appears as a provision which should allow no exception. Case law, however, both at the European and at the UK levels, has construed Article 6 in

<sup>20</sup> Andrew STUMER, *The Presumption of Innocence*, Hart Publishing, 2010, p. 2.

<sup>21</sup> *Woolmington v DPP* 1935, <http://www.bailii.org/uk/cases/UKHL/1935/1.html>.

<sup>22</sup> The *M'Naghten* principle or rule is a reference to the ruling in which the concept of an insanity defence was defined and made a binding precedent. (*M'Naghten* [1843] UKHL J16, <http://www.bailii.org/uk/cases/UKHL/>)

such a way that it opens possibilities for broad exceptions. *Salabiaku v France* 1988 (APP n° 10519/83) 13 EHRR 379 (28) allows for exceptions and requires states to ‘confine them [the exceptions] within reasonable limits which take into account the importance of what is at stake and maintain the rights of the defence’. The definition of the exceptions under *Salabiaku* thus appears to be quite flexible. The House of Lords has recognised such limits on several occasions since the European Court of Human Rights’ decision, with the introduction of a ‘proportionality test’.<sup>23</sup>

Reversed burdens, persuasive and evidential burdens placed on the defendant constitute departures from the presumption of innocence. They place the defendant in a position which requires them to prove certain facts, or to satisfy the fact-finder that an issue is relevant, while liberating the prosecution, to an extent, from convincing the trier of fact of the defendant’s guilt beyond a reasonable doubt. This form of reversal of the burden of proof may then appear or even operate as a presumption of guilt, a label of guilty which the defence is compelled to take on despite having entered a not guilty plea. The insanity defence, self-defence and the partial defence of loss of control are three examples of reversed burdens. Under the *Coroner and Justice Act 2009*, Section 54, to go back to a provision mentioned earlier on in reference to gendered labels, it is incumbent on the defence in a murder case to raise the issue of loss of control through a ‘qualifying trigger’ to allow the jury to consider a reduced verdict of manslaughter.<sup>24</sup> Such a reversal in onus may well provide skilled defence barristers with technical strategies, yet it also shifts the burden in such a way as to partly defeat the purpose of presumption of innocence, contributing to confusion in the roles and labels to be applied within the judicial sphere. That is why the proliferation of such technicalities, evidential burdens on the defence, etc., has been exposed by legal scholars like Andrew Stumer and Andrew Ashworth as an erosion of the presumption of innocence.

Another way in which presumption of innocence has been undermined is through tough new laws or government policies which ‘impose restrictions on the liberty of unconvicted persons that fall only slightly short of depriving them of their

<sup>23</sup> One may be referred to the following cases: *R v DPP, exp Kebilene* (2000) Lord Hope, *R v Lambert* (2002) Lord Steyn, *R v Chagot Ltd* (2009) Lord Hope.

<sup>24</sup> *Coroner and Justice Act 2009*, Section 54: Partial defence to murder: loss of control:

- (1) Where a person (“D”) kills or is a party to the killing of another (“V”), D is not to be convicted of murder if—
  - (a) D’s acts and omissions in doing or being a party to the killing resulted from D’s loss of self-control,
  - (b) the loss of self-control had a qualifying trigger, and
  - (c) a person of D’s sex and age, with a normal degree of tolerance and self-restraint and in the circumstances of D, might have reacted in the same or in a similar way to D.
- (5) On a charge of murder, if sufficient evidence is adduced to raise an issue with respect to the defence under subsection (1), the jury must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.
- (6) For the purposes of subsection (5), sufficient evidence is adduced to raise an issue with respect to the defence if evidence is adduced on which, in the opinion of the trial judge, a jury, properly directed, could reasonably conclude that the defence might apply.

*liberty*'.<sup>25</sup> Because the government has failed to some extent or is under public fire for failing in its duty to ensure the security of its citizens, tough measures have been introduced to shift the blame elsewhere: preventive orders, the broad label of anti-social behaviour, and tougher penalties have been set up as attempts to satisfy demands for security. As a result, the presumption of innocence has been superseded by generalised suspicion. The emphasis is placed on risk and risk assessment, no longer on proven facts. It is worth noting here that the type of anti-terrorism policies exposed by Ashworth as violative of presumption of innocence in the 21st century may not be an entirely new phenomenon in the United Kingdom, if one is to believe the findings of Paddy Hillyard.<sup>26</sup> Hillyard's research into the treatment of Irish people by the English justice system in the 1980s brought to light a pattern of discrimination in law enforcement practices, which, he argued, rose to the level of creating a 'suspect class' of individuals presumed guilty based solely on ethnic grounds. Emergency anti-terrorism legislation was used as a means to target Irish people regardless of their behaviour. According to Hillyard, being Irish had become in itself a label of terrorist deviance in the eyes of police forces, who exercised their powers of arrest and detention under the *Prevention of Terrorism Act 1974* without much deference for presumption of innocence principles.

More recently, a number of anti-terrorism measures have been criticised for crossing the line of due process principles. Control orders and prolonged periods of pre-trial detention, in particular, have both been looked upon as measures imposing a presumption of guilt on unconvicted individuals. For instance, the House of Lords has declared certain provisions of the *Anti-Terrorism and Security Act 2001* to be in contradiction with article 5 of the *European Convention on Human Rights*' protection of the right to liberty.<sup>27</sup> The court-challenged control orders which the Home Secretary had the power to impose under the *Prevention of Terrorism Act 2005* with the purpose of '*protecting members of the public from a risk of terrorism*' with only a minor degree of judicial supervision had been pointed at by the European Commissioner for Human Rights in a 2005 report as potentially inconsistent with the Convention.<sup>28</sup> Although the controversial control orders were rebranded in 2011 as *Terrorism Prevention and Investigation Measures* (TPIM),<sup>29</sup>

<sup>25</sup> Andrew ASHWORTH, 'Four Threats to the Presumption of Innocence', *The International Journal of Evidence & Proof*, vol. 241, 2006, p. 277.

<sup>26</sup> Paddy HILLYARD, *Suspect Community: People's Experience of the Prevention of Terrorism Acts in Britain*, Pluto Press in Association with Liberty, 1993.

<sup>27</sup> The court ruled that the indefinite detentions of suspects allowed by section 23 of the act were incompatible with the *European Convention on Human Rights*. (*A and others v Secretary of State for the Home Department* [2004] UKHL 56.)

<sup>28</sup> See the report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on his visit to the U.K. in November 2004, for the attention of the Committee of Ministers and the Parliamentary Assembly, Strasbourg, 8 June 2005, <https://wcd.coe.int/ViewDoc.jsp?id=865235>.

<sup>29</sup> The decision to impose a TPIM is an executive decision subject to judicial review under the following restrictions:

- (3) The function of the court on the application is—
  - (a) to determine whether the relevant decisions of the Secretary of State are obviously flawed, and

the new measures remain, both in spirit and in practice, executive restrictions or deprivations of liberty which offend such notions as presumption of innocence or habeas corpus, and which expose as deviant people who may have adopted deviant conduct, yet have not been tried on any charge. When such an order is lifted, what remains is social stigma of a kind or other, one of the consequences being the fostering of anti-Muslim sentiment within society.

Historian of fascism Matthew Feldman is among a growing number of scholars who have studied the issue of rising Islamophobia in Britain, with conclusions which might give Hillyard's concept of 'suspect class' renewed relevance.<sup>30</sup> In Feldman's opinion, the strand of legislation passed in the UK after the terrorist attacks of 9/11 and 7/7 may have encouraged the forms of racist scapegoating and labelling in society which have been recorded against mosque-goers or headscarved women with no ties whatsoever with Islamist radical terrorism:

*In the aftermath of mass-casualty terrorist attacks by Islamist militants attacks in the US on 11 September 2001; Madrid on 11 March 2004; and the UK on 7 July 2005, the emergence of a potent anti-Muslim politics has offered a crucial hook for a new generation of radical right politicians to hang an extremist agenda—one palpable in some sections of the mainstream media and wider public.*<sup>31</sup>

The same view is supported by the criminologist Imran Awan, in research exploring the impact of counter-terrorism policies on the emergence of anti-Muslim discourse, especially the online expression of such sentiment and its effect on the targeted communities.<sup>32</sup>

Terrorism prevention measures and similar types of policies in the past 10 to 15 years—Anti-Social Behaviour Orders (ASBOs), control orders—tend to generate stigma, while failing to demonstrate the efficiency of those methods which resort to incriminating labels in lieu of fair and equal proceedings.<sup>33</sup> The issue of ASBOs is a

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(b) to determine whether to give permission to impose measures on the individual and (where applicable) whether to exercise the power of direction under subsection (9).

(4) The court may consider the application—

(a) in the absence of the individual;

(b) without the individual having been notified of the application; and

(c) without the individual having been given an opportunity (if the individual was aware of the application) of making any representations to the court.

(<http://www.legislation.gov.uk/ukpga/2011/23/crossheading/court-scrutiny-of-imposition-of-measures/enacted>.)

<sup>30</sup> I refer readers to Matthew FELDMAN's article, 'From Radical-Right Islamophobia to Cumulative Extremism', Faith Matters Group, 2012, <http://tellmamauk.org/wp-content/uploads/2013/02/islamophobia.pdf>. See also ESTEVES & GARBAYE, this volume.

<sup>31</sup> Matthew FELDMAN, *art. cit.*, p. 2.

<sup>32</sup> Imran AWAN's report to the All Party Parliamentary Group on Islamophobia records a number of particularly telling incidents and examples of hate tweets or other forms of online expression (<http://tellmamauk.org/wp-content/uploads/2013/09/appg.pdf>).

<sup>33</sup> ASBOs were introduced by the *Crime and Disorder Act 1998*. Under the act, which David Cameron's government has considered reforming, disruptive individuals over 10 years of age



particularly interesting one from an interactionist perspective. Indeed, one unexpected consequence of ASBOs—and one which goes to show how legal labels and socially sanctioned labels of deviance may not always coincide—is that the intended label of dishonour stamped on the recipients of such orders has often been reversed into a valorising ‘badge of honour’ in the eyes of the young people concerned, their friends and even families.<sup>34</sup>

*Hate crimes and racially and religiously aggravated offences*

Of the 44,000 hate crimes prosecuted in England and Wales in 2011-12, 86% concerned race and religion according to statistics from the Home Office in the first survey of this kind ever conducted.<sup>35</sup> Those numbers would be enough to draw attention to the creativity of lawmakers in producing increasingly specific legislation as a reflection of society’s need to create new labels to fit evolving definitions of deviance. In that two-year span, 44,000 individuals were thus labelled haters by the courts. This interest in characterising certain types of criminal conduct by reference to specific social motives, often of a racial nature (to the tune of 86%), is not unrelated to a broader concern with the issue of discrimination in society. From the late 1990s onwards, legislation was passed in the U.K. to reflect New Labour’s claim to modernity and its commitment to promoting new attitudes towards ethnic and religious minorities. Enactments extending anti-discrimination protection<sup>36</sup> and providing heavier penal sanctions for racist offences were passed and have remained in force since their adoption or have been amended in ways which do not contradict the original legislative intent.<sup>37</sup> I will present the detailed provisions of some of these laws which provide increased penalties for racially and religiously aggravated offences, question how they may reflect specific labels applied to the defendants charged under those, and then examine the paradox of a legal system which criminalises behaviour which some of its own provisions may have encouraged.

Deviance from the norms enacted in legislation is actual deviance, as opposed to deviant fantasies or impulses not acted upon. However, criminal law looks to intent and motive, which are probed and considered hierarchically with reference to social norms. One illustration of this may be found in the way the *Crime and Disorder Act 1998* approaches racially aggravated assaults. Under the act, assaults which are compounded with racial animus tend to carry a more severe punishment

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can be subject to specific restrictions and prohibitions without trial. A briefing note of August 2010 to the Members of the House of Commons records that ‘recent evaluations have suggested that there is a lack of support available for individuals subject to an order and that authorities are increasingly using alternative remedies’ ([www.parliament.uk/briefing-papers/-SN01656.pdf](http://www.parliament.uk/briefing-papers/-SN01656.pdf)).

<sup>34</sup> ‘Teenagers See Asbos as Badge of Honour’, *Guardian*, 2 November 2006.

<sup>35</sup> <https://www.gov.uk/government/publications/hate-crimes-england-and-wales-2011-to-2012--2>.

<sup>36</sup> The *Race Relations (Amendment) Act 2000* is one instance of the commitment to removing discrimination from public life. The *Human Rights Act 1998* also bears witness to a political agenda concerned with equal treatment under the law and fair proceedings.

<sup>37</sup> The *Equality Act 2010* repealed the *Sex Discrimination Act*, the *Race Relations Act* and the *Disability Discrimination Act*, but actually subsumed their provisions under one consolidated piece of legislation. This article does not focus on these acts by design, as they concern civil litigation.

than non-racially aggravated assault. The same goes for religiously-aggravated offences under the *Anti-Terrorism, Crime and Security Act 2001*. While assault occasioning actual bodily harm carries, on indictment, a sentence which must not exceed 5 years under the *Offences against the Persons Act 1861*, as amended, the racially-aggravated version of assault occasioning actual bodily harm incurs, on indictment, an enhanced maximum penalty of seven years, *i.e.* two more years. That is how *the law* ranks certain acts in reference to the nature of the motives behind them. Racial motives become thereby a form of criminal conduct which the law regards as more deviant than violent conduct related to other motives. How the law is applied in specific court cases would raise the further issue of how culpability may be assessed in relation to social responses and ethical trends, which would be to pursue a broader view of deviance than the legal definition of an offence—*actus reus* and *mens rea*.<sup>38</sup>

One more aspect to consider here is the issue of paradoxical perceptions in the social world at large. A racially aggravated assault may generate a different kind of social stigma or a different kind of response, depending on the social group involved. The majority of the population will probably think of a person convicted of racially aggravated assault as abhorrent. Such a person might be considered as even more deviant in say a Caribbean community, while members of the radical far right might unsurprisingly consider such an individual as less of a deviant. Beyond this issue of relative perception, a broader paradox should be addressed here. Interestingly, the condemnation of racist deviance reflected by the laws which provide harsher punishment for crimes with a racist component did not prevent the government and Parliament from introducing the stigmatising anti-terror measures described earlier on in this article. Similarly, the rise of Islamophobic sentiment and the racist far-right discourses observed in Britain in the last ten to fifteen years do not seem to have been thwarted by the risk of criminal prosecution.<sup>39</sup> Matti Bunzl's anthropological analysis of Islamophobia in Europe might shed light on this apparent contradiction. Although the concept of racism may still remain legally and socially abhorrent, '*Islamophobia is marshaled to safeguard the future of European civilization*' by politicians and people who feel culturally threatened, especially at a time when Britain seems to be turning its back on the idea of multiculturalism.<sup>40</sup>

#### *The specific treatment of sex offenders*

In contemporary England, the penal tariff as well as the social stigma applied to sex offenders vary significantly according to certain factors. Abusers of children receive the harshest punishments and are looked down upon as the worst kind of deviants in society as a whole. The *Sexual Offences Act 2003* is a piece of legislation worthy of notice insofar as it created new charges for sexual acts with children

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<sup>38</sup> *Actus reus* and *mens rea* refer respectively to the specific act and to the element of intent which provide the legal definition of most criminal offences.

<sup>39</sup> 'UK anti-Muslim Hate Crime Soars, Police Figures Show', *Guardian*, 27 December 2013, <http://www.theguardian.com/society/2013/dec/27/UK-anti-muslim-hate-crime-soars>.

<sup>40</sup> Matti BUNZL, 'Between Anti-Semitism and Islamophobia: Some Thoughts on the New Europe', *American Ethnologist*, vol. 32, n° 4, Nov. 2005, pp. 499-508.

(16: Abuse of position of trust: sexual activity with a child) and provided for harsher punishments for sex offenders.

Rape is a crime punishable by life imprisonment, while rape of a child under 13 constitutes an even more serious charge, in that consent of the alleged victim can never be at issue. In terms of punishment, child rape attracts the same penalty as murder, *i.e.* a mandatory sentence of life imprisonment.<sup>41</sup> Sexual offences against children are then regarded as the most reviled form of deviance across the board. The broadest possible level of social consensus seems here to be in place, a fact which is reflected in the current state of the law. Even in the prison world, those labelled as *nonces* (rapists, especially of children) are viewed with the utmost contempt, as reflected in contemporary popular culture.<sup>42</sup> The legal label and social labels appear to coincide when it comes to child molesters.

Another interesting aspect of the labelling which is applied to sex offenders in the course of law enforcement has to do with compulsory registration. There is no national centralised sex offenders register open to the public. However, the *Sex Offenders Act 1997* created an obligation for anyone convicted of a sex offence to notify their local police station of their name, address, and social security number. As the name of the act itself reveals, the whole purpose of the *Sex Offenders Act 1997* was to lay down specific rules for the treatment of those labelled by the courts as sex offenders, unlike other criminal laws which define crimes and then prescribe the sanctions to be applied to those found guilty of the offences. That departure from the legislative standard was corrected when the act was replaced by Part II of the *Sexual Offences Act 2003*. The latter act, however, made the obligations provided under the *Sex Offenders Act 1997* more stringent. The *Sexual Offences Act 2003* requires convicted sex offenders to re-register every year and to notify any address at which they stay for 14 days or longer. Failure to notify when a registered person moves to a new town, for example, attracts a prison term if the person is found out; and the time a sex offender remains registered ranges from one year to life, depending on the sentence the person received, and on whether the offence was committed by an adult or a juvenile. While recognising that ‘*the prevention of sexual offending is of great social value*’, a 2010 UK Supreme Court ruling<sup>43</sup> has allowed registered sex offenders to apply for exemption from indefinite notification

<sup>41</sup> Under the *Sexual Offences Act 2003*, Chapter 42, Part 1, Section 5 Rape of a Child under 13:

- (1) A person commits an offence if—
  - (a) he intentionally penetrates the vagina, anus or mouth of another person with his penis, and
  - (b) the other person is under 13.
- (2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

<sup>42</sup> That social fact is well illustrated in the first part of the British Academy of Television Awards-acclaimed drama series *Criminal Justice*, written by Peter Moffat and first aired in 2008.

<sup>43</sup> UKSC 17: R (on the application of F (by his litigation friend F)) and Thompson (FC) (Respondents) v. Secretary of State for the Home Department (Appellant), [http://www.supremecourt.gov.uk/decided-cases/docs/UKSC\\_2009\\_0144\\_Judgment.pdf](http://www.supremecourt.gov.uk/decided-cases/docs/UKSC_2009_0144_Judgment.pdf).

requirements, based on ‘*an individual’s right to respect for his private and family life*’ under Article 8 of the *European Convention on Human Rights*.

Although there is no system of general disclosure, head teachers, doctors, youth leaders, sports club managers and others, including landlords, may be informed of the presence of a local sex offender on a confidential basis, for the purpose of crime prevention. As the Queen’s Counsel representing one of the petitioners in the aforementioned case pointed out, such a provision carries the risk that details of a convicted sex offender might be conveyed to third parties in cases where it is neither necessary nor appropriate to do so.<sup>44</sup> The ruling was codified within a statutory instrument which came into force on 18 August 2012, the *Sexual Offences Act 2003 (Notification Requirements) (England and Wales) Regulations 2012*. Incidentally, the Regulations seem to further encroach on convicted sex offenders’ private life privileges as they broaden the notification requirements to include the bank details of the concerned individuals. Similarly, some civil liberties groups have argued that making the registration a requirement for all sex offenders is unfair in that it does not distinguish between adult rapists of children and teenagers engaged in consensual sex. The same label is stamped on people in very different situations, with the result that a judicially generated label may reflect the mores of the time while failing to satisfy certain principles otherwise recognised as key elements of due process. Thus, such a register seems to defeat the rehabilitative dimension of penal sanction, which is meant to fulfil a number of goals, if one is to rely on the general judicial guidelines within which magistrates and judges have to operate. Those objectives of sentencing as provided by the *Criminal Justice Act 2003* are retribution, deterrence, rehabilitation, reparation and security.

A criminal record, whatever the seriousness of the facts that led up to it and regardless of any mitigating factors involved, is always a potential source of social stigma, one which survives the serving of prison time or other penalties. In the case of registered sex offenders, the social stigma is taken to a much further level of naming and shaming, as a reflection of the outrage that sex offences arouse in contemporary English society. That was illustrated when the controversial naming and shaming campaign launched by the *News of the World* paper in 2000, following the rape and murder of Sarah Payne, led to acts of mob violence not only against outed convicted paedophiles, but also against individuals mistakenly given the label of paedophiles by members of their community.<sup>45</sup> Penal and social sanction pursue those offenders once they have re-entered society. It is interesting to observe, without wishing to adopt any ethical stance, how well the issue of paedophilia illustrates the unstable character of social and legal labels. Thus the formerly acclaimed artist Graham Ovenden was recently rebranded a ‘paedophile’ by the national press and convicted by a court on multiple counts of indecent assault on underage models.<sup>46</sup>

<sup>44</sup> The statement of the QC is quoted in the above-cited UK Supreme Court ruling.

<sup>45</sup> See ‘Pressure to Halt “Name and Shame” Campaign’, *The Telegraph*, 31 July 2000.

<sup>46</sup> Deborah ORR wrote in the Saturday 6 July 2013 issue of the *Guardian* an article titled ‘Society’s Lenience Belongs with Graham Ovenden’s Child Portraits—in the Past’: ‘We should no longer be giving the benefit of the doubt to the creative. There is too much within our culture that allows paedophiles to justify themselves.’

### *Conclusion*

In this article we have seen that the nature of the labelling applied to criminal defendants by the justice system reflects the paradoxes and the evolving values of the times in which that labelling occurs, whether during the proceedings of a trial or in the intellectual construction inherent in the legislative process. The article also sought to highlight the points of convergence and the disagreements between social, political and legal labels.

As far as written law is concerned, technically and concretely, how has legislative style in English established its current norms? The description of deviance has become highly technical, while designation of the defendant has become increasingly abstract, to the point of erasing the potential wrongdoers by reducing them to disembodied initials. We have gone from ‘the thief’ or ‘witches’, to indefinite gender-neutral pronouns, and ultimately to the initial D, standing for defendant. Looking at the way in which the law labels potential defendants through history points to the conclusion that the more unspecific the language, the higher the level of protection of the defendant’s rights. Labelling would therefore tend to amount to undue incrimination and finger pointing. The highly indeterminate character of legislative language as a protection of potential rule-breakers’ rights to due process is one thing; however, politics has found other ways of targeting individuals, as the erosion of the presumption of innocence has shown. Although not rising to the level of old bills of attainder which have long been abolished, the anti-terrorism measures adopted by the UK Parliament with the *Terrorism Prevention and Investigation Measures Act 2011* allow the government to brand an individual a terrorist and subject them to deprivations of liberty with minimal judicial oversight. The presumption of innocence is a particularly vulnerable ethical principle to sustain, in that it is not a factual presumption, as Andrew Ashworth emphasises:

*There is no rational connection between being prosecuted and being innocent [...]. The presumption of innocence is a moral and political principle, based on a widely shared conception of how a free society (as distinct from an authoritarian society) should exercise the power to punish.*<sup>47</sup>

Presumption of innocence is a safeguard against unreasonable and prejudicial labelling in the course of proceedings, and as such reflects an advanced level of due process in criminal law. As other examples drawn from the history of English criminal law have shown, legislative enactments and court proceedings both generate labels, definitions of deviance and methods for dealing with social deviants. We have seen that the rules of criminal procedure have not evolved following an unbroken line towards an ever higher demand for fairness or a more perfect adhesion to ideals of social progress, such as those embedded in the *European Convention on Human Rights*; rather, they tend to reflect the evolving standards of decency and the social order which legal institutions aim to protect. Recent debates in the UK as to whether the affirmative defence of self-defence should be broadened to exonerate victims of burglaries who have killed or injured

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<sup>47</sup> Andrew ASHWORTH, *op. cit.*, p. 249.

their robbers is another example of how evolving social responses to a certain type of conduct might lead to a reversal of labels, and perhaps, the future will tell, to new legislation which, if adopted, would profoundly affect the exercise of criminal justice.

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# ***From Bugger to Homosexual: The English Sodomite as Criminally Deviant (1533-1967)***

**Jérôme GROSCLAUDE**

*University Blaise-Pascal Clermont-Ferrand II*

*[James Bond] had put forward the proposition that, if MI5 and the Secret Service were to concern themselves seriously with the atom age 'intellectual spy', they must employ a certain number of intellectuals to counter them. [...] 'Retired officers of the Indian Army', Bond had pronounced, 'can't possibly understand the thought processes of a Burgess or a Maclean'. [...] Once Burgess and Maclean went to Russia, the only way to make contact with them again [...] would have been to send their closest friends to Moscow and Prague and Budapest with orders to wait until one of these chaps crept out of the masonry and made contact. [...]*

*'Oh really', [Captain] Troop had said with icy calm. 'So you suggest we should staff the organization with long-haired perverts. That's quite an original notion. I thought we were all agreed that homosexuals were about the worst security risk there is. I can't see the Americans handing over many atom secrets to a lot of pansies soaked in scent'.<sup>1</sup>*

Captain Troop's reaction, as well as the fact that '*the other committee members had ranged themselves more or less with Troop*',<sup>2</sup> is obviously a way for Fleming to give his readers an unflattering image of the bureaucrats in MI6, contrasting sharply with James Bond's clear-sighted and pragmatic approach. However, it is also a fitting example of the deviant character that homosexuality has long assumed in the British mindset, and of the unreasonable fears that homosexuality and sodomy could (and maybe can still can) arouse.

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I wish to dedicate this article to my mother-in-law, Dr Dominique Badard MD, who has always supported me in my various endeavours.

<sup>1</sup> Ian FLEMING, *From Russia with Love*, London: Penguin Books, 2006 (1957), pp. 130-131.

<sup>2</sup> *Ibid.*, p. 131.

I mentioned homosexuality, but this paper is really about sodomy (or ‘buggery’ to use the legal term enshrined in the Buggery Act 1533), although the two issues will necessarily overlap.

To begin with, homosexuality, that is to say ‘*a sexual propensity for one’s own sex*’,<sup>3</sup> has never been a criminal offence in the United Kingdom nor in any of its component nations, contrary to sodomy (that is, anal penetration by a man’s penis) which was illegal in the United Kingdom from 1533 to the late 20<sup>th</sup> century.

To understand further why this article will not be about homosexuality *per se*, it should be understood that the notion of homosexuality as we understand it today was not formulated before the 1860s, and took time to be accepted by the general public. It was not until 1869 that the word ‘homosexual’ (as opposed to ‘heterosexual’) was first used by the Austro-Hungarian Károly Mária Kertbeny (the alias of Karl Maria Benkert).<sup>4</sup> Havelock Ellis was probably the first to use the word widely in English in the 1890s.<sup>5</sup> Until maybe the 18<sup>th</sup> century, and certainly no later than the late 19<sup>th</sup> century, most people saw sodomy as the ultimate perversion but it was not conceived as precluding the sodomite from having (or wishing to have) sexual relations with women. Indeed, the modern idea that most people are exclusively sexually attracted *either* to men *or* to women took time to become widespread. For all these reasons, to speak of ‘homosexuality’ before the end of the 19<sup>th</sup> century would represent an anachronism.

The opening quotation hints at a link between sodomy and treason. As a matter of fact, the image of the sodomite as a traitor (alleged or proven) was only one of the many stages through which ‘buggers’ have gone. From sinner (and thus offender against God) to mentally ill, these are the (sometimes concurrent) different stages which sodomites have gone through in terms of public perception during the period studied in this article. These different categories all have a common point: they share a deviant character, linked to the danger allegedly posed by sodomy to society and the social fabric, for political and/or religious reasons<sup>6</sup> and/or for medical reasons. If homosexuality and homosexual acts now generally enjoy a more positive social status in the British public eye, the notion of sodomy as a form of deviance is never far from the surface, as witnessed by the recent debates around same-sex marriage. Professor Randolph Trumbach was never more justified than when he asserted in 1987 that ‘[t]he history of sodomy in the eighteenth century is not simply the history of repression. It encapsulates the history of all of society’.<sup>7</sup> Indeed, the same could

<sup>3</sup> Brian HARRISON & Henry C. G. MATTHEW (eds), *Oxford Dictionary of National Biography*, Oxford: Oxford University Press, 2004, p. 345.

<sup>4</sup> Flora LEROY-FORGEOT, *Histoire juridique de l’homosexualité en Europe*, Paris: Presses universitaires de France, 1997, p. 5.

<sup>5</sup> Jeffrey WEEKS, *Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present*, London & New York City: Quartet Books, 1990 (1977), p. 3.

<sup>6</sup> In the sixteenth century, for example, ‘*the love of boys was seen as the most extreme act of sexual libertinism and, not untypically, was often associated with religious scepticism, and even republican politics as well*’ (John FRANCESCHINA, *Homosexualities in the English Theatre: From Lyly to Wilde*, London: Greenwood Press, 1997, p. 111).

<sup>7</sup> Randolph TRUMBACH, ‘Sodomitical Subcultures, Sodomitical Roles, and the Gender Revolution of the Eighteenth Century: The Recent Historiography’, in Robert Purks

be said for every century in the period covered in this article, so true is it that the sodomite often epitomized what Britain most feared at any given time: treason in the 16<sup>th</sup> and 17<sup>th</sup> centuries, libertinism in the 18<sup>th</sup> century, physical and mental illness in the 19<sup>th</sup> century and political treason in the 20<sup>th</sup> century.

We can therefore ask the following question: to what extent have the different labels cast upon male homosexuals reflected the changing perceptions of the deviance they were alleged to represent? The question will be answered by first outlining the religious and legal foundations of the condemnation of sodomy before focusing on three different (broadly successive but sometimes overlapping) representations of male homosexuality in England and Wales: the traitor; the perverted libertine; and the mentally ill.

### ***Religious and legal foundations of the condemnation of sodomy***

#### *The sodomite as sinner: Biblical foundations*

Before engaging in the discussion of the stigmatisation of sodomy in England, it is necessary to describe the religious bases of the condemnation of sodomy and of homosexuality. A common and age-old basis for a Biblical, and thus Jewish and Christian, condemnation of sodomy is to be found in Leviticus 18, 22.29: ‘*You shall not lie with a male as with a woman; it is an abomination. [...] For whoever commits any of these abominations shall be cut off from their people*’.<sup>8</sup> The prohibition is repeated in a different form two chapters later, in Leviticus 20.13, along with another, more precise, penalty to be imposed: ‘*If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them*’.

To these prohibitions, Jewish, and later Christian, scholars also added the episode of Sodom and Gomorrah. One night, two angels come to stay at Lot’s (Abraham’s nephew) house, and ‘*the men of the city, the men of Sodom, both young and old, all the people to the last man, surrounded the house; and they called to Lot, “Where are the men who came to you tonight? Bring them out to us, so that we may know them”*’.<sup>9</sup> When Lot tries to protect his guests, he is ‘*pressed hard*’ by the men and is only saved by the supernatural intervention of the angels who then tell him to flee with his relatives, adding: ‘*we are about to destroy this place, because the outcry against its people has become great before the LORD*’.<sup>10</sup> The wish of the men of Sodom to ‘know’ the strangers has usually been construed as meaning carnal knowledge. The logical conclusion to reach was then that Sodom was destroyed because its male inhabitants practised anal intercourse with each other, and that it was a particularly heinous crime in the eyes of God who had earlier remarked to

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MACCUBIN (ed.), *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment*, Cambridge: Cambridge University Press, 1987, p. 109.

<sup>8</sup> Except when otherwise stated, all the Biblical quotations included in this paper will be from the *New Revised Standard Version*, first published in 1989.

<sup>9</sup> Genesis 19, 4-5.

<sup>10</sup> Genesis 19, 12.

Abraham: *'How great is the outcry against Sodom and Gomorrah and how very grave their sin'*.<sup>11</sup>

This interpretation, combined with the Levitical condemnation I mentioned earlier, forms the bulk of Biblical condemnation. To this could be added St Paul's raging against *'those who by their wickedness suppress the truth'*,<sup>12</sup> about whom he observes: *'God gave them up to degrading passions. Their women exchanged natural intercourse for unnatural, and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another'*.<sup>13</sup> Elsewhere, the Apostle to the Gentiles includes sodomites among the *'wrongdoers [who] will not inherit the kingdom of God'*<sup>14</sup> and those whose acts are *'contrary to the sound teaching that conforms to the glorious gospel of the blessed God'*.<sup>15</sup>

On these biblical references, Christian tradition later built a philosophical condemnation of sodomy which would be expanded by several theologians, among whom St Augustine of Hippo in his *Confessions*:

*[O]ffences against nature are everywhere and at all times to be held in detestation and should be punished. Such offences, for example, were those of the Sodomites; and, even if all nations should commit them, they would all be judged guilty of the same crime by the divine law, which has not made men so that they should ever abuse one another in that way. For the fellowship that should be between God and us is violated whenever that nature of which he is the author is polluted by perverted lust.*<sup>16</sup>

Likewise, St Thomas Aquinas in his *Summa Theologica*, condemns *'copulation with an undue sex, male with male, or female with female'* as *'a special kind of deformity whereby the venereal act is rendered unbecoming'*.<sup>17</sup>

From these various references, it will be clear to the reader that the sodomite had no place in the City of God. The practising sodomite being a dangerous sinner, it is necessary to cast him out of the society of Christians. It was widely thought that the divine prohibition against sodomy was grounded on 'practical' reasons: sodomy is unnatural and unprocreative.<sup>18</sup> To this should be added that sodomy implies a

<sup>11</sup> Genesis 18, 20.

<sup>12</sup> Romans 1, 18.

<sup>13</sup> Romans 1, 26-27.

<sup>14</sup> 1 Corinthians 6, 9.

<sup>15</sup> 1 Timothy 1, 8-10.

<sup>16</sup> St. AUGUSTINE of HIPPO, *Confessions*, edited and translated by Albert C. Outler, Christian Classics Ethereal Library, Part II of Part II, Q154, §11, 1955 (399-400) , p. 45, <http://www.ccel.org/ccel/augustine/confessions.pdf> [accessed 28 January 2013].

<sup>17</sup> St. Thomas of AQUINAS, *The Summa Theologica of St. Thomas Aquinas*, translated by Fathers of the English Dominican Province, 1920-1929 (1266-1279), <http://www.newadvent.org/summa/3154.htm> [accessed 28 January 2013].

<sup>18</sup> Daniel BORILLO, *L'homophobie*, Paris: Presses universitaires de France, 2001 (2000), p. 57.

reversal or a confusion of the roles, the passive male partner playing the part usually devoted to the woman as the passive ‘object’ of the penetration.<sup>19</sup>

The religious basis for the repression of homosexuality having been laid out, I will now proceed to study its legal repression in England, which began in 1533, the year after Henry VIII broke with Rome. The legal basis for the prosecution of sodomy in Britain, the Buggery Act 1533, remained in force until 1861 (except during the short period of the reign of Mary I Stuart when canon law was restored along with the whole apparatus of Roman Catholic Church courts). To fully understand the consequences of this law, it is necessary to examine the context in which the Buggery Act was passed.

*Legal basis for the repression of sodomy*

Henry VIII’s break with Rome, which effectively occurred in 1534 with the passing of the Act of Supremacy, came about gradually, notably through the 1532 submission of the clergy and the Act in Conditional Restraint of Annates, and, the following year, the Act in Restraint of Appeals (with effect from January 1534) which forbade appeals from English church courts to Rome and which at the time seemed to precede the total abolition of canon law and the church courts empowered to administer it.<sup>20</sup> Eventually, the old ecclesiastical legal apparatus was allowed to continue in existence alongside the civil (that is, lay) jurisdictions, ‘*except where it was contrary to the common or statute law or the king’s prerogative*’.<sup>21</sup>

It is in this context that the passage of the Buggery Act 1533 must be understood since the King was anxious to take as much power away from the Church as he could, and such a law ensured that cases of sodomy would from then on be exclusively judged by civil courts. Until then, it should be noted, only canon law punished sodomy, as it was never a common law offence in England.<sup>22</sup> Prosecutions for buggery were rare in Early Modern England, and the penalties imposed by ecclesiastical courts on convicted sodomites were usually very lenient.<sup>23</sup>

The Buggery Act was a particularly harsh law, as was most of the Tudor criminal legislation. After having denounced the ‘*detestable and abominable Vice of Buggery committed with mankind or beast*’, the statute provided that those found guilty of such a crime be subject to ‘*such pains of death and losses and penalties of their good chattels debts lands tenements and hereditaments as felons do according to the Common Laws of this Realme*’.

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<sup>19</sup> Florence TAMAGNE, *Mauvais genre? Une histoire des représentations de l’homosexualité*, Paris: Éditions de la Martinière, 2001, p. 9.

<sup>20</sup> John Hamilton BAKER, *An Introduction to English Legal History*, London: Butterworths, 2002 (1971), pp. 130-31.

<sup>21</sup> *Ibid.*, p. 131.

<sup>22</sup> *Ibid.*, p. 531.

<sup>23</sup> David F. GREENBERG, *The Construction of Homosexuality*, Chicago: University of Chicago Press, 1988, p. 303.

After having studied the religious and legal bases for the prosecution of sodomy, let's now turn to the different stages through which the apprehension of sodomy by the State was to go.

### ***'Their blood shall be upon them': the repression of sodomy***

#### *The Buggery Act as a purely political tool*

For most of the period between 1533 and the Glorious Revolution, convictions for buggery remained exceptional. By 1641, only three people had been convicted of buggery: Lord Walter Hungerford in 1540, Mervyn Tuchet, 2nd Earl of Castlehaven, in 1631 and, nine years later, the Church of Ireland Bishop of Waterford & Lismore, John Atherton. The latter is a good example of the political use of the Buggery Act: he was hanged for adultery, fornication and buggery, but it is now judged highly probable that he *'was the victim of revenge for his successful recovery of church lands'* from the 1st Earl of Cork.<sup>24</sup> In all three cases, the Buggery Act had been invoked in the course of politically motivated cases, where discrediting the defendant could be useful to the powers that be. The exceptional character of the prosecution of buggers is confirmed by a study of assizes and quarter-sessions indictments in Essex between 1620 and 1680: out of the 8,557 cases, only one was for buggery, dropped for lack of evidence. The situation was very similar in Kent, Sussex and Hertfordshire during an earlier period (1559-1625).<sup>25</sup>

The application of the Buggery Act in the 150-year period following its adoption suggests that there was no real political desire to root out or to fight sodomy, since in the only three condemnations for buggery during this time the accusation was very probably or certainly used as a means to further discredit men it was deemed urgent to suppress by any means possible for religious or political reasons. We find here one of the four reasons behind the almost universal repression of buggery in Europe at the time listed by Dr Flora Leroy-Forgeot in 1997: *'political opportunism [...] which can be summed up in the syllogism: "The sodomite is the worst kind of criminal, the enemy of my group is the worst kind of criminal, so the enemy of my group is a sodomite"'*.<sup>26</sup> The decades following the Glorious Revolution were however marked by a shift in the repression of sodomy.

#### *New representations and heightened repression*

The last years of the 17<sup>th</sup> century witnessed a turning point in the history of the treatment of sodomy as a form of anti-social behaviour since efforts were made to tackle the behaviour itself. There are two main reasons for such a change: first, the appeasement of the religious quarrels and fears which had characterised the 16<sup>th</sup> and 17<sup>th</sup> centuries allowed the public and the political leaders to turn their attention to threats less serious than popery, political sedition or witchcraft;<sup>27</sup> second, the

<sup>24</sup> HARRISON & MATTHEW (eds), *op. cit.*, vol. 2, p. 811.

<sup>25</sup> GREENBERG, *op. cit.*, p. 326.

<sup>26</sup> LEROY-FORGEOT, *op. cit.*, p. 22.

<sup>27</sup> GREENBERG, *op. cit.*, pp. 328-329.

creation, from the 1690s, of Societies for the Reformation of Manners, i.e. religious societies which prosecuted blasphemers, prostitutes, pornographers and buggers.<sup>28</sup>

It should be noted that, in the absence of a professional police force, it was extremely difficult to find evidence of an offence usually committed in private by two consenting persons. All the more so since the case law imposed very stringent conditions for establishing the offence of buggery: evidence had to be brought of actual penetration and emission of semen, something which was rarely feasible.<sup>29</sup> The Societies for the Reformation of Manners conducted raids on ‘molly houses’, gathering places for men interested in homosexual intercourse and/or in transvestism. The London Society alone was responsible for 90,000 arrests between 1692 and 1725 (which means an average of more than seven arrests per day).<sup>30</sup> The judicial reaction was however quite lenient, when one bears in mind that sodomy was a capital offence, and judges usually sentenced those found guilty of attempted sodomy (since the actual offence was very difficult to prove) to a small fine and a few hours in the pillory. Although the pillory was the lightest penalty a judge could impose, such a sentence could have grave consequences for the defendant: in addition to the public humiliation of being thus exposed, mobs were not infrequently known to pelt pilloried offenders with eggs or even stones,<sup>31</sup> especially when the condemned person had been convicted of a sodomy-related offence, with one such death recorded in London.<sup>32</sup>

The sudden new intensity of the repression of buggery reflects a change in the common perception of sodomy which came to be regarded as a form of sexual deviance (as opposed to political or religious deviance). The idea became prevalent in Britain that sodomy was gaining ground, and that buggers were more and more numerous. What we would now call ‘homosexuality’ was all the more threatening given that sodomy was more and more associated with a particular class of men, usually effeminate, who liked to meet in the molly houses mentioned above to have sexual relations and shunned the society of women,<sup>33</sup> thus confirming the abnormality of sodomites who were seen as a danger to family, the basis of society.<sup>34</sup>

At this time, whilst the political, moral and religious arguments against sodomy did not disappear, they were in part superseded by rationalist and ‘hygienist’ arguments presenting buggery as a cancer and a hidden threat, as well as a social disorder which needed to be regulated for the benefit of society.<sup>35</sup> Of

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<sup>28</sup> Randolph TRUMBACH, ‘London’s Sodomites: Homosexual Behavior and Western Culture in the 18th Century’, *Journal of Social History*, vol. 11, n° 1, 1977, p. 11.

<sup>29</sup> Arthur N. GILBERT, ‘Buggery and the British Navy, 1700-1861’, *Journal of Social History*, vol. 10, n° 1, 1971, p. 73.

<sup>30</sup> GREENBERG, *op. cit.*, p. 329.

<sup>31</sup> *Ibid.*, p. 339.

<sup>32</sup> TRUMBACH, 1977, *op. cit.*, p. 21.

<sup>33</sup> TAMAGNE, *op. cit.*, p. 59.

<sup>34</sup> It is from this period that we can date the stereotype ‘that if a man were married, he could not be a sodomite. Some men at their trials attempted [...] to disprove the charge of sodomy by producing a wife, a father-in-law or a child’ (TRUMBACH, 1977, *op. cit.*, p. 15).

<sup>35</sup> TAMAGNE, *op. cit.*, pp. 71-2.

particular importance seems to have been the realisation that sodomy was not limited to the aristocracy or the upper class: *‘Vice and scandal worried the British authorities then because [sodomites] were perceived for the first time to be endemic rather than merely courtly, aristocratic, or—still worse—foreign’*.<sup>36</sup>

However, this new perception was accompanied by a contrary intellectual trend which called for the decriminalisation of sodomy, not because of its innocuousness or its acceptability, but because of a new conception of what the Law could and could not regulate. Thus, in France, Diderot privately wrote in 1769 that *‘everything that is cannot be against nature, nor outside nature’*,<sup>37</sup> thus refuting a traditional argument against sodomy. The idea also began to appear that the moral transgression of sodomy belonged to the fields of sin and thus to canon law, but not to civil law.<sup>38</sup> Likewise, in his *Essay on Pæderasty* (written in 1785 but not published until 1931), Jeremy Bentham, although also reproving sodomy, notes that he cannot find any reason justifying the criminalisation of *‘offences against one’s self’*.<sup>39</sup>

These contradictory trends—sodomy still seen as dangerously deviant and needing to be eliminated for the welfare of the Commonwealth, while at the same time conceived as something pertaining to the realm of morals and not necessarily of Law—finally led to a paradoxical state of mind whereby sodomy was allowed to be publicly ignored but could occasionally be harshly punished if it became too visible.

### ***‘May I not speak, my Lord?’: the sodomites’ right to be silenced***

#### *Sodomy as a symptom of mental illness*

In October 1884, the famous psychiatrist Dr George Savage MD described in the *Journal of Mental Science* a female patient with a *‘powerful lust towards those of her own sex’* and wondered if *‘this perversion is as rare as it appears’*.<sup>40</sup> Dr Savage was not an exception, and cases of homosexuality recorded in medical journals of the time were often treated *‘as if a new type of human being had been discovered’*.<sup>41</sup> In a trend consistent with the ‘hygienist’ view of the sodomite I mentioned when discussing the 18<sup>th</sup> century, homosexuality was then often seen as a mental illness and, as such, cases were usually mentioned in the context of prisons or lunatic asylums. Havelock Ellis claimed that he had been the first to record

<sup>36</sup> George Sebastian ROUSSEAU, ‘The Pursuit of Homosexuality in the Eighteenth Century: “Utterly Confused Category” and/or Rich Repository?’, in Robert Purks Maccubin (ed.) *Tis Nature’s Fault: Unauthorized Sexuality during the Enlightenment*, Cambridge: Cambridge University Press, 1987, p. 133.

<sup>37</sup> Denis DIDEROT, ‘Suite de l’Entretien [avec d’Alembert]’, in *Œuvres*, edited by André Billy, Paris: Gallimard, 1951 (1830), p. 940. The original French says *‘tout ce qui est ne peut être ni contre nature ni hors de nature’*.

<sup>38</sup> LEROY-FORGEOT, *op. cit.*, pp. 51-52.

<sup>39</sup> Jeremy BENTHAM, *Essay on Pæderasty*, edited by Louis Crompton, Lille: Question de genre/GKC, 2002 (1931), p. 10.

<sup>40</sup> WEEKS, *op. cit.*, p. 28.

<sup>41</sup> *Ibid.*



homosexual cases unconnected with such contexts<sup>42</sup> and he was most probably right. However, he too, in his seminal *Sexual Inversion* (1897), co-written with John Addington Symonds, asserted a link between ‘sexual inversion’ and mental problems:

*The sexual invert is specially liable to suffer from a high degree of neurasthenia, often involving much nervous weakness and irritability, loss of self-control and genital hyperæsthesia [i.e. an abnormally high sensitivity to stimuli of the senses]. This is a condition which may be ameliorated, and it may be treated in much the same way as if no inversion existed [...]. The inversion is not thus removed.*<sup>43</sup>

This change of perspective has been aptly described by Randolph Trumbach: ‘Beginning in the late 19th century it was no longer the act that was stigmatised, but the state of mind. Men were no longer sodomites but homosexuals, though they were still seen as effeminate and dangerous—no longer heretics but sexual perverts’.<sup>44</sup> Not that this change of perspective was unwelcome by Victorian and Edwardian society: ‘Madness was the only explanation which did not undermine the middle-class norm’.<sup>45</sup> And in this middle-class norm, sodomy could not exist; it had to be pushed into the shadows where it could be safely ignored, and harshly punished if it ever revealed itself to respectable society.

#### *Shadow men*

Physicians such as Ellis provided the rationale for a continuing reprobation of sodomy whilst at the same time keeping its repression low on the official agenda. Buggery was still seen as a threat but it appeared more urgent to conceal it from view and to ignore it than to punish it.

A marked feature in the history of the treatment of sodomy in the 19<sup>th</sup> century is the fact that the legal penalties appeared to become more and more lenient: in 1816, the Pillory Abolition Act restricted the use of this punishment to the offence of perjury, and, in 1837, the pillory was abolished altogether. As for the offence of buggery itself, it stopped being a capital offence in 1861 when the Offences against the Person Act abolished the Buggery Act and made the ‘abominable Crime of Sodomy and Buggery’ liable to a prison sentence comprised between ten years and life (§ 61). Attempted buggery, which could only be committed on a male person, was punishable by either three to ten years of penal servitude or by a maximum two years’ prison sentence (with or without hard labour) (§ 62).

However, as a corollary, repression was allowed to become more systematic: the penalty for actual sodomy was less harsh, but the necessity to prove the emission of seed to constitute the offence was removed by § 63 of the 1861 Act. At the same time, the penalty was actually harsher for attempted sodomy, that is to say the

<sup>42</sup> *Ibid.*

<sup>43</sup> Havelock ELLIS & John Addington SYMONDS, *Sexual Inversion*, New York City: Arno Press, 1970 (1897), p. 144.

<sup>44</sup> TRUMBACH, 1977, *op. cit.*, p. 9.

<sup>45</sup> WEEKS, *op. cit.*, p. 28.

offence which sodomites were usually found guilty of. In 1885 the ‘Labouchère Amendment’ (named after the Liberal MP Henry Labouchère [1831-1912] who moved it), Section 11 of the Criminal Law Amendment Act, created the offence of ‘gross indecency’ committed by a male person upon another male person. The misdemeanour was not further defined, which allowed for the prosecution of virtually any homosexual act when actual sodomy could not be proved. It was punishable by at most two years in prison, with or without hard labour. The fact that the offence was not even defined is representative of the hidden status of deviant sexuality (indeed of all sexuality) during the Victorian era, as was the Publication of Indecent Evidence Bill 1896 (defended by the then Lord Chancellor, the 1<sup>st</sup> Earl of Halsbury, and supported by the Conservative Prime Minister, the 3<sup>rd</sup> Marquess of Salisbury) which, if adopted, would have forbidden the press from reporting on trials dealing with homosexuality.<sup>46</sup>

Such laws or bills were also representative of an urge to fight all types of perversions, be they feminine or masculine: the Criminal Law Amendment Act 1885 as a whole was designed to repress female prostitution and sexual abuse directed at young girls.<sup>47</sup> The target of this ‘purity campaign’ was male lust, which was felt by many to be the ultimate root of many disorders in society.<sup>48</sup> Thus, in 1895, W. T. Stead called for the law to protect the young girls sexually exploited by unscrupulous men as strictly as it had ‘protected’ young men from Oscar Wilde’s unnatural lifestyle.<sup>49</sup>

The paradoxes of the second type of public attitude towards sodomy—buggery becomes invisible and legal penalties appear to become more lenient whilst repression quietly continues—were to become obvious to all in 1895 when Oscar Wilde decided to prosecute the 9th Marquess of Queensberry.

*The Wilde trials: backlash and watershed*

It may well be true that Oscar Wilde is the homosexual who is most famous for being homosexual. It is at least true that his fall from grace in the 1890s has made him an eminently tragic figure and an enduring symbol of the repression of homosexuality. Not that he achieved that status at the time, nor even in the following decades. The prevalent opinion in the 1890s was rather that the Establishment had allowed the corruption of one of its most brilliant members to go unchecked and that his punishment had long been overdue. The desire to obliterate Wilde from the national conscience can find a symbol in Wilde’s last, unanswered apostrophe to his judge after the sentence had been pronounced: ‘*And I, may I not speak, my Lord?*’<sup>50</sup>

In February 1895, desirous to put an end to the 40-year-old Oscar Wilde’s affair with his 25-year-old son, Lord Alfred Douglas, the Marquess of Queensberry left his calling card at Wilde’s club with the inscription, ‘*for Oscar Wilde, posing as*

<sup>46</sup> TAMAGNE, *op. cit.*, p. 29.

<sup>47</sup> WEEKS, *op. cit.*, pp. 16-20.

<sup>48</sup> *Ibid.*, p. 16.

<sup>49</sup> Michael S. FOLDY, *The Trials of Oscar Wilde: Deviance, Morality, and Late-Victorian Society*, London & New Haven, CT: Yale University Press, 1997, pp. 129-30.

<sup>50</sup> *Ibid.*, p. 47.

*a sodomite [sic]*'. Being thus accused of a criminal offence, Wilde decided to prosecute the aristocrat for libel. The Marquess's defence team then set out to prove that the statement was true and that it had been made for the public benefit.<sup>51</sup>

What the public benefit was can be summed up in this way: '*Wilde had been proved to have been associating with disreputable young men who were not his coequals in either age or station*'<sup>52</sup> and had exercised a '*corrupting influence*' on a young man. Much to Oscar Wilde's surprise, the defence team claimed they were able to call to the bar a number of young men, often from the lower classes, to prove that the writer had indeed had sexual relations with other men. The deviant, anti-social character of Oscar Wilde's lifestyle was evident: he had broken the norms of Victorian England, first, by having 'unnatural' sexual intercourse, and, second, by breaking the class barrier.

Confronted with a backlash which he had strangely not foreseen, Wilde dropped his prosecution in April but was in turn immediately prosecuted for 'acts of gross indecency' under the Labouchère Amendment. After the jury of the first trial was unable to reach a verdict, he was again tried for the same offence. The fact that the prosecution in the latter trial was led by the Solicitor General, Sir Frank Lockwood MP, leaves no doubt about the importance of the trial in the eyes of the then Liberal Government.<sup>53</sup>

Wilde's sentence of two years of hard labour, and his subsequent life—which saw him survive three years as a social outcast, a broken and a bankrupt man—may well have been seen by some contemporaries as a cautionary tale. There is indeed no doubt that Wilde and his 'vice' were very widely seen as anti-social, as a threat to Victorian society. The trial and its outcome were often described using hygienist vocabulary: thus, addressing the jury, the first prosecutor, Charles Gill, told them they '*owe[d] a duty to society [...] to protect society from such scandals by removing from its heart a sore which cannot fail in time to corrupt and taint it all*'.<sup>54</sup> During the second trial, anticipating the widely-expected verdict of guilt on Wilde's part, the *Daily Telegraph* described the moral condemnation British society would bestow on Wilde as '*the indirect sentence which eliminates him from the society he has disgraced*'.<sup>55</sup>

However, paradoxically the trials of Oscar Wilde were in retrospect the prelude to the development of a more positive public view of sodomy and homosexuality.

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<sup>51</sup> *Ibid.*, p. 1.

<sup>52</sup> *Ibid.*, p. 19.

<sup>53</sup> Merlin HOLLAND, *Irish Peacock & Scarlet Marquess: The Real Trial of Oscar Wilde*, London: Fourth Estate, 2003, pp. xxxiii-xxxiv.

<sup>54</sup> FOLDY, *op. cit.*, p. 37.

<sup>55</sup> *Ibid.*, p. 54.

***‘They have to have a gay world’: tolerance and acceptance (?)***

The decades following Oscar Wilde’s trials did not immediately show a change in the vision British society as a whole had of sodomites, even though, as Havelock Ellis remarked, it led homosexuals to organise themselves:<sup>56</sup>

*The Oscar Wilde trial with its wide publicity and the fundamental nature of the questions it suggested appears to have generally contributed to give definiteness and self-consciousness to the manifestations of homosexuality, and have aroused inverts to take up a definite stand.*<sup>57</sup>

Some individuals, such as Edward Carpenter (1844-1929), and organisations such as the British Society for the Study of Sex Psychology or the Sex Education Society, attempted to change the public view of homosexuality<sup>58</sup> through learned articles or books. A constant of these endeavours was to try to better understand the mechanisms of human sexuality and sexual attraction, taking a ‘“scientific’ (*that is, humane and rational*) approach to the problems of sex’.<sup>59</sup> A cliché in the literature of the time, from the middle of the 19<sup>th</sup> century, was to assimilate homosexuality and narcissism; so in reaction, some tried to compile list of homosexuals of the past having been useful socially.<sup>60</sup> Thus, in *The Intermediate Sex* (1908), Edward Carpenter shows that ‘Uranians’ constituted a positive force for the Nation, and he underlined their role as artists, teachers or inventors.<sup>61</sup> However, such works and lists remained essentially confidential and had no impact on the overall perception of homosexuality by the British for most of the 20<sup>th</sup> century.

The change in perspective concerning sodomy did not come before the 1960s, and it was essentially due to a change in society as a whole. What Geoffrey Weeks has called the ‘*new hedonism*’ of the 1960s,<sup>62</sup> with its emphasis on sexual pleasure, made the situation of homosexuals appear strange since they were officially denied the right to experience it. Already, in 1957, the special committee on homosexual offences and prostitution chaired by Sir John Wolfenden had recommended the decriminalisation of consensual homosexual acts carried out in private between two adults. This recommendation, however, is not to be seen as an acceptance of sodomy.<sup>63</sup> It was based essentially on an argument we have already encountered: ‘*Unless a deliberate attempt is made by society, acting through the agency of the law, to equate the sphere of crime with that of sin, there must remain a realm of private morality and immorality which is, in brief and crude terms, not the law’s*

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<sup>56</sup> WEEKS, *op. cit.*, p. 22.

<sup>57</sup> *Ibid.*, p. 133.

<sup>58</sup> *Ibid.*, p. 133.

<sup>59</sup> *Ibid.*

<sup>60</sup> TAMAGNE, *op. cit.*, p. 97.

<sup>61</sup> Edward CARPENTER, *The Intermediate Sex: A Study of Some Transitional Types of Men and Women*, Fairford: Echo Library, 2007 (1908), pp. 60-64.

<sup>62</sup> WEEKS, *op. cit.*, p. 158.

<sup>63</sup> John WOLFENDEN (ed.), *The Wolfenden Report: Report of the Committee on Homosexual Offences and Prostitution*, New York City: Stein & Day, 1963 (1957), p. 45 & p. 48.

*business*'.<sup>64</sup> Such a statement ran counter to the stated positions of the then Lord Chancellor, Viscount Kilmuir, who only three years earlier, had declared in the Commons<sup>65</sup> that '*homosexuals in general are exhibitionists and proselytisers and are a danger to others, especially the young*'<sup>66</sup> and was to warn his colleagues in 1965 not to decriminalise buggery in these terms: '*I also believe that many of those who now keep silent and discreet about their desires will feel free to proselytise, and this is a matter which is well known. [...] I have in mind the proselytisation which goes out from sodomitic societies and buggery clubs, which everybody knows exist.*'<sup>67</sup>

Generally, the committee accepted that homosexual acts were to be treated just like heterosexual acts.<sup>68</sup> They claimed they were able, after careful scrutiny, to dismiss most of the arguments usually given for defending the criminalisation of sodomy: it was no more dangerous for family life than other sexual behaviours such as '*adultery, fornication or lesbian behaviour*' that were not criminalised<sup>69</sup> and homosexuality was not a disease.<sup>70</sup> Far from being a danger to society, homosexuality could even be, for some, '*the motivation for activities of the greatest value to society*'.<sup>71</sup>

The report's recommendations on homosexuality were nonetheless not immediately translated into law. The decriminalisation of buggery (and other homosexual offences) had to wait until 1967 when Labour backbencher Leo Abse's Private Member's Bill was eventually adopted by Parliament in July 1967. The Labour government of Harold Wilson discreetly supported the Bill, but made no effort to help its sponsor pass it, except by giving Leo Abse as much Parliamentary time for the debate as he judged adequate.<sup>72</sup> It should be noted that no Church or organisation officially opposed the Bill,<sup>73</sup> so true was it that '*[b]y 1967, the heat had largely been dissipated from the question*'.<sup>74</sup>

This new tolerance was nonetheless fraught with ambiguities, and the 1967 law proved an ambiguous landmark. No homosexual group was consulted by Leo Abse,<sup>75</sup> who, as a result, accepted a number of compromises for tactical reasons,<sup>76</sup> notably excepting the Armed Forces and the Merchant Navy from the provisions of the Act, thus giving credence to the idea that sodomites were a danger to the Armed Forces and to the Country they were to protect. Leo Abse also confessed in his memoirs (published in 1973) that, in order for his Bill to be adopted,

<sup>64</sup> *Ibid.*, p. 48.

<sup>65</sup> Sir David Maxwell Fyfe (as he then was) was Home Secretary at the time of this statement (3 December 1953).

<sup>66</sup> *Ibid.*

<sup>67</sup> HANSARD, *Parliamentary Debates*, House of Lords, vol. 738, col. 655, 24 May 1965.

<sup>68</sup> WOLFENDEN, *op. cit.*, p. 49.

<sup>69</sup> *Ibid.*, pp. 44-5.

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*, p. 30.

<sup>72</sup> Leo ABSE, *Private Member*, London: Macdonald, 1973, p. 152.

<sup>73</sup> WEEKS, *op. cit.*, p. 175.

<sup>74</sup> *Ibid.*, p. 156.

<sup>75</sup> *Ibid.*, p. 176.

<sup>76</sup> ABSE, *op. cit.*, pp. 156-7.

*homosexuals had to be placed at a distance, suffering a distinctive and terrible fate so different from that enjoyed by Honourable Members blessed with normality, children and the joys of a secure family life. To hint that the homosexual component in a man's nature plays a large part in helping him understand and thus form a deep relationship with a woman, would have aroused discomfort.*<sup>77</sup>

In fact, on the occasion of the second reading of his Bill on 10 December 1966, Leo Abse had even remarked: ‘*Surely, what we should be preoccupied with is the question of how we can, if it is possible, reduce the number of faulty males in the community. How can we diminish the number of those who grow up to have men's bodies but feminine souls?*’<sup>78</sup>

In spite of all this, the 1967 Act did constitute a turning point. It was to signal the beginning of an era where, as the Wolfenden committee had expressed the hope, the State decided that it was none of its business to inquire what two people had consensually decided to do, however disturbing it could have appeared to outsiders.<sup>79</sup> The rest of the United Kingdom followed suit in the 1980s: Scotland decriminalised buggery (with the same exceptions as in England) by the Criminal Justice (Scotland) Act 1980, and Northern Ireland did the same by The Homosexual Offences (Northern Ireland) Order 1982.

In 1994, during the discussion of the Criminal Justice and Public Order Act, when the Government proposed to extend to members of the Armed forces and of the Merchant Navy the benefit of the laws decriminalising buggery, it did not meet any opposition from MPs.<sup>80</sup>

### **Conclusion**

With the disappearance of the offence of buggery, this article necessarily concludes, although the last word is not said when it comes to the broader subject of homophobia or anti-gay discrimination. The adoption of the 1967 law, or of the 1994 law, did not of course mean that homosexuality was deemed acceptable by the British people, or even by a majority of them. In 2007, the 90-year-old Leo Abse<sup>81</sup>

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<sup>77</sup> *Ibid.*, p. 153.

<sup>78</sup> HANSARD, *Parliamentary Debates*, House of Commons, vol. 738, col. 1078, 10 December 1966.

<sup>79</sup> However, as Victoria Greenwood and Jock Young point out, the immediate effect of the Sexual Offences Act 1967 was an 160% increase of the number of convictions for ‘indecently between males’ (but a decline of prosecutions for ‘buggery’ and ‘attempted buggery’), probably because ‘decriminalization of homosexuality between consenting adults spurred a large number of people to “come out of the closets”, to venture out of the ghettos’ (Victoria GREENWOOD & Jock YOUNG, ‘Ghettos of Freedom: An Examination of Permissiveness’, in NATIONAL DEVIANCY CONFERENCE (ed.), *Permissiveness and Control: The Fate of the Sixties Legislation*, London: Macmillan, 1980, p. 166).

<sup>80</sup> HANSARD, *Parliamentary Debates*, House of Commons, vol. 241, cols 169-172, 12 April 1994.

<sup>81</sup> The reader will not be surprised to know that, in his memoirs, Leo Abse takes great pains to point out that he was not homosexual.

deeply disturbed gay novelist Geraldine Bedell when he observed while she interviewed him:

*Those of us putting the bill through thought that, by ending criminality, we'd get the gays to integrate. But I was disconcerted and frightened at first because they were coming out and turning themselves into a self-created ghetto. [...] The ghetto suggests they are not at ease. They've got to have a gay world.*<sup>82</sup>

G. Bedell, however angry at the former MP's comments, nonetheless noted that, '*terribly flawed, [...] mealy-mouthed, half-hearted, embarrassed by itself as it was, the [1967] act made possible the equality that has since been so painstakingly fought for*'.<sup>83</sup> One cannot deny that it was a necessary step towards making homosexuals more visible and 'acceptable' although the debates around 'gay marriage' which took place in 2013 are for that matter a reminder of how far the cause of homosexual rights has come, but also the proof of how much remains to be done for 'buggers' to be considered full-fledged members of British society. No more and no less.

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<sup>82</sup> Geraldine BEDELL, 'Coming Out of the Dark Ages', *Observer*, 24 June, 2007.

<sup>83</sup> *Ibid.*

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# *The Ted Scare*

Cliff WILLIAMSON

*Bath Spa University*

From their first appearance in 1953 through to roughly the end of the decade the Teddy Boys were a tabloid and broadsheet favourite. The press presented the Teddy Boy phenomenon as a youth-led pestilence. The Teddy Boys were primarily young men from the working classes in the United Kingdom and after they emerged into public consciousness in 1953, following an outbreak of fatal gang violence in South London, they became one of the most recognizable subcultures in British life throughout the 1950s. Miles describes them as '*the first British post-war rebels*'<sup>1</sup> whilst Cohen and Rock characterised them as the '*most visibly difficult of the postwar youth problems*'.<sup>2</sup> They were, to the media, to the political elites and to many members of the public the very picture of deviance and delinquency.

This article is divided up into three main sections. The first section looks at the emergence of the Teddy Boys in early 1950s Great Britain; it locates them in the specific social and economic conditions of the time. It discusses how they rose to prominence as a media phenomenon, how the media was able to use the 'New Edwardians' to project general societal fears about youth and behaviour, the process by which they became in the words of Stanley Cohen '*the first youth group associated with [...] deviant or public disapproved behaviour*'.<sup>3</sup> Although the 'Ted Scare' was largely a media contrivance, there is no doubt that the Teds represented the new (and threatening) power of youth. The awareness of the unique character of the Teds is very much reflected in the intellectual and political attention that was lavished on the Teddy Boys by major sections of the intelligentsia and the political classes.

The second part of this article examines the continuity between contemporary discourses about juvenile delinquency and older discourses concerning the problematic behaviour of the Teds. It also discusses proposed solutions to the perceived anti-social character of the Teddy Boys, ranging from the reintroduction of corporal punishment to the creation of a revitalised Youth Service in the UK to remove impressionable youngsters from 'bad' influences. Many of these enquires have been forgotten and it is remarkable that beyond the media hype there was a very real investigation as to the societal meaning and knock-on effects on the inculcation of citizenship values on young people belonging to this subculture. It is also important to see concerns about the Teds as not simply a British phenomenon

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<sup>1</sup> Peter MILES, *London Calling*, London: Atlantic Books, 2010, p. 57.

<sup>2</sup> Stanley COHEN & Paul ROCK, 'The Teddy Boy', in Vernon Bogdanor and Robert Skidelsky (eds.), *The Age of Affluence*, Oxford University Press, 1970, p. 288.

<sup>3</sup> Stanley COHEN, *Folk Devils and Moral Panics*, Oxon: Routledge, 2011, p. 203.

but as part of a global anxiety regarding the nature of modern youth: indeed, the United Nations gathered together information and opinion on ‘new patterns of juvenile delinquency’ and convened an international conference in 1960, located appropriately enough in London, the birthplace (according to some) of the Teddy Boy movement.

The third section discusses the implications of being labelled as deviant. There were attempts to ostracise or separate them from the mainstream, based on exaggerated fears of their disruptiveness and violence. The main example is the 1958 Race Riots in Nottingham and London where both the media and political elites pointed the finger at the Teds and as a result they were not just seen as thugs and delinquents but also as underclass racist fodder for the Union Movement led by Sir Oswald Mosley. This reputation turned out to be one that was difficult to shed and, since the end of the 1950s, those sympathetic to the Teds, as well as many former Teds, have sought to rehabilitate the image of a community, unfairly labelled, as they saw it, as racist and fascist.

### *The Teds as an object of study*

There is a surprising lack of substantive study of the Teddy Boys. This is despite the fact that there is considerable interest in the Teds both in terms of their place in post-war Britain and also how they established the model for moral panics associated with youth. It was the Teds who were first on the scene, followed by Mods and Rockers, Hippies, Punks, Skinheads and all the other youth subcultures which have been transformed into ‘folk devils’ over time. The main scholarly studies of British youth in the 20<sup>th</sup> century have only really discussed them *en passant*. David Fowler, who has written two major studies on the issue, only mentions the Teds in the context of the larger debate on juvenile delinquency and then only in relation to Northern Ireland.<sup>4</sup> Adrian Horn, who produced a very impressive study on the Americanisation of British youth culture in the years from 1945 to 1960 called *Juke Box Britain*, only considers the sartorial evolution of the Teds from the styles associated with the Spivs and cosh-boys of post-war London.<sup>5</sup> William Osgerby’s monograph for the Institute for Contemporary British History, *Youth in Britain since 1945*, has little to say on the topic.<sup>6</sup> Even Stanley Cohen, who did more than most to establish the legitimacy of the study of popular music youth cultures in his 1973 work *Folk Devils and Moral Panics*, starts the work with the Mods and Rockers, with only the merest brief mention of the Teds.<sup>7</sup> In defence of Cohen, he did write the only detailed scholarly study of the Teds, which was for a collection entitled, ‘The Age of Affluence’, edited by Vernon Bogdanor and Robert Skidelsky, but that was in 1970. There is of more recent origin the work of Robert J. Cross, which addresses some of the issues in this article but does not really examine the way in which moral entrepreneurs helped generate the hysteria linked

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<sup>4</sup> David FOWLER, *Youth Culture in Modern Britain, c.1920-c.1970*, Basingstoke: Palgrave, 2008.

<sup>5</sup> Adrian HORN, *Juke Box Britain*, Manchester University Press, 2010.

<sup>6</sup> William OSGERBY, *Youth in Britain since 1945*, Oxford: Blackwell, 1997.

<sup>7</sup> Stanley COHEN, *op. cit.*

to the Teds.<sup>8</sup> Pamela Horn, in her single volume history of juvenile delinquency in the UK, does devote some significant attention to the Teds, as does John Muncie in his text *Youth and Crime*.<sup>9</sup> While the global study of other youth cultures of the 1950s has matured and advanced, the same is not true of the UK: there is no equivalent to Mark Fenemore's study of the East German Rowdytum called *Sex Thugs and Rock 'n' Roll* or Glen Altshuler's study *All Shook Up* on the USA.<sup>10</sup>

More work has however been done in popular history. It has been the Teds themselves who have sought to recover their past and of note is Ray Ferris and Julian Lloyd's book *The Teddy Boys*, published in 2013, and Chris Steele-Perkins and Richard Smith's photo history *The Teds*, from 2002.<sup>11</sup> The Ferris and Lloyd monograph is useful as a vast oral history of the Teds but obviously partisan for the most part. Most of what we know or understand about the Teds is primarily anecdotal, impressionistic and often the product of nostalgia. This is ironic as even a light sampling of the writings of the time reveals a deep interest in the Teds. Two studies are of particular note as they are heavily referenced in contemporary debates and are still used as the vital sources in our understanding of not only the Teds but of the emerging concern about delinquent youth in general in the UK. These are *The Delinquent Child* by Donald Ford, the Vice Chairman of the London County Council Children's Committee, published in 1957, and *The Insecure Offenders* by T. R. (Tosco) Fyvel (1961), a disciple and former colleague of George Orwell.<sup>12</sup>

#### *The evolution of the label*

To become a Ted was really a two-stage process: it entailed the young people themselves assuming a particular sartorial aesthetic and society naming them as such. There were two groups who championed the Edwardian look in the post-war period. The original Edwardians were young, recently demobilised fashion-conscious former officers of guards regiments who were part of what was a comprehensive attempt to restore some kind of high society amongst the traditional elites in post-war London. This phenomenon is well described in Frank Mort's monograph *Capital Affairs*.<sup>13</sup> In a photo-essay by Norman Parkinson entitled 'Back to Formality', young officers and city businessmen were shown sporting 'the new almost Edwardian [...] men's clothes [...] promoted as a reaction to the studied sloppiness of fashion between the wars'.<sup>14</sup> The jackets were long to just above the knees, often incorporated high collars and were tailored to fit. As fashions changed, the original 'Edwardians' began to abandon this look, leaving the way clear for

<sup>8</sup> Robert J CROSS, 'The Teddy Boy as Scapegoat', *Doshisha Studies in Language and Culture*, 1998, pp. 263-291.

<sup>9</sup> Pamela HORN, *Young Offenders: Juvenile Delinquency 1700-2000*, Stroud: Amberley, 2013; John MUNCIE, *Youth and Crime*, London: Sage, 2009 (3<sup>rd</sup> ed.).

<sup>10</sup> Mark FENEMORE, *Sex Thugs and Rock'nRoll*, Oxford: Berghahn, 2009; Glen ALTSCHULER, *All Shook Up*, Oxford University Press, 2003.

<sup>11</sup> Ray FERRIS & Julian LLOYD, *The Teddy Boys: A Concise History*, Preston: Milo, 2012; Chris STEELE-PERKINS & Richard SMITH, *The Teds*, Stockport: Dewi Lewis, 2002.

<sup>12</sup> Donald FORD, *The Delinquent Child*, London: Constable, 1957; T. R. FYVEL, *The Insecure Offenders*, London: Pelican 1961.

<sup>13</sup> Frank MORT, *Capital Affairs*, Yale University Press, 2010.

<sup>14</sup> *Ibid.*, p. 13.

others to adopt it. The young working-class men who would evolve into the Teds in the early 1950s appropriated, whether by accident or design, the drape jacket which the guards officers had had made for them. It was a uniform but it was an interactive and customisable uniform, part of a display, according to Mort, of '*flamboyant working class territorialism*'.<sup>15</sup> These were groups amongst whom visibility, class-consciousness, and location were key features. Gangs of Teds would be identified by their place of origin; for example, the Plough Boys had Clapham Commons as their territory. In almost all cases, these areas were associated with the proletariat and they were immediately identifiable by their dress. Territory and class had always figured highly pre-existing gang cultures but the stylised and often ostentatious garb of the Teds was an innovation.

There are conflicting accounts of the precise origins of the Teds. In their recent book on the Teddy Boys, Ferris and Lloyd have oral evidence that aspects of the style, notably the long drape jacket and the Tony Curtis style haircut, can be seen from mid-1951 onwards, which moves the Ted timeline back much earlier than the acknowledged moment when the 'New Edwardians' broke into public consciousness in July 1953.<sup>16</sup> The precise location of the first Teds is also disputed. Fyvel suggests that it is in the Elephant and Castle area of London that the style originally emerged.<sup>17</sup> Cohen argues that it was in North London around Haringey and Tottenham where the style of dress started to be noticed.<sup>18</sup> Irrespective of the actual eureka moment when a young working-class man somehow procured a probably second-hand Savile Row tailored long morning coat and fused it with a Boston-style haircut, what is indisputable is that the moment when the Teds went national was 2 July 1953. A fight between members of the Plough Boys, a gang from Clapham, and other youths culminated in the fatal stabbing of a young man by the name of John Beckley on the Common. After a trial at the Old Bailey in the autumn of 1953, one of the gang members, Michael John Davies, was found guilty and sentenced to death. He was not to be hanged as ultimately, after 93 days in a condemned cell, the Home Secretary gave him a reprieve. He nonetheless served seven years before being released in 1960. From the first press reports, some of the Plough Boys appeared to be very exotically dressed, wearing clothes distinctive from the spiv suits more commonly associated with the working-class toughs of the immediate post-war years.<sup>19</sup> Their style of apparel was referred to as 'New Edwardian'. At the Davies trial, witnesses described the boys who dressed in the style as 'Teddy boys' or simply 'Teds', the first time that the label was used to describe this subculture. As a result of this, the Plough Boys have been lost to history but Teddy Boys as a label quickly became iconic and henceforth associated with criminality.

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<sup>15</sup> *Ibid.*, p. 107.

<sup>16</sup> Ray FERRIS & Julian LLOYD, *op. cit.*

<sup>17</sup> T. R. FYVEL, *op. cit.*, p. 52.

<sup>18</sup> Stanley COHEN & Paul ROCK, *art. cit.*, p. 289.

<sup>19</sup> Spivs were young criminals from the postwar years strongly associated with the black market in rationed goods. The attire of the spiv was adapted from the demobilisation suit or the 'zootsuit' given to former servicemen on leaving the forces, which had been popularised by members of the American forces garrisoned in the UK.

### *Blame the Teds*

Murder as a feature of the forms of deviance and delinquency associated with the Teds was relatively rare. Arguably it is in lower levels of criminality that the Teds were more prominently involved, most notably in public order offences, assault and petty forms of larceny. Theft may well have been the route to the unique dress style of the group. According to one of the origin myths surrounding the Teds, a shoplifting gang called the Forty Knives, on a visit to the West End of London, took a shine to the Edwardian jackets they saw in the windows of some of the shops visited and stole one or two. The newspapers of the 1950s recount many incidents of theft, brawling, vandalism, criminal damage and, in common with all moral panics, there is a tendency to write-in an association with the predominant folk devil. Eyewitness accounts often speak of ‘Teds’ or ‘Teddy Boys’ or youths in Edwardian jackets at crime scenes and the media attributed a wide range of deviant behaviour to the Teds. *The Times* of 2 August 1958 reported that wages totalling £400 were stolen by youths described by witnesses as ‘Teddy Boys’.<sup>20</sup> A youngster carved T.B. for ‘Teddy Boy’ on another boy’s arm at a west London school in June 1954.<sup>21</sup> Theft, torture and carrying offensive weapons were only part of the behaviour reported. One report also related that incitement to violence was another manifestation of deviance after a man identified as a ‘leading Ted’ was fined £30 at Reading for assault occasioning actual bodily harm, despite the fact that he had himself not committed the felony but instead had ‘egged on from a safe distance [...] his “Teddy Boy” associates’.<sup>22</sup> These are only a sample of many reported incidents that appear to give an indication of the breath of criminality associated with the Teds.

If there was a form of deviance that the Teds were to become specifically synonymous with, then it was the smashing up of cinemas. The reason for this form of delinquency was due to the popularity of rock ‘n’ roll. The track ‘Rock around the Clock’ by Bill Haley and the Comets in the film *Blackboard Jungle* in 1956 introduced rock ‘n’ roll to youth around the world. It was an immediate sensation in the UK, drawing hordes of teenagers to picture houses. The resulting increase in cinema receipts convinced producers to commission and rush out a whole genre of movies with rock ‘n’ roll stars singing and acting in them. Disorderly conduct at cinemas was occasionally due to the crush whilst queuing to get admission but it was inside the venues, it was said, where most trouble occurred. Youngsters danced in the aisles, on the tops of the seats and, in the frenzy generated by what Harry Hopkins called ‘*mass produced delirium*’,<sup>23</sup> some teenagers took out flick knives and slashed the seats or other revellers. At least that was what was reported in the press. The media in 1956 referred to it as the ‘rock around the clock riots’. The film was banned in a number of locations, including Bristol, Ipswich, Blackburn, Birmingham and Gateshead. But it was for the most part sheer sensationalism and hyperbole. There were disturbances at only 25 out of the 400 cinemas that showed the film.<sup>24</sup> But again the image stuck and Teds were to be carefully monitored any

<sup>20</sup> *The Times*, 2 August 1958, p.4.

<sup>21</sup> *The Times*, 25 June 1954, p. 3

<sup>22</sup> *The Times*, 21 August 1956, p. 5.

<sup>23</sup> Harry HOPKINS, *The New Look*, London: Secker & Warburg, 1964, p. 433.

<sup>24</sup> David KYNASTON, *Family Britain*, London: Bloomsbury, 2009, p. 655.

time they went near cinemas. An important side effect of the rock around the clock riots was to merge youth subculture with popular music. The Teds were not created by rock ‘n’ roll but their enthusiastic championing of it would mean that ‘deviant’ behaviour such as delinquency became associated with popular music.

From the very outset, there was a very clear public association made between the New Edwardians and criminality, starting with the Clapham murder. Simultaneously, there was empirical evidence of a substantial increase in juvenile-related crime. The United Nations Second Congress on the Prevention of Crime in 1960 recorded that between 1938 and 1958 there was an increase in indictable offences committed by young people (those between the ages of 8 and 21) of 81%; a rise in cases of larceny of 61%; and of breaking and entering of 28%. Interestingly, offences against the person rose by only 2%. Of the total number of both adult and juvenile offences, youngsters represented a growing proportion of the whole: accounting for 57% of all larceny offences in the UK, 68% of all cases of breaking and entering, and 35% of all sexual offences. This is despite the fact that those age groups by 1961 made up only 20% of the entire population, meaning that young people were over-represented by a factor of between 3 and 7 times in indictable offences.<sup>25</sup> It was widely believed that this rise in criminality must in some way be attributable to the lifestyle and activities of the Teds. This is the vital moment where the Teddy Boys move from an object of criminal curiosity to being a criminal class. Yet, there is no study of any sort that has been able to directly associate the Teds with this general rise in juvenile crime. In the absence of hard evidence, there is only speculation and a readiness to jump to conclusions, with few defenders but plenty of people willing to brand ‘deviant’ an entire subculture.

### *Moral entrepreneurs and the Ted scare*

Howard Becker defined those who are the main protagonists in the labelling of deviants as ‘moral entrepreneurs’.<sup>26</sup> In the labelling of the Teds, there was a significant number of different groups and individuals who contributed to the debate, from sections of the intelligentsia to those in political parties, local government officials, police, figures from the judiciary, the medical profession, the military, academia, voluntary organisations, and even the United Nations. It is important to note that not all of those who contributed were hostile to the Teds, or jumped on a bandwagon to use the Edwardians as scapegoats for the failings of others, or a Trojan horse to push forward a particular political agenda, although many of them did.

#### *De-teddifying the Teddy Boys: politicians and the Teds*

Throughout the controversies over the delinquent behaviour of Teddy Boys and other incorrigible youths, there was discussion of strategies needed to remedy the disorder caused by them. As the then Home Secretary, R. A. Butler, put it, it was

<sup>25</sup> THE UNITED NATIONS SECOND CONGRESS ON THE PREVENTION OF CRIME, *New forms of Juvenile Delinquency*, A/Conf.17/7, 1960, p. 9.

<sup>26</sup> Howard BECKER, *Outsiders: Studies in the Sociology of Deviance*, London: Simon and Schuster, 1997, p. 179.

necessary to ‘*de-teddify*’ the Teddy Boys.<sup>27</sup> Solutions proposed were generally punitive. They entailed sending Teddy Boys to Borstal, imposing financial penalties and attempting to reintroduce corporal punishment (on the part of some notable Conservative Party activists). But there were also less punitive solutions proposed, such as measures to combat idleness, which involved schools, the military, as well as voluntary and religious organisations. The Albemarle Committee in 1959 proposed that the Youth Service created in the 1930s should be revamped, given access to new funding for the training of volunteers, and facilities to lure away youngsters from the temptations of the Teds.<sup>28</sup>

In March 1958, Geoffrey Stevens, the Conservative Member of Parliament for Portsmouth Langstone, introduced a private members bill amending the Metropolitan Police Act 1839. It sought to increase the fines for those found guilty of breach of the peace in the capital from 40s to £10 for the first offence and £20 for a second. He made no apology that he ‘*had the teddy boys in mind*’ when he came up with the idea.<sup>29</sup> The bill would become known as the ‘anti-teddy boys bill’. In opening his speech he drew attention to the fact that prosecutions under the act had risen by more than a third in three years from 1955 to 1957 from 3,261 to 4,294.<sup>30</sup> He argued that the 40s limit was ‘a lot in 1839 now not so’.<sup>31</sup> It represented little more than a day’s wages, he said. Indeed the paltry nature of the fine and the ease with which it was paid made it ‘something to boast about’ for those of an ‘exhibitionist mentality’.<sup>32</sup> The higher fines he proposed would be substantial enough to ‘deter the potential wrong doer and protect the public’<sup>33</sup> by delivering ‘a quite healthy shock’.<sup>34</sup> His bill was given widespread support in the Commons, especially by the Conservatives, but there were some who did not think it went far enough. One MP on his own side in the House called it a ‘*two-penny, halfpenny measure*’, arguing that it should be extended beyond the Metropolitan Police Authority and, taking the recommendations of the recent Wolfenden Committee as a model, that prostitutes should also be fined £20 if found soliciting (this latter proposal was made into law the following year in the 1959 Sexual Offences Act).<sup>35</sup> The Heywood and Royston MP, J. A. Leavey, while supporting the bill also broached the idea of corporal punishment ‘*for this sort of offence*’ but there was no support signalled for such an idea, at least at this point. The opposition Labour Party spokesman, Barnett Janner, tentatively endorsed the bill but argued that there should be a wider bill that also included a section on offensive weapons, especially ‘flick-knives’ which were particularly associated with the Teds.<sup>36</sup> The Bill was to successfully make its way through parliament with Government support and was passed into law on 16 May 1958.

<sup>27</sup> *The Times*, 10 October 1958, p. 7.

<sup>28</sup> HOUSE OF COMMONS, *The Youth Service in England and Wales*, Cmnd. 929, 1959-60, p. 108.

<sup>29</sup> HANSARD, *House of Commons Debates*, vol. 583, col. 1579, 7 March 1958.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*, 1581.

<sup>32</sup> *Ibid.*, 1582.

<sup>33</sup> *Ibid.*, 1581.

<sup>34</sup> *Ibid.*, 1586.

<sup>35</sup> *Ibid.*, 1616.

<sup>36</sup> *Ibid.*, 1594.

Throughout the era of the Ted scare there were periodic calls for the reintroduction of corporal punishment as a response to increasing anxiety about unruly youth. It had been abolished in 1948 via the Criminal Justice Act, which had also ended penal servitude and hard labour in prisons in England and Wales. Demands were to reach a peak for the reinstatement of birching in the aftermath of the race riots in Nottingham and Notting Hill in the late summer of 1958. There was a resolution presented to the annual conference of the Conservative Party in that year calling for the return of corporal punishment. Its supporters argued that ‘the cat’<sup>37</sup> would act as a deterrent, as ‘*would-be criminals would think twice before acting*’.<sup>38</sup> Additionally, they argued that the shame of the sentence would deflate the ego of ‘*these cocksure young men*’ and make it impossible for them ‘*to go back and face their friends*’.<sup>39</sup> One concluded, ‘*let us bear in mind a flogging in youth may save a hanging later on*’. Also pro-birching delegates attacked the juvenile prison system for an alleged lack of deterrence, saying that delinquents did not mind a prison sentence and some boasted of it. The Home Secretary, Rab Butler, replied to the clamour by first pointing out that crimes of robbery with violence had in fact fallen since the abolition of corporal punishment with only 898 cases in 1957 compared to 978 in 1948.<sup>40</sup> He rejected calls for the reintroduction of flogging, saying he was not going to put the clock back 100 years.<sup>41</sup> He was however in favour of the appropriate use of corporal punishment in schools and by parents. Butler did acknowledge some shortcomings in the borstal and prison system, proposing that there should be the expansion of a new kind of detention centre in which ‘*everything had to be done on the double to give the maximum of hard work and the minimum of amusement*’.<sup>42</sup> These centres had ‘*the objective (of) detedding the Teddy Boys*’.<sup>43</sup> This tough measure had the effect of rallying the conference against the re-introduction of corporal punishment but it was not the last attempt to do so.

Butler returned to the issues of delinquency and corporal punishment in 1960 and 1961. He commissioned the Home Office advisory council on the treatment of offenders to address the issue of corporal punishment.<sup>44</sup> At the same time, Butler received the report of The Committee on Children and Young People, chaired by Viscount Ingleby, which had been charged in 1956 with reviewing the law as it related to juvenile delinquents.<sup>45</sup> Both of these documents would feed ultimately into the 1961 *Criminal Justice Act*.<sup>46</sup> *The Ingleby Report* would be the more influential of the two, mainly because its impact was not just in relation to delinquency but also to

<sup>37</sup> Abbreviation for the ‘cat o’ nine tails’, a multi-tailed whip commonly used in corporal punishment.

<sup>38</sup> *The Times*, 10 October 1958, p. 7.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*, p. 12.

<sup>42</sup> *Ibid.*, p. 7.

<sup>43</sup> *Ibid.*

<sup>44</sup> HOUSE OF COMMONS, *Corporal Punishment: Report of the Advisory Council on the Treatment of Offenders*, Cmnd. 1213, 1960-61.

<sup>45</sup> HOUSE OF COMMONS, *Report of the Committee on Children and Young Persons*, Cmnd. 1191, 1959-60.

<sup>46</sup> *Criminal Justice Act 1961* (9& 10 Eliz. 2 ch.39).



the whole youth justice system and the protection of children regarded as being at risk or in danger. The report acknowledged that recent public concern and anxiety about youth disorder had been the stimulus to the committee and although it did not have anything specific to say about the role played by the ‘Ted Scare’ in shaping public concern, there can be no doubt that by youth disorder it was the Edwardians who were being thought of.<sup>47</sup> Many of its recommendations would form part of the 1961 Criminal Justice Act. It did reserve some space for the issue of corporal punishment but it took no clear stance on it, only mentioning that just one witness out of one hundred and fifty one had advocated it and also that the Home office advisory committee was working concurrently on the topic.<sup>48</sup>

The advisory committee on corporal punishment was convened to respond to popular pressure seemingly in favour of its return as well as concerns that ‘*new crimes and criminals had arisen since its abolition in 1948*’.<sup>49</sup> The report addressed the issue in terms of the reasons for an apparent rise in crimes of violence since abolition, the possible deterrent effect of restoration, and the place of corporal punishment in the judicial system. The committee accepted that there had been a notable increase in the number of crimes of violence during the 1950s, from 2,370 in 1948 to 13,876 in 1959. But the committee questioned the idea that prior to abolition the threat and the experience of corporal punishment had acted as a deterrent and therefore had been a major factor in the lower instance of crime with violence. First, it pointed out that only a very small proportion of convicted offenders were flogged as part of a sentence up to the late 1940s and that the birching juveniles had effectively ceased by 1938.<sup>50</sup> Indeed, if not for the intervention of the Second World War, corporal punishment would have been abolished in 1939 under the planned Criminal Justice Act. The committee also drew attention to the evidence produced by Cadogan that a study of offender behaviour and recidivism noted no noticeable divergence in re-offending between those sentenced to custodial and corporal punishments. But the committee was aware that despite these arguments there was considerable public opinion support for flogging, especially of juvenile delinquents. Butler accepted the committee’s recommendation that ‘*there was no evidence that corporal punishment is an especially effective deterrent to those who received it or to others*’.<sup>51</sup> He was able to resist a further attempt to introduce corporal punishment during the passage of the bill. An amendment was put forward by the Ayr MP Sir Thomas Moore to allow the courts to pass a sentence of corporal punishment for a second offence. Gerald Nabarro, the MP for Kidderminster, supporting the amendment said, ‘*I believe that the hide of the thug is tender and receptive. A policy of whack the thug should be our policy, and I believe that it would inflict a sharp and salutatory lesson*’.<sup>52</sup> The amendment was defeated. For those wishing to reverse the abolition of corporal punishment, the Teds provided a lurid and menacing example of what happens when you spare the rod.

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<sup>47</sup> *Report of the Committee on Children and Young Persons, op. cit.*, p. 3.

<sup>48</sup> *Ibid.*, p. 113.

<sup>49</sup> *Report of the Advisory Council on the Treatment of Offenders, op. cit.*, p. 1.

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*, p. 27.

<sup>52</sup> HANSARD, *House of Commons Debates*, vol. 638, col. 72, 11 April 1961.

*Bridging the gap: national and Youth Service*

Beyond punitive sanctions, there were other ideas advanced to address the anti-social behaviour associated with the Teds, such as military service and Youth Service. The idea of bringing the Teds into organisations which would provide an alternative to roaming the streets, engage their interests but also pass on the values of order, citizenship and obeying the law was much discussed throughout the 1950s. All recognised that the Teds and the larger youth population of the UK needed to be civilised in some way or involved in public service to ensure that the age of affluence did not become one of selfishness, hedonism and nihilism. There was an additional and unique contemporary characteristic of the notion of service as a civilising strategy and that was the notion of ‘the gap’. This was the period, for boys, between leaving school at 15 and compulsory military service at 17 when they were removed from formal control influences. It was an issue of such concern that the King George’s Jubilee Trust commissioned a study into the phenomenon in 1951 that was published in 1954 as *Citizens of To-morrow*.<sup>53</sup>

National service was viewed by contemporaries as both a cause and a potential solution to the problem of the Teds and of juvenile delinquency. It was introduced in 1948 as a replacement to compulsory military service which had served to conscript all males aged 18 or over into the armed forces for the duration of the wartime emergency. The new form of National Service, which was initially to last 18 months, was extended due to the Korean War. It covered all men aged 17 to 21, except those in clearly-defined categories such as reserved occupations, students and those from Northern Ireland. Donald Ford, in his 1957 study *The Delinquent Child*, argued that due to the creation of a period between leaving school and doing National Service between the ages of 15 and 17, young men saw their ‘horizons contracted’ and they ‘felt cramped and cut off from adult life’: the result was an interregnum which led to a ‘very purposeless life’ marked by ‘anti-social behaviour screwed up to a hysterical pitch’.<sup>54</sup> However, Ford went on to argue that as a result of National Service ‘large parts of Teddy Boy behaviour disappear’. Conscripted was thus thought to provide the means by which formerly anti-social adolescents were civilised. Fyvel, who provided anecdotal evidence that some Teddy Boys tended to be changed by two years away in the forces, also made this observation about the civilising character of National Service. The Albemarle Report in 1960 called National Service a ‘shutter between the mind of an adolescent and his adult future’.<sup>55</sup> In Parliament, MPs and Lords also extolled the role of the military in transforming Teds into citizens. Lord Auckland, speaking in the House of Lords in 1958, said, that ‘they have been under a good sergeant major who has made them have their hair cut and made them wash themselves. They may not have liked it at the time, but when they come out a good many of them settle down to an ordered life’.<sup>56</sup> Without military service what means could there then be to inculcate a sense of citizenship and order on youth? The Albemarle Report best expressed the situation: ‘Now that young people will not be called away for service in the armed

<sup>53</sup> KING GEORGE’S JUBILEE TRUST, *Citizens of To-morrow*, London, 1954.

<sup>54</sup> Donald FORD, *op. cit.*, pp. 160-161.

<sup>55</sup> *The Youth Service in England and Wales*, *op. cit.*, p. 59.

<sup>56</sup> HANSARD, *House of Commons Debates*, vol. 213, col. 253, 15 December 1958.

*forces, the question poses itself whether they will find uninterrupted development any easier and assume their responsibilities as adults more readily*.<sup>57</sup>

Throughout the 1950s there were further anxieties that the main forms of socialisation aside from school—family and church—were not addressing delinquency successfully. As already noted, the wartime experience of children without fathers and mothers working long shifts in war work was often pointed to as a cause of anti-social behaviour. Some church leaders also pointed to the lack of religious training as a further contributory factor.<sup>58</sup> Although it could be argued that as the decade proceeded families were more stable and church attendance was to recover, disorder did not decline but rather accelerated. Finding new ways to engage youth and build community and citizenship became a priority. There were organisations which already sought to engage youth such as the Scouts and the Boys' Brigade and they remained successful throughout the era. The Scouts Association was however wary of being involved in reaching out to the Teddy Boys. Speaking at a conference in 1959, Lord Rowallan said there were very few men in the scout association who possessed sufficient personality to redeem the Teddy Boys.<sup>59</sup> There were new initiatives rolled out to meet the challenge such as the Duke of Edinburgh Award scheme launched in 1956. The organisational head of the scheme, Sir John Hunt, was confident that, if the scheme succeeded, fewer boys would want to put on Teddy Boy suits.<sup>60</sup>

The main effort in transforming the attitudes of youth was to be via the Youth Service. Formed in 1939 by the Ministry of Education, its purpose was, in the words of Sir John Mauds, the former permanent secretary of the Ministry, 'to offer young people in their leisure time opportunities of various kinds [... to] develop their personal resources of body, mind and spirit and thus better equip themselves to live the life of mature, creative and responsible members of a free society'.<sup>61</sup> It had by the middle of the 1950s somewhat fallen on hard times in the face of the clamour over the so-called youth problem. The Ministry commissioned a report (mentioned above) into the service with the objective 'to review the contribution [...] the Youth Service [...] can make in assisting young people to play their part in the life of the community'.<sup>62</sup> The chair of the committee was the Duchess of Albemarle, a former chairwoman of the Women's Institute. It included as members a senior paediatrician, Professor A. G. Watkins, English professor and author of the influential work *The Uses of Literacy* Richard Hoggart, and Pearl Jephcott, senior research assistant at the London School of Economics and author of the study of youth organisations, *Some Young People* (1954).<sup>63</sup>

<sup>57</sup> *The Youth Service in England and Wales, op. cit.*, p. 59.

<sup>58</sup> *The Times*, 15 October 1958, p.7.

<sup>59</sup> *The Times*, 15 April 1959, p. 4.

<sup>60</sup> *The Times*, 27 June, 1956, p. 6.

<sup>61</sup> *The Youth Service in England and Wales, op. cit.*, p. 36.

<sup>62</sup> *Ibid.*, p. 1.

<sup>63</sup> Richard HOGGART, *The Uses of Literacy*, London: Chatto and Winduss, 1957; Pearl JEPHCOTT, *Some Young People*, Crow's Nest: Allen & Unwin, 1954.

Aside from its conclusions that will be discussed later, the work is notable for the way in which it defines the problems facing youth and the conditions that prevailed for them in the late 1950s. In one respect, the biggest challenge was the increasing number of young people in the population, what the report called ‘the bulge’ with 3.4m adolescents in 1957, which they projected to rise to nearly 4m by the start of the 1970s.<sup>64</sup> There were different challenges specifically relating to boys and girls. For males, the biggest change was to be the abolition of the National Service. Each year 200,000 youths drafted into the military and the Youth Service would, in the words of the report have, to find ‘*challenge and adventure to replace National Service*’.<sup>65</sup> For female teenagers, the most pressing concern was ‘*the shorter time between school and marriage [... meaning] less time for maturity and technical competence at her job as home-maker*’.<sup>66</sup>

The issue of juvenile delinquency was addressed and again there were some interesting and insightful observations made. The report identified ‘*a gulf between the young and the law abiding older generation of society*’.<sup>67</sup> Part of the generation gap involved ‘*the normal questionings of adolescence*’ but added to this were contemporary stresses brought on by the global situation, excessive public attention on the behaviour of young people and the fact that the current generation of young people was well fed, healthy and maturing early. The unique situation for the youth of the 1950s was affluence: they wanted to take advantage of prosperity and widening choices and opportunities. This liberal approach clashed with the innate conservatism of older people who had only recently found security. Young people had more disposable income: Mark Abrams, in his ground-breaking study of *Teenage Consumers* (1959), contrasted the want of the 1930s, when the income of a young worker was 26 shillings per week, with the seeming abundance of the 1950s, when on average the working male youngster earned more than £5 per week and after deductions had more than £3 pounds of discretionary spending.<sup>68</sup> Yet, despite this economic power, the committee argued that adolescents felt that they had money but no status.<sup>69</sup> The problem they identified was that ‘*young people are greedy for adult status. A sense of adult responsibility is quite another thing*’.<sup>70</sup>

This is where the Youth Service would come in. Its aim was ‘*not to remove tensions so as to reach towards some hypothetical condition of adjustment to individual or social life. It is towards ensuring that those tensions [...] shall not submerge the better possibilities of children during their adolescence*’.<sup>71</sup> It put forward a series of themes which it hoped would achieve this objective. It promoted ‘association’, ‘challenge’ and ‘preparation for adult life’. ‘Association’ emphasised that young people together in groups could collectively share experiences and build a sense of community. ‘Challenge’ was regarded as important as it would address the ‘*humdrum*’ inevitabilities of adult life in which it seemed that their future was

<sup>64</sup> *The Youth Service in England and Wales, op. cit.*, p. 13.

<sup>65</sup> *Ibid.*, p. 14.

<sup>66</sup> *Ibid.*, p. 15.

<sup>67</sup> *Ibid.*, p. 17.

<sup>68</sup> Mark ABRAMS, *The Teenage Consumer*, London Press Exchange, 1959, pp. 1-3.

<sup>69</sup> *The Youth Service in England and Wales, op. cit.*, p. 31.

<sup>70</sup> *Ibid.*, p. 59.

<sup>71</sup> *Ibid.*, pp. 36-37.

predestined towards banality and conformity. Also highlighted was the need for help ‘*in the search for values, values which can inform their lives and give them meaning*’.<sup>72</sup> This idea was controversial as it could imply brainwashing but the committee sought to reassure its readership that this would not be about preaching or indoctrination. Alongside public affairs, young people would be encouraged to discuss employment but also more domestic concerns, such as preparation for marriage and home making (‘adult life’).

Despite the deep philosophical and sociological discussions in which the committee engaged, it recommended some rather pedestrian changes to the service, most notably an increase in the number of paid youth workers, massive investment in infrastructure through more youth clubs and an overall ten-year plan to reach out to the increasing numbers of young people who felt alienated and disenfranchised. It argued for greater liaison between local authorities, voluntary organisations and other stakeholders. In essence, what was proposed was a revamp of the existing service, though its overall objectives would be more intellectually sophisticated and highbrow, referred to as a ‘cultural apprenticeship’. Its means to achieve these lofty aims consisted in little more than extra youth centres and ping-pong tables. The new youth centres would be approved and funded as a result of the report but, just as the fruits of this committee were appearing, the Teds had already pretty much disappeared from public view. As is so often the case with a long process of enquiry, the final report was overtaken by events.

#### *Teds and the global youth problem*

In 1960 in London the United Nations convened the Second Congress on the Prevention of Crime and the Treatment of Offenders which would focus on the maladjustment of Youth. Since 1946 the UN had been focusing special attention on the issue of juvenile delinquency. There had been in the first half of the 1950s a series of regional conferences but in 1955 the first global conference was held in Geneva. The next would be held in London. It met to draw together existing scholarly and governmental expertise on the nature of the problems of youth, especially as they related to the developed world. A series of working documents was prepared for the congress by eminent figures from the judiciary, social services and law enforcement agencies. There was to be a series of plenary sessions for the delegates to discuss the issues and to try to come to a consensus regarding the scale and character of juvenile delinquency. For the wives of the delegates there was a special Ladies Programme of events in parallel to the sessions which were a strange mix of fashion, shopping and visits to borstals and approved schools.<sup>73</sup>

The UN report was written by Wolf Middendorff, a senior judge from West Germany.<sup>74</sup> The Teds would play a prominent role in the report as the distinctively British contribution to this major social problem. Much of what Middendorff quotes in the report is directly lifted from Donald Ford’s study. He noted that the general

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<sup>72</sup> *Ibid.*, p. 59.

<sup>73</sup> THE UNITED NATIONS SECOND CONGRESS ON THE PREVENTION OF CRIME, *op. cit.*

<sup>74</sup> *Ibid.*

discussion of British juvenile crime was, compared to other national studies, rather disappointing and only served to show how superficial and simplistic British policy-making was in relation to juvenile crime. There was more knowledge about the scale of non-British adolescent deviant behaviour than about the homegrown variety. Furthermore, there was little real analysis of the role being played by sexual delinquency, criminal organised gangs, the graduation of young delinquents into adult felons, and also of the emerging concerns about drug and alcohol habituation amongst youth.

### *The stigma of being a Ted*

As a result of the moral panic generated by media, political and cultural figures, it would become increasingly difficult to be a Ted. Occasionally there were those who sought to try and present a more nuanced vision of the Teds and their world. In 1954, *Picture Post* sought to learn the truth about the Teddy Boys. This was perhaps reparation for being instrumental in the original demonisation of the Edwardians when in 1953 it featured a photo-spread centred around a well-known local hood in all his Teddy Boy finery. The journalist spent the evening at the local *palais de danse* in Tottenham observing the Teds.<sup>75</sup> Rather than emerging as a riotous, amoral and dangerous grouping, the piece portrays them as the very picture of manners, probity and to some extent modesty. Showy certainly, but more peacocks than fighting cockerels. The article concludes with an acknowledgement that there is a bad element but that this has been exaggerated. In addition to the visit to the dance there was also a commentary written by an anonymous psychiatrist analysing in generally sympathetic terms the problem, if there was one, of the Teddy Boy.<sup>76</sup> The Labour MP, George Isaacs, opening a canteen for young people in June 1955 in the bastille of the Ted Revolution, the Elephant and Castle in London, said that '*Teddy Boys are youngsters with youthful spirits who like to have their own clothes. There are bad ones among them here and there but you will find some darn fine lads in Edwardian clothes going to the boys brigade and the sea cadets*'.<sup>77</sup> He concluded his address by trying to rebrand the Teds as the 'New Elizabethans' (it did not stick). There are also a few reports of charitable activities initiated by the Teds. *The Times* reported in July 1958 on a fete at the pump room gardens in Leamington Spa which raised £1,000 for the league of hospitals' friends. The event was partly to raise money but was also part of an effort to wipe out the stigma associated with the Edwardians. As one participant declared, '*we will show that we are not the layabouts which the older generation think we are*'.<sup>78</sup> Some Teds sought in late 1958 to create an association to promote a more sympathetic image but it was a flop when only 22 turned up.<sup>79</sup>

More often than not, Teds were treated as pariahs. There is some evidence of stigmatisation, social exclusion and, in the case of the 1958 race riots in London and Nottingham, they were singled out for blame in starting and exacerbating the unrest.

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<sup>75</sup> *Picture Post*, 10 October 1953, p. 20.

<sup>76</sup> *Ibid.*, p. 22.

<sup>77</sup> *The Times*, 21 June 1955, p. 12.

<sup>78</sup> *The Times*, 21 July 1958, p. 3.

<sup>79</sup> *The Times*, 31 October 1958, p. 19.

One example of stigmatisation was brought to the attention of Parliament in an adjournment debate in the House of Commons in January 1962 where a young man applying for a job in the Public health laboratory in Preston was rejected for the post. He was sent a rejection letter, which said, that '*I regret to inform you that your application for a job in this laboratory was not successful. Your application academically was the best, but your "winkle-pickers"*<sup>80</sup> *and Teddy-Boy trousers were sufficient for us to give the job to the next best applicant*'.<sup>81</sup>

It is impossible to quantify how widespread this type of discrimination was. There is plenty of anecdotal evidence of various types of actions to keep the Teds out of so-called respectable establishments but they are more notable for their absurdity than anything else. For example, Teddy Boys seeking to enjoy rambling in the Peak District were turned away from guesthouses and other establishments as they were regarded as the unwelcome 'rakings from hell' in the words of the local parish council leader.<sup>82</sup> On the back of the epidemic of cinema and dancehall trashing that accompanied the showings of the film *Rock around the Clock* in the summer of 1956, the Blackpool Tower Company, amongst many other establishments, as already discussed, banned the movie to keep the Teddy Boys away from the resort.<sup>83</sup> There was therefore a fairly diverse number of responses to the Teds and attempts at separation and isolation of these deviants.

#### *Teddy Boys and the issue of race*

Of all the accusations against the Teds, arguably the most contentious and damaging related to the issue of race. In August and September 1958 in Nottingham and in Notting Hill in West London serious disorder erupted. The violence was perpetrated by members of white gangs against individuals from the afro-Caribbean community. The riot in Notting Hill was largely due to the reaction by locals to a domestic dispute that took place in the street between a white female sex worker and her husband who came from the West Indies. Violence flared and for the next two nights the area saw a series of assaults and destruction of property. After the neighbourhood had quietened down, 55 people were arrested and held at Marylebone police station. The event proved to be so contentious and problematic that in order to help pacify the afro-Caribbean community, at the invitation of the UK government, Dr Hugh Cummins, the Prime Minister of Barbados, made an emergency visit to London and the scene of the unrest. Other outsiders were attracted to the locality, most notably Sir Oswald Moseley and members of the Union Movement, a successor group to the British Union of Fascists.

The association of the Teds with the riots can be observed via newspaper reports at the time which carried quotes from those injured in the disturbances that claimed that Teddy Boys had attacked them. One man, Ronald Sinclair, claimed that

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<sup>80</sup> Winkle-pickers were a form of men's shoes popular at the time with very pointed toes that were said to resemble the needle handed out at fishmongers to help eat shellfish.

<sup>81</sup> HANSARD, *House of Commons Debates*, col. 556, 25 January 1962.

<sup>82</sup> *The Times*, 4 September 1957, p. 12.

<sup>83</sup> *The Times*, 7 September 1956, p. 6.

he had had been set upon by seven of them.<sup>84</sup> The chief constable of Nottingham, Captain Popkess, attributed the violence to ‘*irresponsible teddy boys*’.<sup>85</sup> Prime Minister Cummins added to this view, saying, ‘*we feel that the trouble is the result of gangster type Teddy Boys and probably fascism*’.<sup>86</sup> It was not just those on the ground who saw the Teds as the primary offenders. The leading sociologist, B. R. Wilson, writing in *The Times*, argued that ‘*the real causes appear to be principally in the boredom and frustrations experienced by our own Teddy Boys. Coloured people are simply a convenient and often defenceless target for the aggression arising from mass-frustration of this kind*’.<sup>87</sup>

Writing in 2010 for his monograph *Capital Affairs*, Mort argued that it was not just frustration that compelled the Teds to act. The intervention by the Teddy Boys in the fight between a white prostitute and her black husband, which had sparked the riot, was part of the informal policing of ‘*white women when they crossed the sexual boundaries of the colour line*’.<sup>88</sup> It was therefore an attempt to restore the racial order by ensuring the defence of white womanhood. This is a hugely elaborate and speculative interpretation; it assumes that one prominent example was representative of the actions of all the Teds. The empirical evidence for this conclusion is scant, yet it is not without attraction as an interpretation as it offers a very exotic vision of the Edwardians as proletarian moral enforcers.

The portrayal of the Teds as chief protagonists in the riots of 1958 provided the final ingredient in labelling the Teds as a deviant pariah subculture. Defenders of the Teddy Boys such as Ferris and Lord argued that, although not totally innocent, ‘*the Teds once again provided a convenient scapegoat with which the British establishment was able to deflect the problem of institutionalised racism that was without doubt endemic throughout the whole of society*’.<sup>89</sup> The weight of political, diplomatic and media opinion in identifying the troubles with the Teds was made more credible by the pre-existing stigma associated with them. The labelling of the Teds throughout the decade of the 1950s made them, irrespective of their actual culpability, an easy *aunt sally* to be knocked down. For the reputation of the Teds, as Ferris and Lord concluded, ‘*mud sticks*’ and the association with racism proved difficult to shift.<sup>90</sup> This is despite the fact that there is documented evidence of multi-ethnic gangs of Teds in both London and Manchester.<sup>91</sup> A further indication of how deeply embedded the caricature of the racist Ted became can be seen in post-1958 popular cultural representations of them. For example, in literature, the chronicler of the London beatnik scene Colin MacInnes drew heavily on the Notting Hill Riots in his 1959 book *Absolute Beginners*, highlighting the perceived racism of the Teds. Also in 1959 was the motion picture *Sapphire* directed by Basil Dearden which again had a racist Teddy Boy as the main antagonist, reinforcing the image and the association of the Teds with racism.

<sup>84</sup> *The Times*, 2 September 1958, p. 7.

<sup>85</sup> *The Times*, 2 August 1958, p. 4.

<sup>86</sup> *The Times*, 6 September 1958, p. 8.

<sup>87</sup> *The Times*, 5 September 1958, p. 11.

<sup>88</sup> Frank MORT, *op. cit.*, p. 135.

<sup>89</sup> Ray FERRIS & Julian LLOYD, *op. cit.*, p. 399.

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*



### *Conclusion*

The labelling of the Teds was crucial in shaping the nature of their threat to the social order. The name itself would outlast the original Teddy Boys and become a synonym for all forms of youth deviance in the 1950s. This process culminated in the Teds being blamed for race riots in Nottingham and London in 1958. Some politicians, seeking to roll back liberal developments in the criminal justice system, most notably the abolition of corporal punishment in 1948, attempted to exploit the disorder associated with the Teds. The Teds themselves would become increasingly ostracised, as there is evidence of social exclusion and victimisation of the young men by employers and others in authority. They were to initiate an era of cyclical moral panics relating to youth, popular music and disorder. But it is also important to see the response to the Teds as not exclusively an example of knee-jerk politics: there was plenty of substance behind the anxieties, as there were some Teddy Boys who were undoubtedly responsible for some serious crimes and the general manner and disposition of the Teds could be anti-social. However, to identify delinquency as the exclusive fault of the Edwardians was too simplistic an interpretation. It legitimated unsympathetic and punitive measures to deal with the problems rather than addressing the genuine grievances about their status and situation. As the example of the race riots in 1958 demonstrated, blaming the Teds turned out to be very counterproductive as it concealed the very real problems which were more and more part of the lived experience of ethnic minorities. Blaming the Teds did not address the deep divisions between the poorest of both the indigenous and the immigrant communities; it did not help to deal with anxieties about policing or about the abuse of tenants in poor rented housing by some slum landlords. Labelling the deviant and casting the Teds out into the wilderness may have soothed short-term demands for action but they left substantial and deep societal problems unresolved.

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# ***From Bad Boys to Old Boys? Sixty Years of the Teddy Boy Movement***

**Henry DANIELS**  
*Université de Bourgogne*

## ***Introduction***

The depressed economic and social conditions of late 1940s and early 1950s Britain, out of which the Teddy Boy subculture grew, quickly changed. By the end of the 1950s, the new teenagers ‘*were spending £830 million [per annum] on clothes, cigarettes, records and cosmetics, in that order*’.<sup>1</sup> For many, motorcycles and scooters were becoming the focus of attention as symbols of status and attractiveness. More diversified forms of pop music had emerged from the strict rock and roll format, with the result that by the early 1960s drape jackets, greased hair and the rebellious, street-corner, bad-boy look had become institutionalised and finally passé.

Yet small pockets of Teddy Boys persisted: the 1970s and early 1980s witnessed a partial revival, adherents of which, though generally more showily and less sharply dressed than their fathers, adopted the same posture, delighted in 1950s rock and roll music and defended certain territories as their own in the tradition of street gangs. Today, British Teddy Boys and Teddy Girls regularly congregate in pubs and clubs, meeting up with others of all ages from all over the world at organised weekend reunions, where the emphasis is on the right ‘look’, rock and roll, and, not least, the shared satisfaction in the upholding of what has become a tradition. Teddy Boys are not simply weekend re-enactors: they are proudly committed to the perpetuation, not just the momentary revival, of a Golden Age. To the general public they appear extraordinary, spectacular, even quaint, but no longer shocking or menacing.<sup>2</sup> Does this mean that the Teddy Boys have changed? Or society’s view of them? Or both?

This study follows the movement from its origins to the present day and attempts to establish what remains, what has been added or re-constructed and what has been lost of this peculiarly British youth movement, the first of its kind to establish teenagers as a consumer group in its own right, and the longest lasting. Its focus is predominantly on the Teddy Boys’ perception of their own otherness and their label-cum-title, of a movement with its own lore and customs standing

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<sup>1</sup> Peter LEWIS, *The Fifties*, London, Heinemann, 1978, p. 142.

<sup>2</sup> These comments are loosely based on the few reactions gleaned from watching and listening to shopkeepers, publicans and people in the streets of Filey and Scarborough during the Ted Do reunion of October 2013 (see below, section six).

defiantly—almost monumentally—apart from the fashions and attitudes of the day. The reasons for this focus are firstly the growing corpus of online and printed documents and photographs produced by and for Teddy Boys, which provide an insight into their history and the way in which the mellowing of their original deviance-through-violence is perhaps threatening their identity. Secondly, the views of the general public beyond the condemnations of the judiciary and the much-quoted and largely vacuous articles appearing in the sensational press of the 1950s, which was content to demonise the Teddy Boys rather than attempt to analyse the phenomenon in terms of the sociology of the times, are today practically inaccessible.<sup>3</sup>

### *Teddy Boys in context*

American President Harry Truman's abrupt discontinuation of Lend-Lease aid on 20 August 1945 removed hopes of a comfortable return to peacetime conditions for Britain, who was exhausted and economically on her knees at the end of the Second World War. The following nine years were characterised by a devaluation of the pound Sterling in 1949, chronic shortages of consumer goods and a rationing system in many respects worse than that imposed during the struggle.

Over four million servicemen were demobilised between June 1945 and January 1947.<sup>4</sup> Many had been prisoners overseas since Dunkirk or the fall of Singapore and were often shocked by the dirty and desolate scenes of what life had become during their absence. There had been sixty million changes of address throughout Britain since 1939, the divorce rate had almost quadrupled since 1935 and was to peak at 60,300 in 1947.<sup>5</sup> One of the effects of enemy bombing, in which more than 62,000 civilians had died and a further 86,000 had been seriously wounded, was a frequent lack of understanding of, and sympathy for the returning heroes.<sup>6</sup> Once the euphoria of homecoming was over, feelings of depression and restlessness beset many ex-servicemen, for whom the banality of civilian life and the disappearance of comradeship, rank, identity and excitement could be unbearable. The high-profile case of ex-pilot Neville Heath, hanged in 1946 for the brutal murder of two women was a true-life inspiration for a post-war preoccupation in British cinema and novels with the lurid misdeeds of brutalised men unable or unwilling to adapt to peacetime living.<sup>7</sup> It is interesting to note, however, that criminologist John Spencer, in his 1954 analysis of the startling rise in the incidence

<sup>3</sup> The four people aged between 67 and 88 whom the author invited to talk about 1950s Teddy Boys had surprisingly little to say, beyond having been struck by the large concentrations of Teddy Boys in the city centres, particularly around cinemas, by their smartness and by their having a reputation for making a nuisance of themselves.

<sup>4</sup> David KYNASTON, *Austerity Britain 1945-51*, London: Bloomsbury, 2007, p. 97.

<sup>5</sup> Alan ALLPORT, *Demobbed: Coming Home After the Second World War*, New Haven and London: Yale University Press, 2009, p. 87.

<sup>6</sup> *Ibid.*, pp. 113-114.

<sup>7</sup> See W. E. Johns' popular *Gimlet* novels, reminiscent of the post-First World War adventures of Bulldog Drummond, and the 1947 film 'They Made Me a Fugitive', dir. Alberto Cavalcanti. Interestingly, in the context of the Teddy Boy movement, the ex-RAF protagonist, Clem, is framed by his boss, Narcissus, for refusing to take part in drug-trafficking (see conclusion below).

of indictable offences involving violence (57,700 in 1938, compared to 130,000 in 1948) and of sexual assaults (5,018 in 1938, compared to 13,185 in 1950), ‘*found no compelling evidence at all of a post-war “veteran problem”, other than that conjured up by the press*’. He also noted that the vast majority of violent criminals were not bloodthirsty front-line fighters, but rather men who had done dull and menial service behind the lines.<sup>8</sup> There were, of course, thousands of firearms and millions of rounds of ammunition in circulation, brought back as souvenirs of the war. One such firearm, in fact a service revolver of 1914-1918 vintage, was to figure prominently in the Bentley/Craig shoot-out of 2 November 1952 described in section three below. The upsurge in violent crime can be seen as a concomitant of the general social upheaval and unhappiness of the war and, in the years immediately following, a fascination with violence and weaponry among those who had been either too young or considered unsuitable to have taken part in the fighting. Added to this, many post-war adolescents, who had had little parental guidance during the war years were now confronted with fathers they hardly knew and whose disciplinary measures were possibly more suited to a military context than a domestic one.

Other factors which can be brought to the fore in an attempt to account for the Teddy Boy phenomenon fall into three approximate and inevitably overlapping categories: geopolitical, socio-economic and psychological. Geopolitical factors include the inescapable fact that Britain, no longer a world power and retreating from her empire, was committed, for better or for worse, to travelling the American road, one which, whatever its virtues, was ill-suited to the proportions, traditions and aspirations of the British Isles. In their 1954 book *Journey down a Rainbow*, J. B. Priestley and Jacquetta Hawkes coined the word *Admass* to describe what they saw as the soulless, empty uniformity of life in the US, whose advanced commodity culture appeared brash and vulgar: not something they wished to see copied in Britain, who had had more than a taste of the American way of life from the three million American servicemen stationed in Britain at some time during the war. The seal was put on alignment with America following the Communist coup in Czechoslovakia of February 1948, which cast world power into two antagonistic military camps: the Eastern Bloc and NATO, a situation exacerbated the same year by the blockade of Berlin and the resulting eleven-month airlift. The possibility of nuclear war fought out in Europe between two former allies loomed large over Britain no less than elsewhere. Meanwhile, compulsory National Service for all able-bodied British males over the age of eighteen ensured an ostensibly orderly retreat from empire, but achieved little else for Britain or for most of the 2.3 million men called up between 1945 and 1960, of whom 395 died alongside regular soldiers opposing Communist forces in Malaya between 1948 and 1960, and Korea between 1950 and 1953.<sup>9</sup>

Britain’s unwilling dependency on the US made itself felt in the socio-economic dimension, where the crippling American debt led to ever more stringent rationing, sacrifice, daily queuing and, perhaps most humiliating of all, ‘*enforced*

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<sup>8</sup> Alan ALLPORT, *op. cit.*, p. 183.

<sup>9</sup> Trevor ROYLE, *National Service: The Best Years of their Lives*, London: André Deutsch, 2002, p. 164.

*exposure to frequent displays of petty authority*'.<sup>10</sup> The acute housing shortage left many working class people living in slums, while in 1946 some 40,000 people squatted a thousand or so disused military camps. Luckier young families were housed in uniform prefabricated bungalows, of which 157,000 were built between 1945 and 1949,<sup>11</sup> while others were gradually moved from inner city areas to vast new out-of-town housing estates, remarkable for their order and hygiene, but which came to be notorious for their lack of provision for a community spirit and engendering feelings of alienation among residents.<sup>12</sup>

The Archbishop's Committee on the Use of Modern Agencies for Evangelistic Propaganda, quoted by David Kynaston, reported in 1946 that '*90 per cent of our people seldom or never attend church. The church each week has five million attendances; the cinemas have forty million*'.<sup>13</sup> Organised religion had not benefited from the war and was losing its hold on the population.

Education too, despite the raising of the school leaving age to fifteen in April 1947, satisfactory in the grammar schools and public schools, was inadequate in the new secondary modern schools, attended by the majority of children: '*the fact was that almost three quarters of teenagers entering the world of work [by the 1950s] were doing so in jobs without any craft or career training available*' while '*the technical schools, supposed to be one leg of a three-legged stool that also comprised grammars and secondary moderns, never began to get a proper head of steam behind them*'.<sup>14</sup>

One result of this was the emergence of a large, young, unskilled workforce trapped in monotonous and uninteresting jobs. Wages in the particularly gruelling and repetitive motor industry in Coventry were at least a third above the national average, '*and among the city's 60,000 or so workers in the motor industry were many newcomers, of many nationalities, living in hostels or an improvised shanty town of derelict railway coaches*'.<sup>15</sup> To this might be added the unfortunate fact that full employment did not encourage young people to invest in their future by seeking (relatively low-paid) apprenticeship to a recognised trade.

This was the age of mass entertainment, represented chiefly by football, drinking and cinema, and of mass markets for a restricted range of cheap brands of consumer goods, such as tobacco. By 1949, there were an estimated twenty-one million cigarette smokers in Britain, corresponding to 81% of the male and 39% of the female population.<sup>16</sup> Brands such as Wills' *Woodbines* and *Capstan*, Player's *Medium Navy Cut* and *Weights* and Gallaher's *Park Drive* together accounted for the

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<sup>10</sup> David KYNASTON, *op. cit.*, p. 110.

<sup>11</sup> *Ibid.*, p. 102 & p. 122.

<sup>12</sup> Michael YOUNG & Peter WILMOTT, *Family and Kinship in East London*, London: Penguin, 1962 (1957), pp. 131-146.

<sup>13</sup> David KYNASTON, *op. cit.*, p. 125.

<sup>14</sup> *Ibid.*, pp. 461-462.

<sup>15</sup> *Ibid.*, p. 492.

<sup>16</sup> Matthew HILTON, *Smoking in British Popular Culture, 1800-2000*, Manchester and New York: Manchester University Press, 2000, p. 124.

vast majority of cigarettes marketed, which were smoked less for pleasure than as a habitual (supposed) ‘*antidote to boredom, depression, anxiety and loneliness*’.<sup>17</sup>

The 1940s also witnessed the rise of the wide circulation popular press: the *Daily Mirror* rose from a circulation of two million in 1943 to three million in 1946 ‘*catering for short tea breaks and even shorter attention spans*’.<sup>18</sup>

Holidays were also a terrain for standardisation in the form of Pontin’s, Warner’s and particularly Butlin’s holiday camps, launched in 1936 and greatly expanded after the war. The overall atmosphere of these mass recreation institutions is well illustrated in the 1947 film *Holiday Camp*<sup>19</sup> and later in the 1958 promotional film for Prestatyn Holiday Camp<sup>20</sup> which celebrates a bright new, post-austerity era of mass recreation.

Rationing had been in force since January 1940. Importantly, for the first dress-conscious Teddy Boys, clothes had come off the ration in March 1949. However, it was not until September 1953 that food rationing ‘*was informally if not yet officially ending*’<sup>21</sup> and came to an official end in July 1954. The familiar figure of the spiv,<sup>22</sup> the opportunist small-time black-marketeer, who had thrived on shortages, described by Kynaston as ‘*a well-known type: coat with wide lapels and padded out shoulders, tight collar on shirt, big knot in tie, hair parted in middle with wave on either side, pencil moustache, he was grudgingly admired, essentially disliked*’<sup>23</sup>, would gradually disappear from view, but would not be forgotten.

Accompanying this long and dreary period of post-war austerity was an atmosphere, among the middle classes, of prim conservatism, as evidenced in the 1948 ‘Green Book’ (the *BBC Variety Programmes Policy Guide for Writers and Producers*) which insists that ‘*programmes must at all costs be kept free of crudities, coarseness and innuendo*’, with an absolute ban on ‘*jokes about lavatories; effeminacy in men; immorality of any kind, [or] suggestive reference to honeymoon couples; chambermaids; fig leaves; prostitution; ladies’ underwear (e.g. winter draws on); animal habits (e.g. rabbits); lodgers; commercial travellers*’.<sup>24</sup> In the light of subsequent developments in what comes under the heading of ‘entertainment’, such a policy appears extremely repressive, and sadly out of tune with the experiences of most ordinary people, better reflected in the very popular music-hall-style songs of George Formby, such as ‘Mr Wu’s a Window Cleaner Now’ or ‘Fanlight Fanny’.<sup>25</sup>

<sup>17</sup> Matthew HILTON, *op. cit.*, p. 125.

<sup>18</sup> David KYNASTON, *op. cit.*, p. 56.

<sup>19</sup> *Holiday Camp*, 1947, Gainsborough Pictures, dir. Ken Annakin.

<sup>20</sup> [http://www.youtube.com/watch?v=Zof\\_Nk0INEc](http://www.youtube.com/watch?v=Zof_Nk0INEc).

<sup>21</sup> David KYNASTON, *op. cit.*, p. 323.

<sup>22</sup> The origin of the name is obscure, despite having been hypothesised as a back-slang rendering of *VIPs*. Its artificial origin is evidenced in the extreme rarity of English words ending in the letter <-v>, of which the recent coinage *chav* is another striking example.

<sup>23</sup> David KYNASTON, *op. cit.*, p. 111.

<sup>24</sup> Quoted in KYNASTON, *op. cit.*, p. 309.

<sup>25</sup> <http://www.youtube.com/watch?v=3w3X95uWv8A>; <http://www.youtube.com/watch?v=02ViMh47F1E>.

In the psychological dimension, the rapid spread of the Teddy Boy subculture suggests that there was prevalent ‘mindset’ among those who would become the teenagers of the late 1940s and early 1950s. In the light of the foregoing, we shall now attempt to characterise the general mood that produced the first Teddy Boys. The average sixteen-year-old urban working class boy in 1950 was likely to have experienced the deadening hardship of the 1930s, amply described in George Orwell’s *The Road to Wigan Pier* (1937), parents’ unemployment, very possibly violence and certainly corporal punishment at school, poor diet, poor clothes, fear of invasion, six years of haphazard parental control, air-raids and the squalid promiscuity of the shelters,<sup>26</sup> uniformity and displays of militarism, restrictions on personal freedom and mobility, newsreels showing scenes of suffering and destruction, possible evacuation and interrupted schooling and poor secondary education. More recently, he had seen and heard healthier, better-paid, better-dressed and apparently easygoing American servicemen in the streets, along with flashily-dressed spivs and racketeers, pimps and prostitutes and probably knew of several wartime extra-marital affairs among family and neighbours. Now, five years after the end of the war, he was still surrounded by bombsites and derelict buildings and was likely to live in run-down or temporary housing. Uninfluenced by organised religion, he had been exposed to lurid imported horror comics while his twice-a-week visits to the cinema had shown him opulence and wealth, adventure, the jitterbug and other exotic dances and, perhaps most significantly of all, the brash virility of gangster and western films. He had before him the grim prospect of two years’ National Service, as reported by elder brothers and friends, beyond which lay years of dirty, noisy, monotonous industrial work. In the spring of 1949, an inquiry by the Social Medical Research Unit into the leisure activities of eighty-five 18-year-old boys revealed that most of the labourers and machine minders concentrated their future hopes on ‘*unrealistic dreams of becoming champion cyclists, football stars or dance-band leaders*’ while ‘*the majority did not acknowledge the older sanctions of formal engagement and marriage*’. The overall picture was one of ‘*physically fit young men [in a state of] passive acceptance of the world around them*’.<sup>27</sup>

Here, then, was a large concentration of young wage-earners, without real responsibilities, living aimless and probably violent lives in a drab, dislocated and ill-functioning country which had lost its swagger in a world whose fate could now be decided by politicians discharging nuclear weapons. Looking around them, they were undoubtedly unconvinced by their parents’ and grandparents’ insisting on the virtues of the great British way of life they had fought to preserve, and somehow just didn’t believe they were all that lucky to be alive in the modern world. Secondary education had not instilled in them any particular respect for the outmoded speech and values of middle-class conservatism and prudery. In short, there was a need for youthful excitement and ostentation and a sense of pride and identity that the two previous generations had in part derived from Empire and the world wars. The recent abolition of birching and flogging, the appearance in 1952 of the first coffee bars, the availability of better quality clothes, records, cosmetics and, for the first time, the money to be able to aspire to them, created a psycho-social climate that

<sup>26</sup> See Angus CALDER, *The Myth of the Blitz*, London: Pimlico, 1992.

<sup>27</sup> David KYNASTON, *op. cit.*, pp. 368-369.



would spawn a new animal: the teenager. It seems very unlikely that those working class teenagers who became Teddy Boys and Teddy Girls were consciously making what it has become fashionable to refer to as ‘a social statement’. They were not organised revolutionaries and probably had little awareness of their place in time and space. However, their attitudes and tastes were, as we have attempted to show, a wholly understandable reaction to the drabness and rapidly diminishing prestige of a country dominated by harping, retrograde middle class adults, whose branding of them as dangerous, subversive and criminal said as much—if not more—about the state of the country and their own feelings of envy as it did about the Teddy Boys themselves.

***‘We wanted to be as smart as possible.  
We lived for a good time.’<sup>28</sup>***

There was nothing new about the armed, usually territorially-based and peer-influenced gangs in evidence at the end of the 1940s. Germanic war bands of the 1<sup>st</sup> century BC are described by Julius Caesar, who comments on a refusal to answer the call of the leader as being tantamount to desertion or treason and a sign of untrustworthiness.<sup>29</sup> Tacitus, writing in the following century, describes the more formally organised Germanic *comitatus* as consisting of a chief surrounded by armed youths who vie amongst themselves for his favour: ‘It is [the chiefs’] dignity, their strength, to be always surrounded with a large body of select youth, an ornament in peace, a bulwark in war’.<sup>30</sup> There are obvious echoes of the phenomenon, which is very unlikely to have originated as locally and as recently as the time of Julius Caesar, in, for example, the Old English heroic poem *Beowulf*, the Arthurian legends and in Tolstoy’s *The Cossacks* (1863). In the mediaeval period, the Vikings and the crusaders fall into the loose category of young armed fighters, united as much by their thirst for adventure as by their loyalty to a chief or their belief in a principle.

The first Teddy Boys had been exposed to notions of fierce group pride and loyalty in the stories brought back from two world wars, in which regiments,<sup>31</sup> squadrons, ship’s companies and battalions were units in permanent rivalry with one another over questions of smartness, courage, dash and kills. Cricket, rugby and above all football teams<sup>32</sup> provided another focus for local loyalty and identity, as

<sup>28</sup> Frederick Peter Carroll, aged 74, interviewed in Ray FERRIS & Julian LORD, *Teddy Boys: A Concise History*, Preston: Milo Books, 2012, p. 48.

<sup>29</sup> ‘[Q]ui ex his secuti non sunt, in desertorum ac proditorum numero ducuntur, omniumque his rerum postea fides derogatur’. (Caesar, *De Bello Gallico* VI 23.)

<sup>30</sup> ‘[H]aec dignitas, hae vires: magno semper electorum iuvenum globo circumdari in pace decus, in bello praesidium’. (Tacitus, *Germania* XIII.) See also D. H. Green, *Language and History in the Early Germanic World*, Cambridge: Cambridge University Press, 1998, pp. 102-120.

<sup>31</sup> Recruitment into county regiments had been de-territorialised in 1916, not for reasons of rivalry, but in an attempt to mask casualty figures.

<sup>32</sup> The idolised footballer, ex-German paratrooper Bert Trautmann, who was the Manchester City goal keeper 1949-1964, presented supporters with something of a problem in terms of identification. However, his skill, sportsmanship and personality transcended all forms of initial prejudice.

did districts, individual streets, pubs and clubs. Humphries lists more than a dozen 19<sup>th</sup>- and early 20<sup>th</sup>-century street gangs, including *The Scuttlers* (Manchester, late 1870s onwards); *The Ikey Boys* (Manchester, early 1890s onwards); *Napoo*<sup>33</sup> (Ancoats, Manchester, 1916); *The Beehive* (Gorbals, Glasgow, 1920s) and *The Nudies* (all female, Gorbals, Glasgow, 1930s).<sup>34</sup> Given this very long—and no doubt world-wide—tradition, the dreary and violent post-war urban context and the absence of a national emergency to which energy and courage could be devoted, the formation of Teddy Boys into gangs (or was it more a case of existing gangs' adoption of the Teddy Boy look?) is easy to understand. Donald Thomas identifies the following 1950s London street gangs: *The Diamond Gang* (Islington); *The Eagle Gang* (Stepney); *The Brick Gang* (Bermondsey); *The Watney Streeters* (Stepney); *The Dagenham Boys*; *The Canning Town Boys*; *The Finchley Mob* and *The Mussies* (Muswell Hill).<sup>35</sup> There were doubtless countless others, named or not, throughout the country. Nor was the movement confined to Britain: Russia had its contemporary *Stilyagi* ('style-hunters'). German *Halbstarken* ('half-strong ones') came into evidence in 1955-1956, French *Blousons noirs* ('black jackets') first appeared in 1959 and Scandinavian *Raggare* ('shaggies') were a late 1950s calque on American hot-rod subculture. However, Britain's working class youths had taken the lead, presumably thanks to the peculiar circumstances Britain found itself in, as outlined above.

What prompted the particular costume and bearing of the Teds? Here, great care must be taken in distinguishing between the dress of the very first Teddy Boys and subsequent developments during the 1950s and particularly during the revival of the 1970s. Original Teddy Boys, now in their 1970s, interviewed by Ray Ferris and Julian Lord,<sup>36</sup> have very precise memories of their choice of apparel in the early 1950s and are at pains to stress the importance they attached to appearing smart. The 'New Edwardian' look was, at the outset, a late 1940s Savile Row style for the well-to-do, noticed and copied by working class youths all over the country who, by working long hours and saving, could afford to have Edwardian style fingertip-length drape jackets and high-waisted peg trousers with 15-inch bottoms (tight for the times) made up by local tailors using good quality material. Velvet collars or pockets were not part of the earliest four-button drape jackets, which were often dog-tooth grey or windowpane-checked or raindrop-flecked. They had to have a one-piece back and, in contrast to the relatively sober outer colour, a 'flash' silk lining, crimson being a favourite, with a breast-pocket handkerchief to match. Great importance was attached to a showy brocade waistcoat, often worn with a fob watch and chain, over a white shirt with a cutaway collar and a Slim Jim tie tied in a Windsor knot. White, yellow or pale blue socks were kept visible thanks to the trousers being made slightly short, while shoes were either highly polished lace-up or buckle brothel creepers with 1-inch crêpe soles, heavy brogues, chukka (fawn suede desert) boots or mud-guard slip-ons. In the early years, sideburns were no

<sup>33</sup> *Napoo* is First World War military slang, being an approximation of the '*Il n'y a plus*' all too often heard in French and Belgian *estaminets*.

<sup>34</sup> Steve HUMPHRIES, *A Secret World of Sex*, London: Sidgwick & Jackson, 1988, p. 142.

<sup>35</sup> Donald THOMAS, *Villains' Paradise: Britain's Underworld from the Spivs to the Krays*, London: John Murray, 2005, pp. 169-226.

<sup>36</sup> Ray FERRIS & Julian LORD, *op cit*, pp. 41-53.

more than ear-bottom length, though hair was medium to long (by the standards of the times), Brylcreemed<sup>37</sup> and combed into a quiff and a D.A. ('duck's arse') at the back. The whole outfit could cost around £40, which, for a young lad earning less than £7 a week, represented a considerable outlay, and was a spectacular change from the late 40s, when 'the working class wore any sort of trousers and a muffler, whatever you could get, really'.<sup>38</sup> Girls seeking to identify with the Teds also wore black or biscuit-coloured drape jackets and narrow, calf-length skirts (American circle skirts with stiff petticoats came later). The fact that there was never a really clearly defined female equivalent to the Teddy Boy is probably due to the fact that throughout the 1950s, a female industrial worker could still only earn on average 59% of a male worker's wage:<sup>39</sup> the expensive clothes so important to the boys were largely out of her reach.

The emphasis was clearly on a provocative display of quality and splendour, echoing the late Victorian and Edwardian figure of the *mashers*, flirtatious, dandified lady-killers, renowned, *inter alia*, for their showy waistcoats<sup>40</sup> and signalling an impatient rejection of the upper classes' monopoly of taste and the older generation's lack of awareness of the growing financial and social importance of people aged between 14 and 21. What was perhaps felt, rather than consciously thought, by older middle- and upper-class people as being deviant and subversive about the Teddy Boys was their flagrant arrogation of a style well above their social status, a move which threatened to disrupt a class system which had not changed significantly since the beginnings of the Industrial Revolution. Other youths outside the movement might have seen the Teddy Boys as 'flash', but any accusations of foppishness or effeminacy were forestalled by their frequent recourse to violence—something they had in common with all street subcultures. It was this blend of elegance and brutality—a sort of beauty-and-the-beast rolled into one—that suited them and gave them their special aura and guaranteed their place in social history. It is remarkable that the whole thing appears to have started up simultaneously in many cities, neither the brainchild of any one astute designer, nor the product of an organised fashion industry.

### ***'There was fighting, lots of it'*<sup>41</sup>**

Juvenile delinquency was not a new phenomenon,<sup>42</sup> but it had come to the fore during the war years, opportunities for armed robbery, vandalism, looting and hold-

<sup>37</sup> Brylcreem was a pomade brought out by County Chemicals of Birmingham, UK in 1928. Its popularity among RAF personnel and in particular fighter and bomber pilots, led them to be referred to as *Brylcreem Boys*. The later ample use of it by the Teddy Boys was perhaps an unconscious attempt to recapture something of the glamour of war heroes.

<sup>38</sup> Frederick Peter Carroll, aged 74, interviewed by Ray FERRIS & Julian LORD, *op. cit.*, p. 46.

<sup>39</sup> David KYNASTON, *op. cit.*, p. 573.

<sup>40</sup> Eric PARTRIDGE, *A Dictionary of Slang and Unconventional English*, London: Routledge & Kegan Paul, 1970 (1937), p. 511.

<sup>41</sup> Joe Goulding, aged 77, interviewed in Ferris and Lord, *op. cit.*, p. 43: 'There was fighting, lots of it. I used to carry a "clever stick"; it was a cosh, either slung around my left shoulder on a loop of string or in an inside pocket. You didn't go into town less than three-handed.'

ups presenting themselves to unsupervised and de-schooled youths and children.<sup>43</sup> East-End London saw repeated post-war attacks on younger boys attending clubs by gangs of up to seventy sixteen-to-seventeen-year-old boys and girls armed with hammers, razors, knives, knuckledusters and bicycle chains. Violent crime, often unmotivated by robbery and involving young offenders, some of whom were under sixteen, was increasing at the rate of nearly 30% per year, while punishment was often relatively light, despite the controversial severity of the Lord Chief Justice, Baron Raynor Goddard, who set out to curb the juvenile crime wave by handing out longer sentences in compensation for the abolition of corporal punishment in the unpopular Criminal Justice Act of 1948.<sup>44</sup>

The use of firearms between rival teenage gangs was first reported in April 1950, following a street brawl in Kilburn in which an eighteen-year-old was charged with attempted murder. Yet the motivations for the new brand of street warfare seem to have been the bid for superiority over other gangs, possession of territory and the fun of vandalism and violence—all reminiscent of the legitimised perks of wartime—than particular financial gain. Rightly or wrongly, murder came to be associated in the public mind with Teddy Boys as a result of the shooting of a police constable and the wounding of another, apparently by the sixteen-year-old Christopher Craig, embittered younger brother of a man nicknamed ‘The Velvet Kid’ recently sentenced to twelve years in prison for armed robbery. Dressed as Teddy Boys, Craig and his accomplice, the nineteen-year-old mentally retarded Derek Bentley, had set out one Sunday evening, without any burglar’s equipment or a specific target, to commit a break-in in Croydon. Their fatal encounter with the police was reported in the *Daily Mail* of 3 November 1952 under the sensational and wildly inaccurate headline ‘Chicago Gun Battle in London—Gangsters with Machine Gun on Roof Kill Detective, Wound Another’. Amid national protest, on account of his sub-normality and his having already been apprehended when the shooting occurred, Bentley was hanged on 28 January 1953. Craig, too young for the death sentence and who had subsequently thrown himself off the roof in a spectacular suicide attempt, served a ten-year prison sentence. The case was fraught with ambiguities and controversy and bore the marks of a demonstration of unbending severity in the face of growing juvenile delinquency. Among the results of this were a public discrediting of the Lord Chief Justice, further call for the abolition of the death sentence, the elevation, in some quarters, of Bentley to the

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<sup>42</sup> An illustration of street gang warfare of the type recalled by Ferris and Lord’s interviewees is given by Clarence Rook in his entertaining—if doubtfully authentic—account of the activities of a young street-wise, small-time East-End criminal. Alf, the protagonist, recounts the following, just before showing the narrator the ‘handy-looking chopper’ he has brought along, in readiness for ‘a bit of a street fight’: ‘The Drury Lane Boys were coming across the bridge, and had engaged to meet the boys from Lambeth Walk at a coffee stall on the other side. Then one of the Lambeth Boys would make to one of the Drury Lane boys a remark which cannot be printed, but never fails to send the monkey of a Drury Lane boy a considerable way up the pole. Whereafter the Drury Lane boys would fall upon the Lambeth boys and the Lambeth boys would give them what for’. (Clarence ROOK, *The Hooligan Nights*, Oxford: Oxford University Press, 1979 [1899], p. 12.)

<sup>43</sup> Donald THOMAS, *op. cit.*, pp. 165-170.

<sup>44</sup> Flogging was, however, still permitted as a punishment for mutiny and serious assault by convicts (*ibid.*, p. 175).

status of folk-hero and, most damaging to the reputation of Teddy Boys, a reinforcement of an abusive popular conflation, encouraged, and arguably created by the press, of Teds, spivs, thugs, low intelligence juvenile delinquents and murderers.<sup>45</sup> It seemed as if post-war Britain had found the scapegoat for its ills. The question now was one of whether or not Teddy Boys would fall into the role attributed to them by increasingly resorting to extreme violence amongst themselves and in their confrontations with authority.

Later that year, the well-known Clapham Common fight between members of two rival gangs resulted in the stabbing to death of seventeen-year-old John Beckley, but no conviction was made, owing to confusion as to who actually inflicted the fatal wounds in the *mêlée*. In the subsequent debate on the growing menace from juvenile delinquents, the educationalist G. A. Lyward portrayed them as ‘under-individualised’ and ‘confused conformists’,<sup>46</sup> both of which labels hint at a form of abdication or surrender of the personality, with a concomitant insensitivity to the suffering of others. One striking fact about all subcultures, be they of the politically engineered variety, such as the German *Hitlerjugend* and the Chinese Red Guards, the fashion variety, such as Teddy Boys and Skinheads, or the machine-oriented variety, such as Rockers and Scooter Boys, is the prevailing conformity in appearance, tastes, posturing, speech and activities among group adherents. It seems probable that the increasingly extreme costume of the 1950s Teddy Boys and their violence were at one and the same time a cause and a consequence of their being ostracised. The so-called Notting Hill ‘riots’ in the late summer of 1958 were in fact an eight-day violent confrontation between white youths—predominantly Teddy Boys—and members of the West-Indian immigrant population. The extensive press coverage and the stiff sentences of up to five years’ imprisonment for causing grievous bodily harm, rioting and the possession of offensive weapons that were handed out in the aftermath did not improve the Teddy Boys’ reputation or their own love of authority.

The numerous instances of shocking, gratuitous Teddy Boy violence during the 1950s described by Thomas<sup>47</sup> leave little room for sentimentality, suggesting as they do that the portrayal of the group as a social menace had come to be at least partially justified. The question of whether the violence would have erupted in any case, had the Teds not existed is impossible to answer. However, it should be remembered that, parallel to the ascendancy of the Teds, premeditated crimes of a much more sinister nature were being committed by increasingly powerful and vicious gangs such as those of Billy Hill, the Richardsons and the young Krays. The fact remains that the Teddy Boys did not slip *en masse* into organised crime, preferring the more romanticised, popular, sulky-rowdy, rebellious Marlon Brandom-image. Moreover, in contrast to the professional criminal gangs, for whom extreme violence was part of their stock-in-trade, the Teddy Boys were very numerous,

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<sup>45</sup> The unfortunate, ongoing confusion of spivs and Teds is evident from photographs of 1954 Teddy Boys labelled *spivs* in Adrian HORN, *Juke box Britain: Americanisation and Youth Culture, 1945-60*, Manchester and New York: Manchester University Press, 2009, pp. 120-121.

<sup>46</sup> Quoted in Donald THOMAS, *op. cit.*, p. 217.

<sup>47</sup> *Ibid.*, pp. 219-239.

disorganised and widely dispersed, with a particularly violent and sadistic minority achieving national prominence, mainly thanks to the sensational press, while the majority indulged in sporadic fighting in dance-halls and in the street, as youths always have done. Things might have got a lot worse, but for the fact that the attention of the essentially fun-loving Teds was distracted by a new form of demotic music, which provided a (relatively) harmless outlet, not only for youthful high spirits and sexual energy, but also for violent tendencies and gave expression to the overwhelming desire to break away once and for all from the attitudes and inhibitions of the foregoing generations. The mix of Teddy Boys-cum-folk-devils plus this new music would scandalise many observers and lead to more sensational media coverage. In fact, the pop-music industry was gearing up in 1955-1956 to hand the Teds—at a price—a gigantic pacifier in the form of rock and roll.

### *‘Elvis set us free’<sup>48</sup>*

The music of the late 1940s and early 1950s dance-halls was principally that of the big bands such as those of Ted Heath and Joe Loss or their imitators, while records of crooners such as Johnnie Ray, Frankie Laine and homespun balladeers such as Dickie Valentine, Ronnie Hilton and Ruby Murray were all that was available on the popular music market, of which, Lewis says that *‘it was a reassuring world of sentimental conformism that was presented to the young, for the most part by singers old enough to be their fathers. [...] The music was too languid to support anything but a slow smoochy fox-trot or occasionally a stiff-tempo quick-step’*.<sup>49</sup>

Britain was initiated to American rock and roll music via the cinema: the opening credits and opening and closing scenes of Richard Brooks’ film *Blackboard Jungle*, released in March 1955 were accompanied by the throbbing drumbeat and bass, saxophone and electric guitar of Bill Haley and his Comets playing ‘Rock around the Clock’, a previously released, though not particularly successful, B-side number. Through its association with rebellious, violent, disaffected, urban working class youth portrayed in the film, rather than its own merits, the song, which like all rock and roll was a hybrid of country music and black rhythm and blues, shot to the top of the charts and remained there for five months, selling twenty-two million copies over the following two years. The first showing in London’s Trocadero cinema the following year prompted instant rioting, vandalism and dancing inside and outside the cinema, in all of which Teddy Boys and their girls were prominent. The scenario was repeated, leading to the banning of the film in many cities throughout the UK. It was from this moment on that ‘Edwardians’ and ‘Edwardian clothing’ started to be systematically banned from cinemas and dance halls in major British cities. Teddy Boys had found the raw, immediate, loud music that gave voice to their frustrations, and, despite the enormous press coverage given to the vandalism and rioting, which often consisted of nothing worse than the ripping out of cinema seats and scuffles with the police, a commercialised space into which their aggression, so alarming to some, could be safely funnelled. The music provided a

<sup>48</sup> Frederick Peter Carroll, aged 74, interviewed in Ray FERRIS & Julian LORD, *op. cit.*, p. 47.

<sup>49</sup> Peter LEWIS, *op. cit.*, p. 131.

vigorous soundtrack for a new, easily-learned dance routine reminiscent of the GIs' jitterbugging of the war years, in which the man controls and manhandles his partner, revealing her thighs and her underwear: doubtless another reason for its appeal in the highly male-oriented (whereby conventional) world of the Teds and yet another reason for their popular portrayal as sexually promiscuous renegades.

Although Bill Hayley, when he visited Britain in 1957, did not match up, either physically or in age, to the excitement of his music, he had opened up what was to become a huge, if short-lived European market and had laid the trail for Elvis Presley, declared in Des Moines as 'morally insane'<sup>50</sup> to the delight of his fans worldwide. For the first time, here was a potently attractive male singer whose unique cocktail of glamour and earthiness could drive audiences wild, and was the perfect model for the Teddy Boys. It was from then onwards that they began to grow their sideburns longer and consciously or unconsciously Americanised their own image under the influence of Elvis and others, the most prominent of whom were Gene Vincent, Buddy Holly, Jerry Lee Lewis, Carl Perkins, Little Richard, Eddie Cochran and perhaps the most authentic rock and roll performer of all, by virtue of his ethnicity and colourful off-stage life, Chuck Berry. The British music industry managed to corner its share of the market by producing home-grown singers such as the talented and independent skiffle artist Lonnie Donegan, the quietly rebellious Billy Fury, who suffered poor health and was to die at the age of forty-three, along with Tommy Steele and Cliff Richard, both of whom became all-round entertainers and were seen by the Teds as having sold out to the establishment.

The precipitous decline of rock and roll at the end of the decade was brought about by a constellation of factors including the early deaths of Buddy Holly (1959) and Eddie Cochran (1960), Gene Vincent's injury and abrupt retreat to the US, the return from military service of a corpulent Elvis—apparently no longer a bad boy (which he never had been off-stage)—with the avowed intention of becoming a 'family entertainer' (1960), which cleared the stage somewhat. Meanwhile, the 'payola' system of bribing American disc jockeys to play certain records was exposed in 1959, discrediting, among others, the man who claimed to have invented the name *rock and roll*, and had contributed greatly to its promotion: Alan Freed. Inevitably, the stereotyped and rigid twelve-bar, three-chord structure of rock and roll prevented it from evolving without losing its essence, hence the need, felt by the record companies and the majority of fans worldwide, after four or five years of the same, for a change of paradigm. There was a return to folksy, sugary ballads in America and in Britain, featuring names like Paul Anka, Pat Boone and Ricky Nelson. There was also a flurry of popular interest in jazz, brought to the fore by performers such as Dave Brubeck, Humphrey Littleton and Chris Barber. However, the Beatles (formed in 1960), the Rolling Stones (formed in 1962) and a multitude of other British pop groups were soon to occupy the stage and set the musical tone of a world in which standard rock and roll and the Teddy Boys were decidedly old hat. Ferris and Lord speak sadly of the Teddy boy 'slump'<sup>51</sup> of the 1960s, during which the flag was kept flying by much reduced, isolated groups in South Wales, London and the Black Country. The new fashions, centred on Carnaby Street, were

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<sup>50</sup> Peter LEWIS, *op. cit.*, p. 132.

<sup>51</sup> Ray FERRIS & Julian LORD, *op. cit.*, p. 56.

unpalatable to the remaining Teddy Boys, who now found themselves rivalled by the new Mods and Scooter Boys. Until what came to be referred to as the great Teddy Boy revival of the 1970s, the future looked grim musically and sartorially for the Teds, some of whom, it might be added, were becoming disenchanted with their own lack of purpose, given the gradual disappearance of the social conditions which had precipitated their appearance ten years previously. Richard Hoggart, coming himself from a working-class background in Leeds, describes his perception of the mood in 1957 of what he calls the Juke Box Boys,

*those who spend their evening listening in harshly lighted milk-bars to the "nickelodeons". [...] Many of the customers—their clothes, their hairstyles, their facial expressions all indicate—are living to a large extent in a myth-world compounded of a few simple elements which they take to be those of American life. [...] They have no aim, no ambition, no protection, no belief. [...] From their education at school they have taken little which connects with the realities of life as they experience it after fifteen. Most of them have jobs which require no personal outgoing, which are not intrinsically interesting, which encourage no sense of personal value, of being a maker [...]. They are ground between the millstones of technocracy and democracy; society gives them an almost limitless freedom of the sensations, but makes few demands on them—the use of their hands and a fraction of their brains for forty hours a week. For the rest they are open to the entertainers and their efficient mass-equipment.<sup>52</sup>*

Hoggart has never been noted for his optimism, as is borne out in his 1995 appraisal of contemporary British society: *The Way We Live Now*.<sup>53</sup> However, his view of the Teddy Boys does appear to be particularly negative. What is striking is that he sees them as essentially the passive victims of soulless mass entertainment which has created for them a garish and intrinsically unsatisfying dream-world to compensate for the grinding monotony of their working lives—a theme picked up and accurately portrayed the following year by Alan Sillitoe in his novel *Saturday Night and Sunday Morning*.<sup>54</sup> There is no evidence of this stultifying boredom from Ferris and Lord who, on the contrary, emphasise the fun, the excitement and the glory of the times. One of their interviewees, aged 70, concludes with the words: 'They were unique times, when Jack was as good as his master and the records were unsurpassable';<sup>55</sup> another, aged 74: 'To me, the Teds, the Ted style, it was the flag of freedom. I am proud to have been a Ted. I am a Ted';<sup>56</sup> and another, aged 65: 'We were an elite'.<sup>57</sup> It should be noted that while Hoggart's contemporary description of what he called the 'Juke Box Boys' was that of an outsider, the unsurprisingly roseate reminiscences are those of insiders, who, with the experience

<sup>52</sup> Richard HOGGART, *The Uses of Literacy*, Harmondsworth: Penguin, 1958 (1957), pp. 203-205.

<sup>53</sup> Richard HOGGART, *The Way We Live Now*, London: Pimlico, 1995.

<sup>54</sup> Alan SILLITOE, *Saturday Night and Sunday Morning*, London and Harlow: Longman, 1968 (1958).

<sup>55</sup> Ray FERRIS & Julian LORD, *op. cit.*, p. 53.

<sup>56</sup> *Ibid.*, p. 49.

<sup>57</sup> *Ibid.*, p. 97.



of sixty years are still proud to be called Teds. It seems unlikely that an observer as astute and down-to-earth as Hoggart had completely misread the evidence. However, he may have been the unconscious victim of his choice of label, which, like all labels, reduces and simplifies, producing, and—by the simple virtue of its use—legitimising an elliptical and conditioning view of the referent. In short, without the perspective of time, and without becoming a Ted himself, he could only guess at what it meant—and still means—to be one. We shall attempt, in the following three sections, to discover what it was exactly that he was missing.

### ***‘The Rockabilly movement ruined the Ted scene’<sup>58</sup>***

The so-called ‘slump’ of the 1960s had nonetheless produced enduring in-house Teddy Boy rock and roll bands such as Crazy Cavan and the Rhythm Rockers, Flying Saucers, Matchbox and the Riot Rockers. These are seen by Ferris and Lord<sup>59</sup> as having contributed, along with the re-release of two classics, Bill Hayley’s ‘Rock around the Clock’ and Buddy Holly’s ‘Peggy Sue’, the well-timed comeback of a slimmed-down Elvis, the release in 1971 of George Lucas’ film *American Graffiti* and, perhaps most influential of all, the big 1972 Wembley rock and roll revival concert,<sup>60</sup> to a reversal of the decline and a renewed—albeit manifestly commercially-driven—interest in the popular music and styles of the 1950s.

Juvenile violence, increasingly drug-related, during the 1970s was even more prevalent than it had been in the 1950s and 1960s, thanks partly to the proliferation of new subcultures. The principal enemies of the Teds were the Skinheads, the Perry Boys,<sup>61</sup> the Soul Boys<sup>62</sup> and the new Punk Rockers,<sup>63</sup> whose shabby imitation and deliberate downgrading of Teddy Boy clothes led to violent confrontations in which the punks, usually younger teenagers, came off worst.<sup>64</sup>

The Teddy Boy movement was beginning to have its own internal tensions. Instrumental in the revival of interest in the 1950s were recently-formed pop groups such as the Rubettes (formed 1973) and Mud (formed 1966) and the eight-piece Leicester-based Shawaddywaddy (formed 1973), who produced, in addition to original music, glam-rock-influenced covers of rock and roll classics. These very successful bands dressed in a very showy version of Teddy Boy clothing, and their

<sup>58</sup> Brian Lewis Stuart, aged 71, interviewed by Ray FERRIS & Julian LORD, *op. cit.*, p. 94.

<sup>59</sup> Ray FERRIS & Julian LORD, *op. cit.*, pp. 57-58.

<sup>60</sup> Some 50,000 people, many dressed as Teddy Boys, were entertained by, among others, Bo Diddley, Bill Hayley, Little Richard, Jerry Lee Lewis and Chuck Berry.

<sup>61</sup> The Perry Boys, who claimed to be an offshoot of the Northern Soul scene, were, loosely, 1970s football casuals from Salford and Manchester. Their main focus of interest was their casual designer-label clothes and trainers.

<sup>62</sup> Northern soul, which reached its peak throughout the Midlands and the North of England in the late 1970s, covered music originally inspired by 1960s Motown music and combined soulful voices with flamboyant and athletic dancing. Inasmuch as it was a development of the 1960s Mod trend, it could only be seen as a natural enemy of the Teddy Boys.

<sup>63</sup> The expression *punk rock* is thought to have been the coinage of Ed Sanders, co-founder of the overtly trashy and provocative New York 1960s band *The Fugs*.

<sup>64</sup> Ray FERRIS, & Julian LORD, *op. cit.*, p. 75.

numerous young fans, who had no prior knowledge of the movement, were viewed with mistrust by many established Teds, who were apt to dismiss them as ‘*plastics*’, by which they meant uncommitted, unschooled part-timers. Ferris and Lord comment: ‘*A “plastic” or a “plastic Ted” is the worst thing one Ted can be called by another*’.<sup>65</sup> Nonetheless, this multitude of new rock and rollers served to keep the movement alive, albeit in a modified form: tattoos were much in evidence, hair was longer, quiffs exaggerated, bootlace ties, often worn round the neck inside the coloured and/or printed-pattern shirt, whose collar was turned up, were as common as Slim Jim ties, while brothel creepers, often of suede or with a lacquer finish of all colours, had crêpe soles that were as much as two inches thick. Drape jackets and waistcoats were still the principal garments, but came in practically any colour, the gaudier the better.<sup>66</sup>

A view of what the Teddy Boy movement had become towards the end of the decade can be seen in Curtis Clark’s 1979 documentary *Blue Suede Shoes*, a film of the International Weekend Hop, held at Caister holiday camp, Great Yarmouth.<sup>67</sup> This remarkable document, from which older Teds are practically absent, reveals the extent to which the fast rockabilly style of music, accompanied by Confederate flags and, on the part of the singers, adopted drawling American accents, had overtaken the original ‘made-in-Great Britain’ feel of the 1950s protagonists. Gone is the studied elegance of the original Teddy Boys: the atmosphere is rough and raucous, and the bands, with the exception of the immaculately dressed Bill Hayley and the Comets, go out of their way to encourage rowdy and exuberant audience participation. The growing presence and influence of the rockabillies<sup>68</sup> and their offshoot the hepcats<sup>69</sup> left the Teds at best unimpressed and at worst disgusted. Things were getting out of hand: those who had been the original rebels now saw themselves cast in the role of upholders of tradition: ‘*During the seventies, the great style of the early New Edwardians had become so bastardised and distorted that, with hindsight, this breakaway movement was bound to happen. There were simply*

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<sup>65</sup> *Ibid.*, p. 61.

<sup>66</sup> *The Teds* by Chris STEELE-PERKINS and Richard SMITH (Stockport: Dewi Lewis, 2002) contains many photographs illustrating the untamed look of the 1970s Teds and their girls.

<sup>67</sup> [https://www.youtube.com/watch?v=ni\\_6QfBIXnI](https://www.youtube.com/watch?v=ni_6QfBIXnI). The film includes footage of Bill Hayley and the Comets; Ray Campi and his Rockabilly Rebels; Matchbox; Freddie Fingers Lee; Flying Saucers and Crazy Cavan and the Rhythm Rockers.

<sup>68</sup> Rockabilly music, the name being a blend of *rock* and *hillbilly*, and synonymous with Memphis country rock, differing from the Bill Hayley-style Northern band Rock and roll, by its looser rhythm and the absence of saxophones or any chorus singing, first emerged as one of the five distinctive styles of rock and roll during the years 1954-56. Thanks to the entrepreneurial skills of Sam Phillips, owner of the Sun label in Memphis, rockabilly exponents like Elvis Presley, Carl Perkins, Roy Orbison, Jerry Lee Lewis and Conway Twitty went on to gain enormous popularity, practically taking the market out of the hands of the original black singers (Gillett, 1983: 26-30). Its wholly American image was what appealed to the British rockabillies of the 1970s.

<sup>69</sup> The name *hepcats* appears to originate from the 1930s American jazz scene, a hepcat being a jazz fan, in-the-know (i.e. *hep*) about the emerging subculture and likely to use drugs. Otherwise, etymology is obscure. The movement is, in any case, closely related to rockabilly and hot-rod subculture.

*too few original Teds left to educate the seventies generation into the ways of the true style of the early new Edwardians*.<sup>70</sup>

Clearly, the Teds were in a quandary: should the movement be allowed to evolve freely, in ways influenced and even dictated by external forces such as the fashion and music industries, a development which could hardly be considered ‘natural’? If so, should they allow themselves to be carried along with it? Or, should what had become the older generation reassert its accumulated wisdom and its authority by refusing the changes? There was an obvious risk of its becoming an isolated and ageing group of antiquarians, the quaint monuments to bygone days within an evolving movement. What was in question was whether being a Teddy Boy was simply a leisure activity and a form of entertainment open to all-comers, a look, a posture and a way of consuming, or whether there was, beneath the drape, a heart that beat in a special way, and behind the quiff a particular way of thinking that transcended and resisted all socio-economic vicissitudes. The inescapable fact was that, by 1980, Teddy Boys had existed in one form or another, for thirty years: a very long time for a mere fashion. One constant was the tendency to violence. Many 1970s Teds had done time in detention centres and borstals for violence, damage to property and rioting, one notable example of which was an evening gig in 1977 at the Astoria Ballroom in Leeds during which around 500 Teds, who had come from all over the North, felt that they were being made fun of by the band. A general brawl broke out, resulting in multiple arrests and injuries. Interesting, from the point of view of Teddy Boy identity and the right to bear the title, is the comment: ‘*many Teds still bear the scars from police-dog bites to prove they were there*’,<sup>71</sup> a point to which we shall return in the conclusion. This violent outburst may be seen as a spontaneous re-assertion of original Teddy Boy values and the determination of a considerable number of hardliners to resist any attempt to make light of their otherness. Notice again that theirs was not a ‘social statement’. It was action.

### ***‘The Teds are a legend, a legend in our times’***<sup>72</sup>

During the 1980s, the feeling that infiltration of the movement by hepcats, plastics, part-timers and even glue-sniffing punk rockers led many more traditionally-oriented Teds to ‘hang up their brothel-creepers’, and abandon a scene which was turning into a gaudy parody of itself. At the same time, an all-pervading rap-inspired street culture and increased circulation of drugs among teenagers seemed to be hastening the twilight of the Teds, who, to make matters worse, were now confronted with a new kind of interloper, the *jive bunnies*,<sup>73</sup> intrinsically harmless, but fundamentally ‘square’ weekend rock and roll fans, who came to clubs to jive, ‘*some of whom dress up in garish Ted drapes and circle skirts that look as if they were bought from fancy dress shops*’.<sup>74</sup> Though this influx, as did earlier ones, arguably kept the demand for rock and roll clubs going, it was not in any way what

<sup>70</sup> Ray FERRIS & Julian LORD, *op. cit.*, pp. 71-72.

<sup>71</sup> *Ibid.*, p. 79.

<sup>72</sup> Brian Lewis Stuart, aged 71, interviewed in *ibid.*, p. 94.

<sup>73</sup> The name *jive bunnies* comes from the early 1990s series of compilations *Jive Bunny and the Mastermixers*.

<sup>74</sup> Ray FERRIS & Julian LORD, *op. cit.*, p. 85.

the Teds welcomed. The future was again looking bleak. Paradoxically, given the increasingly conservative outlook of the relatively few remaining diehards, it was state-of-the-art technology that was to be their salvation.

The internet was the means by which active and former Teds could get in touch with each other. The organising of reunions and weekenders, such as the bi-annual *Ted Do* and *Valentine Rockin' Weekend*<sup>75</sup> had become less laborious, which facilitated national coverage of what had previously been local pockets of support, focused on pubs such as The Northern (Bradford), The Railway (Stockport) and The Midland Hotel (Didsbury). This development, in the view of Ferris and Lord, 'continued to help reaffirm the Teddy Boy foundations as a coherent movement and lifestyle'.<sup>76</sup> Elaborate and well-researched websites, such as the Edwardian Teddy Boy<sup>77</sup>, subtitled 'The home and premier site of the British Teddy Boy' along with Ray Ferris and Julian Lord's book, significantly entitled *Teddy Boys: A Concise History*, to which this study is greatly indebted, have, over the last decade, stimulated interest, this time from an overtly diachronic perspective, in a second Teddy Boy revival. The proposed return to Edwardian roots runs the obvious risk of creating among today's Teds a schism between on the one hand purists who advocate a renaissance of the crisp and (relatively) sober splendour of the Teddy Boys of the early 1950s,<sup>78</sup> and, on the other hand, a more liberal faction, who reject what they see as incipient elitism, claiming that anyone who enjoys rock and roll has a right to interpret the Teddy Boy legacy in a way that suits them. Ferris and Lord are keenly and sadly aware of the dangers of internal conflict. While unambiguously venerating 'these older originals [who] look superb with their greying or pure-white hair (or even bald heads!) and always turn up immaculately dressed in razor-sharp Edwardian suits. They are a credit to the movement',<sup>79</sup> they appreciate the right to enter the movement of younger people in search of an alternative to 'an endlessly repeating, worldwide monoculture', pointing out the underlying similarity between some teenagers and traditional Teds who, from different standpoints and perhaps for different reasons, nonetheless deplore the social situation in Britain today. As they stand, Teddy Boy weekend events<sup>80</sup> are open to all and consist essentially of concerts, provided by a progression of a dozen or so bands,<sup>81</sup> 1950s records, possibly with talent spots and best-dressed Ted and dancing competitions and stalls

<sup>75</sup> Organised by 1970s Teddy Boy Stuart 'Rockin' Stu' Hardy.

<sup>76</sup> Ray FERRIS & Julian LORD, *op. cit.*, p. 86.

<sup>77</sup> <http://www.edwardianteddyboy.com>, piloted by 1970s Teddy Boy John 'Nidge' van Rheede Toas.

<sup>78</sup> The initiative for the return to the original style is credited, on the Edwardian Teddy Boy website, to a young Ted in the 1980s called Paul Culshaw of Aldershot. In 1992, The Edwardian Drape Society (T.E.D.S.) was founded, with the aim of re-establishing the original 1950s style.

<sup>79</sup> Ray FERRIS & Julian LORD, *op. cit.*, p. 87.

<sup>80</sup> An interesting documentary film of the Brean Sands holiday camp Teddy Boy 2010 weekend entitled 'Oh, Sweet Mystery of Rock' can be seen on Youtube: <https://www.youtube.com/watch?v=DRT61XYyKc4>.

<sup>81</sup> By way of illustration, the bands booked to play at the 2014 Valentine Rockin' Weekend are: Lucas and the Dynamos; Metrotones; Bopcats; Downtown Daddys; Fantoms; Wildcatz; Sharptones; Doggone Daddys; Neutronz; Hi-Aces; Vincent and the Invaders; Pick Ups; TBA.

selling mostly vintage clothing, a hairdresser<sup>82</sup> and a tattoo-artist. There is plenty of laughter, embracing, beer-drinking and happy exchange between Teds (and Teddy Girls), vying with each other for smartness and/or extravagance. A special welcome is given to Teds who have come specially from abroad: among the so called Euro-Teds attending the *Ted Do* of September 2013 were (mainly young) people from Germany, France, Spain, Holland, Norway and Finland, and others from Japan and the US. The overall atmosphere was noisy and friendly, without any outward manifestations of tension or violence. The sheer spectacle of around a thousand Edwardians, rockers, 1970s Teds and Teddy Girls and young Teddy Boys, the youngest of whom was aged 8, all enjoying themselves in their own way, was an unforgettable experience.<sup>83</sup>

### *Conclusion*

The view emerging from Ferris and Lord's very informative in-house book, the 2010 founding of the Manchester Peacock Society and websites such as [edwardianteddyboy.com](http://edwardianteddyboy.com) is largely that of a celebration of the Teddy Boy subculture. The question of violence is not at all played down. However, the movement is proposed as an important and unique contribution to 20<sup>th</sup> century popular culture by virtue of its originality, its British-ness, its resilience to change, its freedom from drug abuse and perhaps, most importantly of all, its determination to defeat all its enemies in the ongoing struggle to preserve its identity. The question is: how can that identity be precisely defined? Ferris and Lord point out that '*being a Teddy Boy is not about music, hairstyles, clothes or dancing. It is about "being". Such things, although not unimportant, are merely the external facets reflecting an internal state of mind*',<sup>84</sup> thereby disassociating Teds from the opportunism of the spivs and from what they refer to as '*later fashion fads and crazes*'.<sup>85</sup> The wish to '*appear to be outside the norms of the socially accepted values*'<sup>86</sup> in terms of dress is still evident today. The claim, when applied to the lifestyle of middle-aged Teds who have settled down, raised families and worked steadily all their adult lives is less convincing to an outside observer. What can safely be said is that their leisure time is largely taken up with perpetuating a show of defiance which also provides entertainment and the camaraderie of like-minded people. The nearest thing to a Teddy Boy credo comes in the following form:

*To [Teddy Boys], well-rounded males do not do drugs, they settle their differences one-to-one, are clean and smart and will do their duty if called upon to pay the ultimate sacrifice by their country. They will, however show no fear in doing their own thing, living life the*

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<sup>82</sup> Among the hairstyles favoured by the Teds: the Tony Curtis; the Flat Top; the Elephant's Trunk; the Slick Back; the Pompadour; the Jelly Roll; the Executive Contour; the Flop, and for the neck: the Boston; the D.A.; the Taper.

<sup>83</sup> The author of this study was present.

<sup>84</sup> Ray FERRIS & Julian LORD, *op. cit.*, pp. 5-6.

<sup>85</sup> *Ibid.*, p. 5.

<sup>86</sup> *Ibid.*, p. 19.

*way they choose to, and if society and its laws prevent these freedoms,  
then the law and society is an ass.*<sup>87</sup>

This unremarkably British stance, which juxtaposes smartness, self-reliance, male posturing, patriotic feeling and disrespect for authority, is reminiscent of the mindset of young men doing National Service, two years of which, let us remember, were the lot of the vast majority of 1950s and early 1960s youths, either prior to, during, or following their time as Teddy Boys. The allusion to patriotism, coupled with these authors' repeated use of military terminology throughout their book, particularly when describing encounters with adversaries,<sup>88</sup> suggests that the mainspring of the original Teddy Boy subculture may have been a distorted mirror image of National Service, a fairground or carnival atmosphere, from which rank and hierarchy were banished.<sup>89</sup> Uniformity was parodied by the drape, while the military-style virtues of comradeship, devotion to duty, physical courage, self-discipline, cleanliness and smartness were preserved, coupled with the conscript's lip-service to authority and his elaborate, institutionalised system of skives, scams and dodges.<sup>90</sup> This mindset appears still to be active today. Meanwhile, although it is not actually stated, one suspects that the fact of having participated in battles with the police or other youth groups, including rival Ted gangs, is an important part of being a true Teddy Boy. Ferris and Lord are dismissive of those who claim to have taken part in certain known encounters, when their age in fact prohibits it, whereas the fact of some Teds still bearing the scars from the Astoria Ballroom fight is seen

<sup>87</sup> *Ibid.*, p. 36.

<sup>88</sup> There are several references to *recruits and recruitment* (e.g. p. 59 & p. 87); Rockers are said to be 'like their Ted brothers in arms' (p. 39); 'plastics' are regarded as 'traitors to the cause' (p. 61); faced with the punk rockers 'Teds [...] felt duty bound to defend the honour of the drape, and the war was on' (p. 75); the account of the 1982 battle with the Perry Boys outside the Lakes Hotel in Manchester has it: 'The Teds, around thirty strong, went outside, formed ranks and waited [...]. A general melee of hand-to-hand fighting [...]. The Perry Boys got completely battered and were eventually totally routed. This revealing and entertaining passage, including its description of the conspicuous bravery of one particular Ted (not quoted here) could almost have been lifted from War Diaries or eye-witness accounts of front line combat.

<sup>89</sup> The larger-than-life, controversial, publicity-seeking Welsh-born Ron 'Sunglasses' Staples-Fahey, 1944-1997, appointed himself 'King of the Teds'. His funeral at Edmonton Crematorium was attended by between 500 and 1,000 mourners and given press and television coverage. This is apparently a rare claim to national leadership of the Teddy Boy movement. One *in memoriam* comment made on the Edwardian Teddy Boy website is 'the fact that he contributed himself was in itself a good advertisement for the fun and friendliness of the Teddy Boy and Rock 'n' Roll scene. He was a benign ambassador for all that was best in the music and its fans. He had no successor and it is inconceivable to think that there will ever really be one' (<http://www.edwardianteddyboy.com/page35.htm>). *The Teds* (*op. cit.*) contains a good photograph of him in characteristic pose. Interestingly, Donald THOMAS (*op. cit.*, p. 231) mentions a twenty-five-year-old self-styled 'King of the Teddy Boys' in the 1950s. This previously convicted man, known as 'Mad Charlie' was sentenced to six months imprisonment in September 1956 for assaulting a police inspector.

<sup>90</sup> This view is somewhat countered by that of ex-rifleman George Savage, 1<sup>st</sup> Bn. Royal Ulster Rifles, who was clearly a Teddy Boy prior to, but not following his period of National Service: 'I have sometimes wondered how different I'd have been without the discipline of National Service. I mean, what did a Teddy Boy graduate to?' (Trevor ROYLE, *op. cit.*, p. 244.)

as a mark of distinction (see above, section five). In short, one senses something of the atmosphere of an old comrades' association, born of the Teddy Boys' readiness to defend, first a neighbourhood, and later a social space. The military undertones suggest that the emergence of the Teds in the 1950s was principally and specifically an—albeit unconscious—answer to the reflected glory of two world wars and, in particular, Britain's atypical recourse to conscription, being only marginally a reaction to the other conditions of the post-war period described in section one above. It is perhaps not a coincidence that the last conscript was demobbed in 1963, around the time when the original Teddy Boys' numbers were dwindling in the face of the decidedly more female-oriented fashions of the new decade. Young working class youths of the 1950s, who had been or who were about to be trained in the use of weapons in the brutalising, oppressive, uninspiring, all-male atmosphere of National Service, had something to rebel against and parody, and they had the money to do it. Perhaps National Service simply summed up all that was wrong with Britain at the time.

The violent facet of the Teds' way of life appears to be dormant at present, despite having peaked again in the 1970s, with the result that they do resemble the proverbial 'rebels without a cause' whose principal concern is the preservation of their right to be what they are in an increasingly standardised and monitored world (cf. the mass-market culture outlined in section one above). The knowledge that '*all the old gang rivalries of the past between the various factions and even between individuals of the movement have long since disappeared and most Teds are on very good terms with each other today*'<sup>91</sup> is cosily reassuring. However, if the potential for violent defence should disappear, amid the current vogue of environmental friendliness and political correctness, then an integral, if not to say a vital, part of the Teddy Boys' identity will have been lost. There is the risk, in the event of hostility from new rival movements, once the authentic, hardened veterans of street-fighting and reformatories mellow into old age, that the loose outer shell of enthusiasts and wannabes will not be in a position to fight for their cause or have any taste for doing so.<sup>92</sup>

Outside observers who might be tempted to compare today's Teddy Boys with, for example, Morris dancers or re-enactors should be reminded that whereas the latter two groups are temporarily *shedding* or *disguising* their true identities by dressing up and staging performances outside their own experience, authentic Teddy Boys would undoubtedly claim to be *maintaining* and *proclaiming* their identity by continuing to look and behave as they have always done. Today's Teds can hardly be considered seditious or menacingly deviant as a group, nor would such labels as *cranks*, *play-actors* or *weirdoes* be at all appropriate. The labels first applied to them by the popular press of the 1950s, chronologically: *Edwardians*, *Teddy Boys*, *Teds*, were welcomed and quickly became titles to be borne with pride, a process similar to that of the surviving soldiers of the Old Army proudly calling themselves *Old*

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<sup>91</sup> Ray FERRIS & Julian LORD, *op. cit.*, pp. 84-85.

<sup>92</sup> Ferris and Lord are silent on the question of possible conflict with authority or rival groups today.

*Contemptibles* during the Great War.<sup>93</sup> One explanation for the Teds' durability is the inherent charm of their label-title; another is their uncompromising fidelity to a past anterior to their own lives, which gives them a timelessness denied to such groups as Mods, Skinheads, Perry Boys and Punks, each of which is associated with the time of its own particular adolescence. Yet another is the pride they take in having been the (unwitting?) vectors of social change by breaking out of the working class mould, through their deliberate short-circuiting of class-bound sartorial conventions, not through words but through action. Deviant in the 1950s perhaps, they are not seen as such today precisely because, partly thanks to their initiative, not only was the 1960s extravaganza<sup>94</sup> and subsequent teenage trends made possible, but also British society has become more tolerant than its predecessors of diversity and perhaps less smugly content to perceive itself in terms of a mythical mainstream surrounded and threatened by labelled minorities. We have practically reached the point now where it is considered deviant to be intolerant of deviance.

As correctly observed by Robert Cross,<sup>95</sup> the swaggering, dancing, preened male body has always been central to the Teddy Boy phenomenon, the body being the vehicle of ostentation and provocation, the focus of identification, admiration, prejudice, comment or derision from without, the target of physical attack and finally, the means of defence. The truculent, and despite all, endearing pride of the early Teds is still very much in evidence, arguably more so today, with the current back-to-basics trend, than during the highly Americanised, exaggerated costume period of the 1970s. Whatever the changes in fashion and whatever the socio-economic conditions of the 21<sup>st</sup> century, provided the movement is able to continue to recruit (to borrow the military term) young hardliners in sufficient numbers who are prepared to perpetuate *and defend* its traditions, then there is no reason why the peculiarly British cocktail of rebellion and conservatism, of exuberance and poise and of nostalgia and pugnacity that has always been the essence of the Teddy Boy movement should not have a bright and fulfilling future.

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<sup>93</sup> Cf. the often unflattering nicknames of British Army regiments, adopted and proudly upheld, e.g. *The Cherubims* (The 11<sup>th</sup> Hussars); *The Dirty Half Hundred* (The Queen's Own Royal West Kent Regiment); *The Devil's Own* (The Connaught Rangers). For a complete list, see Edward FRASER & John GIBBONS, *Soldier and Sailor Words and Phrases*, London: George Routledge and Sons, 1925, pp. 170-209.

<sup>94</sup> One of the fullest and most penetrating accounts of youth in the 1960s is that of Christopher BOOKER, *The Neophiliacs: The Revolution in English Life in the Fifties and Sixties*, London: Pimlico, 1992 (1969).

<sup>95</sup> Robert CROSS, 'The Teddy Boy as Scapegoat', *Doshisha Studies in Language and Culture* vol. 1, n° 2, 1998, p. 275.



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# ***‘The Trouble with Young People These Days’: ‘Deviant’ Youth, the Popular Press and Politics in Contemporary Britain***

**Sarah PICKARD**

*Université Sorbonne Nouvelle*

*1,000 pupils caught with deadly weapons in three years: 80 were at primary school—including an eight-year-old with a knife; Pupils charged for carrying weapons such as stun guns, razors and axes; Figures show the problem is not confined to urban centres.<sup>1</sup>*

*Latest figures from the Crime Survey for England and Wales (CSEW) estimate there were 7.5 million crimes against households and resident adults in the previous twelve months, based on interviews with a nationally representative sample in the year ending December 2013.*

*This was down 15% compared with the previous year’s survey, and is the lowest estimate since the survey began in 1981. The reduction of crime measured by the CSEW was driven by decreases in a range of offence groups, including: other household theft (down 25%); violence (down 22%); and vandalism (down 15%).<sup>2</sup>*

## ***Introduction***

Successive generations of young people have been considered a problem since at least the 19<sup>th</sup> century, as shown by Geoffrey Pearson.<sup>3</sup> Certain young individuals or groups of young people who do not conform to societal norms have frequently

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<sup>1</sup> Laura CLARKE, ‘1,000 Pupils Caught with Deadly Weapons in Three Years’, *Daily Mail*, 22 April 2014.

<sup>2</sup> OFFICE FOR NATIONAL STATISTICS (ONS), *Crime Survey for England and Wales (CSEW) 2013*, Home Office, 2014, <http://www.crimesurvey.co.uk>.

<sup>3</sup> Geoffrey PEARSON, *Hooligan: A History of Respectable Fears*, Basingstoke: Palgrave Macmillan, 1983. See also Elizabeth BURNEY, *Making People Behave: Anti-Social Behaviour, Politics and Policy*, Cullompton: Willan, 2009; Sarah PICKARD, *Anti-Social Behaviour in Britain: Victorian and Contemporary Perspectives*, Basingstoke: Palgrave Macmillan, 2014.

been labelled as deviant by the media and politicians. This is especially the case in relation to juvenile delinquents and young criminals. At the same time, post-war Britain has known successive ‘deviant’ youth sub-cultures, which have all been associated with specific types of music. For example, Teddy Boys in the 1950s,<sup>4</sup> Mods and Rockers in the early 1960s,<sup>5</sup> Skinheads in the late 1960s,<sup>6</sup> Punks in the late 1970s,<sup>7</sup> Goths and Rappers in the 1980s and Ravers in the 1990s.<sup>8</sup> Media portrayals have always exaggerated the popularity and danger of these subcultures, engendering anxiety and fear amongst the public. Yet until the 1990s, governments tended not to react and did little to attempt to control the behaviour of youth sub-cultures. However, the heavily mediated use of the drug ecstasy in rave culture provoked much anxiety in the 1990s,<sup>9</sup> leading to ‘draconian legislation to regulate raves’,<sup>10</sup> including the Criminal Justice and Public Order Act 1994. At the same time, 1993 is widely acknowledged to have marked the beginning of the ‘punitive turn’ in British penal policy following the murder of the toddler James Bulger by two ten-year-old boys when Prime Minister John Major declared that society should ‘condemn a little more and understand a little less’.<sup>11</sup> Parallel to fears around youth subcultures and enduring fears about juvenile delinquency,<sup>12</sup> new sociological concerns emerged regarding the condition of youth associated with problems such as homelessness, unemployment and drug taking.<sup>13</sup>

In the 21<sup>st</sup> century, young people feature prominently in the British tabloid press and they are often portrayed as Yobs, Thugs, knife-carrying Gang Members, Hoodies, Chavs, work-shy NEETs (Not In Education, Employment or Training), Binge Drinkers, illegal and recreational Drug Users, Teenage Parents<sup>14</sup>, potential

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<sup>4</sup> See Clifford WILLIAMSON and Henry DANIELS, this volume.

<sup>5</sup> Stanley COHEN, *Folk Devils and Moral Panics: The Creation of the Mods and the Rockers*, London: MacGibbon & Kee, 1972.

<sup>6</sup> John CLARKE, ‘The Skinheads and the Magical Recovery of Community’, in Stuart HALL & Tony JEFFERSON, *Resistance through Rituals: Youth Subcultures in Post-War Britain*, London: Routledge, 1976, pp. 99-102.

<sup>7</sup> Dick HEBDIGE, *The Meaning of Style*, London: Methuen, 1979.

<sup>8</sup> Sarah THORNTON, ‘Moral Panic, the Media and British Rave Culture’, in Andrew ROSS & Tricia ROSE (eds), *Microphone Friends: Youth Music and Youth Culture*, New York and London: Routledge, 1994, pp. 176-92.

<sup>9</sup> Chas CRITCHER, *Moral Panics and the Media*, Milton Keynes: Open University Press, 2003.

<sup>10</sup> Roy SHUKER, *Popular Music: The Key Concepts*, London: Routledge, 2005, p. 223.

<sup>11</sup> Emma BELL, ‘Understand a Little More, Condemn a Little Less: The Beginning of a New Era for Youth Justice in the UK?’, in Sarah PICKARD, Corinne NATIVEL & Fabienne PORTIER (eds.), *Les politiques de jeunesse au Royaume-Uni et en France: désaffection, répression et accompagnement à la citoyenneté*, Paris: Presses de la Sorbonne Nouvelle (PSN), 2012, p. 111.

<sup>12</sup> Stuart HALL, Chas CRITCHER, Tony JEFFERSON, John CLARKE & Brian ROBERTS, *Policing the Crisis: Mugging, the State and Law and Order*, Basingstoke: Palgrave Macmillan, 1978; John MUNCIE, *Youth and Crime*, London: Sage, 2009.

<sup>13</sup> Ian TAYLOR, Paul WALTON & Jock YOUNG, *The New Criminology*, London: Routledge and Kegan Paul, 1973; John DAVIS, *Youth and the Condition of Britain*, London: Athlone, 1990.

<sup>14</sup> See Fabienne PORTIER-LE COQ, this volume.

Terrorists and, since summer 2011, Looters and Rioters<sup>15</sup>. It is striking that these are all negative labels associated with social phenomena,<sup>16</sup> which give the alarming impression that contemporary young people all seem to be anti-social, dangerous and lacking a moral compass: in other words, they are deviant.

In this article, I explore the negative labelling of young people in contemporary Britain, analysing the role of tabloid headlines and articles, official statistics, political discourse and legislation in such labelling processes. The article first examines the roles played by the tabloid press and politicians in the labelling of young people and some of the consequences. It then looks at further outcomes for young people who are labelled deviant, notably their marginalisation and othering.

### *The labellers: the popular press and politicians*

*'Murder in class—Kids offered counselling as cops quiz "loner" pupil after teacher, 61, knifed in neck'.<sup>17</sup>*

Deviancy is the nonconformity to social norms or expectations of society; thus the deviant is someone who violates societal norms or who does not follow societal moral standards. But, as the American sociologist Howard Becker famously explained, no type of behaviour is in itself deviant—such labelling is the result of the judgement of one particular group on the behaviour of another group or individual:

*Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender'. The deviant is one to whom that label has successfully been applied, deviant behaviour is behaviour that people so label.<sup>18</sup>*

In other words, deviance is a social construct within a social context. Perceptions of deviancy change within a society over time, from one location to another, from one group to another. Hence, what is deemed deviant is highly subjective and open to interpretation; something that is normal, acceptable and agreeable to one group of people, may be construed as deviant, unacceptable, anti-social to another group of people.<sup>19</sup> Within this plurality of values and moral standards, generally those which prevail are the values of the powerful: the moral

<sup>15</sup> See Monia O'BRIEN CASTRO, this volume.

<sup>16</sup> See Sarah PICKARD, *Phénomènes sociaux en Grande-Bretagne aujourd'hui*, Paris: Ellipses, coll. 'Essentiels de civilisation', 2009.

<sup>17</sup> Paul SIMS, Andrew CHAMBERLAIN & Paul KEAVENY, 'Murder in Class', *Sun*, 29 April 2014.

<sup>18</sup> Howard BECKER, *Outsiders: Studies in the Sociology of Deviance*, New York: Free Press, 1963, p. 9.

<sup>19</sup> See Andrew MILLIE, *Anti-social Behaviour*, Maidenhead: Open University Press, 2009.

entrepreneurs.<sup>20</sup> In this way, the more powerful enjoy the ability to make their views count and they seek to impose their values on the less powerful; they also decide how to punish or educate deviants through social control. This unequal power relationship inevitably leads to the labelling of ‘deviant’ young people.

Two major labellers of ‘deviant’ young people in Britain over the decades have been the mass media and the political class.

### *Mass media and mass alarm*

*‘Baby faced tearaway given Asbo which bans him from going out without his parents after year-long reign of terror harassing vulnerable elderly and disabled people’.*<sup>21</sup>

The mass media play a significant role in informing the public about young people, youth groups and youth subcultures.<sup>22</sup> The national press in particular is a key agency<sup>23</sup> through the selection and types of articles published. However, the press transform information by translating events into language based on the newspaper’s assumption about its audience and their language.<sup>24</sup> In a bid to create ‘newsworthy’ articles and to maintain the ‘fear narrative’,<sup>25</sup> the popular press tend to exaggerate and sensationalise stories involving young people. Moreover, stories tend to focus on negative or pessimistic subjects involving teenage delinquency and violence, especially gang-related gun crime:

*Gun crime is particularly newsworthy, especially when it involves black gunmen with gang affiliations and innocent victims who are caught in crossfire. Column inches can also be filled focusing on extreme consequences of anti-social behaviour: in the UK several cases have been heavily profiled by the press where the victim has committed suicide.*<sup>26</sup>

The popular press are thus involved in the stereotyping and the negative labelling process of young people. John Muncie noted the following negative labels attributed to young people in the British press, during the first decade of the 21<sup>st</sup> century: ‘hoodies’, ‘boy racers’, ‘mini-moto riders’, ‘happy slappers’, ‘video-gamers’, ‘under-age binge drinkers’ and ‘feral jobs’.<sup>27</sup>

<sup>20</sup> Howard BECKER, *op. cit.*

<sup>21</sup> Dan BLOOM, ‘Baby Faced Tearaway Given Asbo’, *Daily Mail*, 21 March 2014.

<sup>22</sup> For a summary of the main critical studies of media representations of youth and crime see John MUNCIE, *op. cit.*, pp. 12-13.

<sup>23</sup> *Ibid.*, p. 9.

<sup>24</sup> Stuart HALL & Tony JEFFERSON, *Resistance through Rituals, op. cit.*, pp. 75-76.

<sup>25</sup> David ALTHEIDE, ‘Moral Panic: From Sociological Concept to Public Discourse’, *Crime, Media and Culture*, vol. 5, n° 1, pp.79-99.

<sup>26</sup> Andy FURLONG, *Youth Studies: An Introduction*, London: Routledge, 2013, p. 188.

<sup>27</sup> John MUNCIE, *op. cit.*, p. 9.

The two biggest selling national tabloid newspapers in Britain are *The Sun* and the *Daily Mail* with circulations of 2.04 million and 1.72 million respectively in February 2014.<sup>28</sup> They are the prime proponents of sensational stories about young people. The following recent article from the *Daily Mail* is a typical example; it describes in hyperbolic terms ‘the reign of terror’ of a ‘teenage crime wave’:

***Yob aged just 15 has been arrested 133 times and is already Merseyside’s fourth most prolific criminal ever  
Teenager, from the Wirral, has been convicted 28 times  
Just three other criminals in Merseyside have racked up more arrests  
Politician says more ‘special measures’ are needed to stop repeat offending***

*A 15-year-old boy has been arrested 133 times, making him one of Britain’s most prolific criminals. The teenage crime-wave committed all the offences close to his home on the Wirral, near Liverpool, and has so far been convicted a total of 28 times. [...] In September 2012 troublemaker Jordan Kemp Withey, then 13, was slapped with a two-year antisocial behaviour order that covers the whole of the Humberside Police area. Withey’s crimes started on Havenfield estate in Bridlington, East Yorkshire, but soon spread elsewhere. His reign of terror has included criminal damage, theft, trespassing and causing harassment, alarm and distress and began when he was just nine.<sup>29</sup>*

A study of all the online articles about British young people from 1 to 21 April 2014 in *The Sun* and the *Daily Mail* reveals a relentless negative narrative. During these three weeks, *The Sun* published 50 articles and the *Daily Mail* published 60 articles about young people (see Tables 3 and 4). Eight per cent of articles in *The Sun* could be deemed positive or optimistic—including one article about a young lottery winner and two articles about young cancer sufferers, one of whom was raising funds for a charity: ‘Incurable cancer teen’s bucket list to raise £1million for charity’ (*The Sun*, 14 April 2014).<sup>30</sup> Similarly, in the *Daily Mail*, eight per cent of articles could be construed as positive or optimistic—including the 27 year-old grandfather who is relieved that his daughter has become a child parent rather than a drug user: ‘“It could have been worse—she could have been doing drugs”: Father of new mother, 12, says he is proud after she and boyfriend, 13, become Britain’s youngest parents’ (*Daily Mail*, 16 April 2014).<sup>31</sup> In fact, all the ‘good news’ stories about young people in the *Daily Mail* contain references to deviant behaviour, for example, ‘Teenager earns £24,000 a year uploading YouTube videos of himself

<sup>28</sup> AUDIT BUREAU OF CIRCULATIONS (ABC), <http://www.abc.org.uk> [accessed 5 May 2014].

<sup>29</sup> Sam WEBB, ‘Yob Aged Just 15 Arrested 133 times’, *Daily Mail*, 7 April 2014.

<sup>30</sup> Fran WETZEL, ‘Incurable Cancer Teen’s Bucket List to Raise £1million for Charity’, *Sun*, 14 April 2014.

<sup>31</sup> Mark DUELL, John STEVENS & Leon WATSON, ‘“It Could Have Been Worse—She Could Have Been Doing Drugs”: Father of New Mother, 12, Says He Is Proud after She and Boyfriend, 13, Become Britain’s Youngest Parents’, *Daily Mail*, 16 April 2014.

*playing Grand Theft Auto (despite being too young to play it legally)*' (*Daily Mail*, 2 April 2014).<sup>32</sup>

The stories are overwhelmingly negative in their portrayal of young people or they portray them in negative circumstances. Young people are most frequently shown to be either the perpetrators or the victims of violence, including murder, sexual assault, bullying and suicide; they are also linked to excessive risky behaviour, for example, drug taking, binge drinking, underage sex (teenage pregnancy) and eating disorders. In all cases, the stories represent young people deviating from social norms. In this way, the tabloids label young people as deviant: they are violent Yobs and Thugs (the most common labels); they are anti-social; they get pregnant when still at primary school; they are unemployed; they take recreational drugs (especially 'Meow Meow', i.e. Mephedrone, an amphetamine); they binge drink; they have eating disorders; they are addicted to social media; they are members of gangs and they are religious extremists and potential terrorists fighting in Syria. All of these 'deviant' behaviours were mentioned in articles in *The Sun* and the *Daily Mail* during the first three weeks of April 2014.

Intriguingly, only two stories on young people during the period under scrutiny feature in both tabloids. This suggests that the hundred other stories about young people which only appeared in one of the two tabloids were not in reality significant news items. They were possibly only included to 'fill page space' or to criticize young people. The two stories common to *The Sun* and the *Daily Mail* both dealt with extreme cases of deviancy in line with the fear narrative. First, the twelve-year-old new mother who became pregnant by a 13-year-old boy when still attending primary school in Middlesbrough, North East England; their combined ages make them the youngest parents ever in England and the girl's father is an apparently proud 27-year-old. Second, a pair of brothers from Wolverhampton who were both given Anti-social Behaviour Orders (ASBOs) when they were younger, one of whom has just been to prison. In both cases, the journalists use normative, regulatory and moralising discourse towards the protagonists in the stories. There is nothing new in this: '*The media have long operated as agents of moral indignation in their own right*'.<sup>33</sup>

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<sup>32</sup> Victoria WOLLASTON, 'Teenager Earns £24,000 a Year Uploading YouTube Videos of Himself Playing Grand Theft Auto (Despite Being too Young to Play it Legally)', *Daily Mail*, 2 April 2014.

<sup>33</sup> Stanley COHEN, *op. cit.*, p. 16.



### *Demagogical and demonising politicians*

*The scourge of so many deprived communities are  
'young people with nothing to do [but] make life hell  
for other citizens'.*<sup>34</sup>

Both New Labour and the current Conservative-Liberal Democrat Coalition have attributed labels to young people that have largely echoed those of the popular press.

The governments of Tony Blair focussed on the social control of anti-social behaviour, which evolved into attempts to deal with 'deviant' young people via the introduction of a series of governmental mechanisms.<sup>35</sup> These included Anti-social Behaviour Orders (ASBOs)<sup>36</sup> and Parenting Orders<sup>37</sup> created by the Crime and Disorder Act 1998; Acceptable Behaviour Contracts (ABC),<sup>38</sup> Local Child Curfews Orders<sup>39</sup> and Child Safety Orders<sup>40</sup> introduced by the Criminal Justice and Police Act 2001; Fixed penalty notices<sup>41</sup> and Dispersal Orders<sup>42</sup> created by the Anti-social Behaviour Act 2003, as well as the 'Respect agenda' from 2005 until 2007 when Gordon Brown became Prime Minister.

Thus, New Labour reframed criminal justice policy, resulting in the bolstering of police targeting of young people labelled as deviant, the criminalisation of certain offences that were previously civil offences, and the strengthening of sentencing of young people. It also involved holding families criminally responsible for the offending behaviour of their children, which amounted to the '*policing of the family*'.<sup>43</sup> As a result, for Elizabeth Burney, '*families and upbringing have become the prism through which youthful wrongdoing is viewed, remedial action is largely*

<sup>34</sup> Tony Blair speaking on Aylesbury Estate, Southwark, London, 2 June 1997, quoted in Peter SQUIRES & Dawn STEPHEN, *Rougher Justice: Anti-Social Behaviour and Young People*, Cullompton: Willan, 2005, p. 6.

<sup>35</sup> See Andrew MILLIE, *op. cit.*; Peter SQUIRES (ed.), *ASBO Nation: The Criminalisation of Nuisance*, Bristol: The Policy Press, 2008; Sarah PICKARD (ed.), *Anti-Social Behaviour in Britain: Victorian and Contemporary Perspectives*, Basingstoke: Palgrave Macmillan, 2014, chapter 6.

<sup>36</sup> ASBOs are civil orders to prevent and control threatening or alarming behaviour such as littering, spitting and noise pollution for people over the age of ten. Breaching an ASBO can lead to five years in prison and a criminal record.

<sup>37</sup> Parenting Orders are specific conditions given to parent(s) of a child who has received an ASBO or been convicted of an offence in order to prevent reoffending.

<sup>38</sup> ABCs are given to someone deemed to be engaging in ASB before he or she is given an ASBO. It is a form of early intervention and is not legally binding.

<sup>39</sup> Local Child Curfews Orders can be given by local authorities to children over the age of ten to prevent ASB and protect minors.

<sup>40</sup> A Child Safety Order is an early intervention measure (a court disposal) to prevent children under the age of ten becoming involved in ASB.

<sup>41</sup> Fixed penalty notices permit the police, local authorities and schools to impose a fine on parents of children who do not attend school regularly.

<sup>42</sup> Dispersal Orders allow the police to disperse groups of two or more people engaging in ASB.

<sup>43</sup> Peter SQUIRES & Dawn STEPHEN, *op. cit.*, p. 5.

*aimed at these targets, even where there is no direct link with the children's delinquent behaviour*'.<sup>44</sup> This shift occurred within a context of growing emphasis by New Labour on 'rights and responsibilities'. Indeed, '*the notion of juvenile responsibility has underpinned many recent penal trends*'.<sup>45</sup>

As for the Conservative Party, when in opposition, Tory MPs repeatedly claimed that British society was a 'Broken society'. The term was used by Iain Duncan Smith in a report entitled *Breakdown Britain* (Social Justice Policy Group, 2006) for his think-tank the Centre for Social Justice (CSJ), throughout which he attributed numerous negative labels to children and young people, and used hyperbolic prose, such as: '*young adults are engaging in a new culture of intoxication*'.<sup>46</sup> The Conservative Party continued to use the term 'Broken society' once in government and to point the finger at 'deviant' young people. When reacting to the August 2011 riots in England, David Cameron declared he would tackle the '*broken society*', and the '*the slow-motion moral collapse that has taken place in parts of our country these past few generations*'.<sup>47</sup> He attributed this almost Durkheimian anomie<sup>48</sup> to a variety of factors: '*irresponsibility, selfishness, behaving as if your choices have no consequences, children without fathers, schools without discipline, reward without effort, crime without punishment, rights without responsibilities*',<sup>49</sup> and in particular '*gangs and gang culture—a major criminal disease that has infected streets and estates across our country*'. He also underlined the lack of responsibility among children, young people and their families:

*When we see children as young as 12 and 13 looting and laughing, when we see the disgusting sight of an injured young man with people pretending to help him while they are robbing him, it is clear that there are things that are badly wrong with our society. For me, the root cause of this mindless selfishness is the same thing I have spoken about for years. It is a complete lack of **responsibility** in parts of our society, people allowed to feel the world owes them something, that their rights outweigh their **responsibilities** and their actions do not have consequences.*<sup>50</sup>

Admission of such dire circumstances—a broken society symbolised by irresponsible and feral youth—when in government might reflect badly on the party or parties in power. However, as Stuart Waiton has pointed out, '*the extent of the problem of crime and behaviour is often pushed most vociferously by the*

<sup>44</sup> Elizabeth BURNEY, *op. cit.*, p. 47.

<sup>45</sup> Emma BELL, 2009, *op. cit.*, p. 113.

<sup>46</sup> SOCIAL JUSTICE POLICY GROUP, *Breakdown Britain: Interim Report on the State of the Nation*, Centre for Social Justice (CSJ), 2006, <http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20Exec%20summaries/Breakdown%20Britain.pdf> [accessed 5 May 2014], p. 41.

<sup>47</sup> David CAMERON, 'Downing Street Statement', 10 August 2011.

<sup>48</sup> Émile DURKHEIM, *Moral Education*, Glencoe, Illinois: Free Press, 1961 (1925).

<sup>49</sup> *BBC News*, 15 August 2011.

<sup>50</sup> David CAMERON, *loc. cit.*

*government itself*.<sup>51</sup> The negative labelling of young people by the government thus serves to justify demagogical social control. Indeed, Iain Duncan Smith, now Secretary of State for Work and Pensions, announced that young people convicted of involvement in the rioting could lose their welfare benefits, even if they were not jailed and could be evicted with the rest of their families from social housing.

The Labour and Conservative emphasis on individual responsibility is largely inspired by the writings of Charles Murray who played a significant role in attributing the ‘deviant’ label to young people. He argued, when Margaret Thatcher was Prime Minister, that responsibility for juvenile delinquency and criminality should lie with young people themselves and their families. For the American sociologist, those labelled ‘deviant’ should be held to account for their acts and held to blame.<sup>52</sup> For him, the growth of welfare dependency in Britain created a generation of young people at odds with their working-class origins and moral values. Thus, the new generation finds it morally acceptable to become single parents, with ‘alternative careers’ (such as drug dealing) in the informal economy: inferior and deviant moral values. In other words, it is a question of individual morality (or immorality), and the responsibility resides with the young person and his or her family. Thus, deviancy among young people is not the fault of the government, but of young people who should be held responsible, along with their families.

The term ‘responsibilisation’ was subsequently employed by David Garland<sup>53</sup> to refer to the process whereby governments, recognising that they have ‘*limited power to deliver protection against crime, promote action by other agencies, public and private, to carry out the task taken at their own level*’.<sup>54</sup> The promotion of personal and familial responsibility by politicians deflects governmental responsibility from the problems experienced by many young people—poverty, debt, unemployment, homelessness, etc.—which undoubtedly contribute to ‘deviant’ behaviour. It is easier for governments to blame and criminalise irresponsible and ‘deviant’ young people than take responsibility for their problems. It is also easier to ‘manage’ the deviant behaviour (that does not fit with the prevailing social norms), rather than deal with the structural problems that may cause such behaviour. Furthermore, as Owen Jones explains in his book *Chavs: The Demonization of the Working Class*, ‘*proclaiming that people are responsible for their situation makes it easier to oppose the social reforms that would otherwise be necessary to help them*’.<sup>55</sup> Another explanation is that when governments avoid the issue of structural problems, they maintain the established social order: ‘*The crux of state intervention is how best to manage the problem of disadvantaged groups (their presence and activities), rather than to eradicate disadvantage—for to eradicate it would require*

<sup>51</sup> Stuart WAITON, *The Politics of Antisocial Behaviour: Amoral Panics*, London: Routledge, 2008, p. 123.

<sup>52</sup> Charles MURRAY, *The Emerging British Underclass*, Choice in Welfare Series, n° 2, London: Institute of Economic Affairs, Health and Welfare Unit, 1990.

<sup>53</sup> David GARLAND, *The Culture of Control: Crime and Social Order in Contemporary Society*, Chicago: University of Chicago Press, 2001.

<sup>54</sup> Elizabeth BURNEY, *op. cit.*, p. 33.

<sup>55</sup> Owen JONES, *Chavs: The Demonization of the Working Class*, London & New York: Verso, 2011, p. 220.

*action to reverse the polarizations in wealth and income, to pit the state directly in opposition to dominant class interests*'.<sup>56</sup>

This trend towards the responsabilisation of youth and their families labelled deviant by politicians persists in 2014, according to Peter Squires: '*We can observe this individualised attribution of responsibility in the continuing evolution of anti-social behaviour management strategy in Britain*'.<sup>57</sup> It is evidenced by two policies from the Conservative-Liberal Democrat Coalition Government. First, the very controversial Troubled Families Programme (TFP),<sup>58</sup> which according to the government is aimed at turning around the lives of families who '*have problems and cause problems to the community around them, putting high costs on the public sector*'.<sup>59</sup> The discourse associated with the TFP clearly labels non-normative young people and their families whilst emphasising the cost to society of such deviancy. Second, the Anti-social Behaviour, Crime and Policing Act 2014, which allows a court to impose an injunction against a person aged 10 or over who has '*engaged or threatens to engage in ASB*' or '*to prevent*' someone from engaging in ASB.<sup>60</sup>

Thus, the popular press and politicians both label young people in Britain. The labels have created a skewed vision of the situation and have led to public policies in which welfare and punishment have become blended.<sup>61</sup> But the labelling of young people by powerful people also leads to other phenomena which merit examination.

### ***Deviancy amplification, stigmatization and demonization***

*'Up to 700 young British jihadists could be in Syria: Terror chief says authorities are powerless to stop young Muslims travelling to the country*'.<sup>62</sup>

The combined effect of tabloid reporting on '*deviant*' youth and the discourse of politicians is to exacerbate the initial '*problem of deviance*'. Responses to negative '*societal reaction*' (labelling) can lead to '*secondary deviance*',<sup>63</sup> whereby

<sup>56</sup> Rob WHITE, 'Young People, Crime and Justice', in Andy FURLONG (ed.), *Handbook of Youth and Young Adulthood*, London: Routledge, 2009, p. 445.

<sup>57</sup> Peter SQUIRES, 'Anti-Social Behaviour: Marginality, Intolerance and the "Usual Suspects"', in Sarah PICKARD, 2014, *op. cit.*, chapter 19.

<sup>58</sup> See Sue BOND-TAYLOR, 'The Politics of "Anti-Social" Behaviour within the "Troubled Families" Programme', in Sarah PICKARD, 2014, *op. cit.*, chapter 10.

<sup>59</sup> <https://www.gov.uk/government/policies/helping-troubled-families-turn-their-lives-around> [accessed 12 May 2014].

<sup>60</sup> Anti-social Behaviour, Crime and Policing Act 2014, Part 1: Injunctions, 1, [http://www.legislation.gov.uk/ukpga/2014/12/pdfs/ukpga\\_20140012\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/12/pdfs/ukpga_20140012_en.pdf) [accessed 5 May 2014].

<sup>61</sup> Elizabeth BURNEY, *op. cit.*, p. 47.

<sup>62</sup> Chris GREENWOOD, 'Up to 700 Young British Jihadists Could Be in Syria', *Daily Mail*, 24 April 2014.

<sup>63</sup> 'When a person begins to employ his deviant behaviour or a role based upon it as a means of defense, attack, or adjustment to the overt and covert problems created by the consequent societal reaction to him, his deviation is secondary. Objective evidences of this change will be found in the symbolic appurtenances of the new role, in clothes, speech, posture, and

which the ‘deviant’ comes to accept the external definition of deviance, encouraging him or her to be (more) deviant or defiant. For example, the headline ‘21 beers, 44 shots, 17 vodkas, 7 whiskies—in ONE night. The shocking proof students are drinking themselves to death’ (*Daily Mail*, 16 April 2014)<sup>64</sup> may actually encourage some students to drink more alcohol. Or the article headlined ‘Clubber pulls pants down and does “no 2” on dance floor’ (*The Sun*, 15 April 2014)<sup>65</sup> might encourage the perpetrator to repeat the act, as might ‘Serial culler. A teenager obsessed with killing animals proudly poses with a rifle to show off his latest prey’ (*The Sun*, 3 April 2014).<sup>66</sup> Thus, the self-image of the individual (the image he/she has of himself/herself) changes so that the self becomes consistent with the deviant label, leading to a greater degree of negative behaviour. Furthermore, the labelling of young people as feckless, irresponsible, selfish, violent and lazy, and their behaviour as problematic, worrying, risky, dangerous and threatening, may lead members of the group to remove themselves further from society and to reject societal norms. This social isolation or social exclusion can encourage the group to create and nurture its own specific subculture. In turn, society may consider the group to be a threat and exclude it further, thus creating a ‘spiral of deviancy’.<sup>67</sup>

The term ‘deviancy amplification’ was employed by Leslie Wilkins in the 1960s to describe how small acts of deviancy are reported in an exaggerated way and gain disproportionate significance in the media.<sup>68</sup> The labelling of deviants leads to a popular overreaction to deviant stereotypes. Jock Young, writing about drug users in *Images of Deviance* (1971), pointed out the effect of the media presenting consistently negative news about young people in terms of creating a ‘moral panic’:

*The media, then—in a sense—can create social problems, they can present them dramatically and overwhelmingly, and, most important, they can do it suddenly. The media can very quickly and effectively fan public indignation and engineer what one might call a ‘moral panic’ about a certain type of deviancy. Indeed because of the phenomenon of over-exposure—such a glut of information in a short time on one topic that it becomes uninteresting—there is institutionalized into the media the need to create moral panics and issues which will seize the imagination of the public.*<sup>69</sup>

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mannerisms, which in some cases heighten social visibility, and which in some cases serve as symbolic cues to professionalization’. (Edwin LEMERT, *Social Pathology: Systematic Approaches to the Study of Sociopathic Behavior*, New York: McGraw-Hill, 1951, p. 76.)

<sup>64</sup> Kathryn KNIGHT, ‘21 Beers, 44 Shots, 17 Vodkas, 7 Whiskies—in ONE Night: The Shocking Proof Students Are Drinking Themselves to Death’, *Daily Mail*, 16 April 2014.

<sup>65</sup> Karen MORRISON, ‘Clubber Pulls Pants Down and Does “No 2” on Dance Floor’, *Sun*, 15 April 2014.

<sup>66</sup> Ben ARCHIBALD & Kevin DUGUID, ‘Serial Culler: A Teenager Obsessed with Killing Animals Proudly Poses with a Rifle to Show Off His Latest Prey’, *Sun*, 3 April 2014.

<sup>67</sup> Jock YOUNG, *The Drugtakers: The Social Meaning of Drug Use*, London: Paladin, 1971.

<sup>68</sup> Leslie WILKINS, *Social Deviance: Social Policy, Action and Research*, London: Tavistock Publications, 1964.

<sup>69</sup> Jock YOUNG, *op. cit.*, 1971, p. 37.

The term ‘moral panic’ was created by Stanley Cohen in his 1971 PhD thesis on young people and deviance that became his classic study: *Folk Devils and Moral Panics: The Creation of the Mods and the Rockers*, in which he commented, ‘the media play on the normative concerns of the public and by thrusting certain moral directives into the universe of discourse, can create social problems suddenly and dramatically’.<sup>70</sup> First, the mass media give a distorted and exaggerated impression of the level of crime committed by young people, which gives rise to public concern for their personal safety and about the risk of being a victim of crime: a moral panic. This infers that there is something fundamentally wrong with the moral fabric of society due to the behaviour of young people. The young thus become defined as a moral threat to traditional societal values and interests. ‘Public consciousness is then aroused to identify other disorder problems, which in turn increases sensitivity to anything that might be seen in this category’.<sup>71</sup> Subsequently, related crime and other forms of crime and delinquency committed by young people are over-reported in the media and gain more importance than they would have otherwise gained. For example, in April 2014, one girl died after taking the legal high Meow Meow and on the following days there were more stories on young people and drugs than there would have been otherwise (see Tables 3 and 4). More drugs were probably not being consumed and more young people probably did not suffer from related health problems, but the initial episode led to similar issues being given more prominence in the media.<sup>72</sup> This also happens with knife crime.<sup>73</sup> For example, following the fatal stabbing of a schoolteacher on 28 April 2014, the tabloid coverage—both the language employed and the number of articles on similar incidents—made it look like there was an epidemic of knife crime, whereas it was the first fatal stabbing of a teacher on school premises for almost twenty years.<sup>74</sup>

Over-reporting keeps the specific issue high on the public agenda and people—voters—demand from local authorities, the police and politicians that something is done to deal with the problem. As a result, the police become more sensitive to the issue and notice more related crime, which leads to more arrests, reinforcing the idea that there is more crime. For example, dispersal powers<sup>75</sup> can increase police–youth antagonism, bring young people to police attention on the

<sup>70</sup> Stanley COHEN, *op. cit.*, p. 71.

<sup>71</sup> Elizabeth BURNEY, *op. cit.*, p. 11.

<sup>72</sup> ‘The relation between youth and illicit drugs, in fact, represents one of the most enduring moral panics of the post-war period’. (Bill OSGERBY, *Youth in Britain since 1945*, Oxford: Blackwell, 1998, p. 45.)

<sup>73</sup> See Sarah PICKARD, ‘Blade Britain and Broken Britain: Knife Crime Among Young People in Britain Today’, Jean-Philippe FONS (ed.), *Regards sur la jeunesse britannique, Revue Française de Civilisation Britannique*, vol. 15, n° 3, 2009, pp. 65-78.

<sup>74</sup> In 1995, Philip Lawrence, a head teacher was stabbed to death outside a school in Maida Vale, London, when he attempted to help a pupil who was being attacked.

<sup>75</sup> *Anti-social Behaviour, Crime and Policing Bill. Fact Sheet: Dispersal Powers*, 2013, p. 1, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/202891/Fact\\_sheet\\_Police\\_Powers.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/202891/Fact_sheet_Police_Powers.pdf) [accessed 5 May 2014]. Dispersal orders ‘give the police the power to disperse individuals or groups causing or likely to cause ASB in public places. Police officers and police community support officers (if designated the power by their chief constable) will be able to require a person to leave an area and not return for up to 48 hours. The power can be used in any public place and in common areas of private land with the landowner or occupier’s consent (such as shopping centres)’.

basis of the company they keep, render young people more vulnerable, and reinforce a perception of young people as *a risk* to others rather than as *at risk* themselves.<sup>76</sup> The state response is to introduce stricter forms of social control through tougher legislation. Thus since the 1960s, ‘*a sequence of moral panics about “depraved youth” has been a dominant and recurring feature of media representations of young people*’<sup>77</sup> and the political elite now overreact and are at the centre of promoting panics and issues associated with a loss of order.<sup>78</sup> This leads to the marginalisation, stigmatisation and ‘othering’ of young people.

Crime and delinquency are socially patterned: certain categories of young people are labelled and criminalised more than others due to their social circumstances.<sup>79</sup> First, labelling by the powerful popular press and politicians is primarily of working-class youth. In the 1970s, selective enforcement of the law and selective reporting in the media gave the impression that young criminals were largely working class.<sup>80</sup> This is still the case in the 21<sup>st</sup> century during which ‘*the approach of politicians and the media has been to encourage fear and loathing of working-class youth*’.<sup>81</sup> Political responses add to this othering of the working classes and, according to Owen Jones, ‘*it is difficult to deny that [ASBOs] have increased the bad reputation of young working-class kids and popularized the chav caricature*’.<sup>82</sup> Young people from poor backgrounds have increasingly become labelled as anti-social and deviant because the burden of the new laws proposed to discipline parents falls disproportionately on the inhabitants of Britain’s poorest and most deprived neighbourhoods, social housing estates and communities.<sup>83</sup> This sets working class youth apart from the mainstream and the rest of society causing their demonisation, marginalisation and social exclusion:

*The demonization of the working class is the legacy of a concerted effort to shift public attitudes, which began under Thatcher, continued with New Labour and has gained further momentum under the coalition. Poverty and unemployment were no longer to be seen as social problems, but to do with moral failings. Anyone could make it if they tried hard enough, or so the myth went. If people were poor, it was because they were lazy, spendthrift or lacked aspiration.*<sup>84</sup>

Second, young people belonging to ethnic or religious minorities tend to be labelled more than others. Thus, a young black and/or Muslim man from a poor background is ‘at the bottom of the heap’, in general he has the least power and he is attributed negative labels the most. According to John Muncie, young black males

<sup>76</sup> Adam CRAWFORD, ‘Criminalizing Sociability through Anti-social Behaviour Legislation: Dispersal Powers, Young People and the Police’, *Youth Justice*, vol. 9, n° 1, 2009, pp. 5-26.

<sup>77</sup> John MUNCIE, *op. cit.*, p. 9.

<sup>78</sup> Stuart WAITON, *op. cit.*, p. 121.

<sup>79</sup> Rob WHITE, *art. cit.*, p. 446.

<sup>80</sup> Dave GORDON, ‘Capitalism, Class and Crime in America’, *Crime and Delinquency*, vol. 19, n° 2, 1973, pp. 163-87.

<sup>81</sup> Owen JONES, *op. cit.*, pp. 211-12.

<sup>82</sup> *Ibid.*, p. 95.

<sup>83</sup> Peter SQUIRES & Dawn STEPHEN, *op. cit.*, p. 5.

<sup>84</sup> Owen JONES, *op. cit.*, p. xii.

are more likely to be apprehended and convicted.<sup>85</sup> The police might tend to apprehend or arrest those already known to them—it is easier and it is a form of targeting of specific groups emanating from labelling (or discrimination). For example, during the inner city riots of August 2011, the police first arrested young people already known to them—i.e. youngsters who had been previously ‘come to their attention’. Therefore, young black males were overrepresented in initial police arrests.<sup>86</sup> The tendency to label young Muslims as deviant due to their religion, marginalises them and this might encourage radicalisation, the very thing the tabloids seem concerned about.<sup>87</sup> These circumstances lead to the marginalisation and stigmatisation of all young black and Muslim people who become outsiders<sup>88</sup> and are therefore socially excluded.

Controversially, David Farrington and Brandon Welsh<sup>89</sup> suggest that through the accumulation of risk factors (living in a disadvantaged neighbourhood, attending an under-performing school, being raised in a family blighted by poverty, unemployment, criminality, low educational attainment and marital breakdown), it is possible to predict before the age of ten whether a child will become a young offender. Whilst this might lead to suitable intervention and help for some children, it can easily slide into the labelling of such minors and to the stigmatisation and targeting of specific groups. This harks back to 19<sup>th</sup> century biological and psychological theories regarding the criminal class.<sup>90</sup>

Young people are responsible for a high proportion of recorded crimes<sup>91</sup> with the peak offending age being 18 for males and 15 for females.<sup>92</sup> It is possible that young people do commit more crime as their lifestyles take them into environments where crime is more likely to take place. According to official statistics, the most common crime is theft of property; young people are more likely to be in public areas where pickpocketing and mugging usually occurs. But it must be borne in mind that young people often hang around in noticeable groups on the streets and other public spaces. They are thus highly visible and if they commit an act of anti-social behaviour, delinquency or criminality, they are more likely to be observed than other sections of the population who might be criminal but whose acts go

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<sup>85</sup> John MUNCIE, *op. cit.* p. 295.

<sup>86</sup> GUARDIAN AND LONDON SCHOOL OF ECONOMICS (LSE), ‘Reading the Riots’, <http://www.theguardian.com/uk/series/reading-the-riots> [accessed 5 May 2014].

<sup>87</sup> See the articles in the *Sun* during April 2014 on a young Muslim man born in Britain who died after going to fight in Syria and subsequent articles suggesting that other young men might return as terrorists.

<sup>88</sup> Howard BECKER, *op. cit.*

<sup>89</sup> David FARRINGTON & Brandon WELSH, *Saving the Children from a Life of Crime: Early Risk Factors and Effective Interventions*, Oxford: Oxford University Press, 2007.

<sup>90</sup> See Cesare LOMBROSO, *L'uomo delinquente*, 1876; English translation: Cesare LOMBROSO with Gina LOMBROSO-FERRERO, *Criminal Man, According to the Classification of Cesare Lombroso*, Montclair NJ: Patterson Smith, 1972. Raffaele GAROFALO, *Criminologia*, 1885; English translation: Raffaele GAROFALO, *Criminology*, Montclair NJ: Patterson Smith, 1968.

<sup>91</sup> Andy FURLONG, *op. cit.*, p. 188.

<sup>92</sup> OFFICE FOR NATIONAL STATISTICS (ONS), *Social Trends*, London: Home Office, n° 41, 2011.



unnoticed.<sup>93</sup> This is all the more true since due to labelling by the popular press and by politicians, the public are more alert to young people and potential deviancy. Do young people commit more crime than other age groups? They are arrested more often by the police because the crimes they commit are more visible with more witnesses, for example, graffiti. Nonetheless, young people are targeted more by the police through surveillance and monitoring due to labelling. Lastly, young people are more likely to be convicted of crime in court in part due to prejudices or because they cannot pay for lawyers.

Similarly, media reporting of youth crime makes the problem seem more *visible* than it is in reality. The *Crime Survey for England and Wales* (CSEW) (previously called the *British Crime Survey*) asks respondents about their perceptions of anti-social behaviour problems in their local area. Readers of *The Sun* and the *Daily Mail* have much higher perceptions of crime than readers of other newspapers (see Table 1), as do younger age groups (see Table 2). This might be because readers of these two tabloids live in areas where there is a lot of anti-social behaviour. Or it might be because portrayals of anti-social behaviour within their newspapers give the impression that anti-social behaviour is more widespread than it really is. Respondents were also asked about whether levels of crime had changed over the previous two years. Whilst a big majority believed that crime had increased nationally, only a small proportion thought that crime had increased in their local area. However, according to the *Crime Survey for England and Wales* statistics and police recorded crime statistics, crime has been dropping in Britain since the early 1990s. Such inaccurate perceptions among the public of ‘deviant’ young people bear little relation to reality and they must surely be informed by the negative labelling of young people in the tabloid press and elsewhere in the media, for example in television programmes such as *Little Britain* (BBC) and *Skins* (Channel 4).<sup>94</sup> Politicians also contribute to these perceptions.

### ***Conclusion: a degenerate generation?***

*‘Feral youths: How a generation of violent, illiterate young men are living outside the boundaries of civilised society’.*<sup>95</sup>

Young people in Britain are often portrayed negatively<sup>96</sup> by relentlessly unfavourable articles in the popular press and political discourse. The numerous deviant labels attributed to youth create a skewed vision of them that may lead to further deviant behaviour. The labelling certainly creates fear of young people and

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<sup>93</sup> For example, financial fraud.

<sup>94</sup> In *Little Britain*, a comedy television show which ran on the BBC from 2003 to 2006, the characters Vicky Pollard (played by Matt Lucas) and her friend whom she met in borstal Jackie Hayes (played by David Walliams) depicted unpleasant and inarticulate teenagers. In *Skins*, a television series which was on Channel 4 from 2007 to 2013, various irresponsible and tortured teenagers are shown in hedonistic situations, having sex, taking drugs, binge drinking, etc. Both television programmes portray young people in a highly negative and deviant light.

<sup>95</sup> Harriet SERGEANT, ‘Feral Youths’, *Daily Mail*, 19 September 2009.

<sup>96</sup> Sarah PICKARD, ‘Introduction’, in Sarah PICKARD et al., 2012, *op. cit.*, p. 15.

there has been a shift from discrete moral panics to a perpetual period of anxiety and moral crises, in which the fact/fiction dichotomy has been dissolved.<sup>97</sup> This results in a more generalised and constant feeling of danger and fear towards supposedly irresponsible, out-of-control and deviant youth. Thus, young people are marginalised and this is especially the case of those from the working class, which reflects the class biases in the representations and in the construction of youth crime in contemporary societies.<sup>98</sup> The most stigmatised and othered young people are those from ethnic minorities and increasingly young Muslims.

Perceptions of juvenile delinquency are created by the popular press, through the selection, frequency and angle of stories that side with the powerful and privileged. Middle-class journalists, an interested group, act as moral entrepreneurs in order to boost sales by including dramatic and frightening stories that reinforce the values of its readership. Tabloids are the driving force behind policies and legislation devised by political parties. Thus the political class ‘panders’ to popular perceptions of deviant youth—the embodiment of the breakdown of society—by populist crack downs, rather than measures to deal with structural problems. Such political opportunism and ‘listening to the voters’ is clear demagoguery, as ‘*politicians are [...] keen to be regarded as tough on crime, particularly when it involves young offenders*’.<sup>99</sup> Certain acts which would have previously been considered as youthful exuberance or petty behaviour are now legislated against.<sup>100</sup> This reframing of youth justice and the widening of the penal net has meant that increasing numbers of people who would previously have been subject to welfarist interventions, notably children and young people, are becoming the target of the criminal law.<sup>101</sup> Indeed, youth custody rates are higher in England and Wales than in all other European Union countries.<sup>102</sup> This reinforces negative perceptions of young people:

*There is little doubt that the emergence of anti-social behaviour as a core concern of policy-makers has increased the negative perceptions of young people as a problem. Media representations and national government’s focus on youth ‘causing trouble’ on the streets and in their communities have been at the heart of how the young have been portrayed over the previous ten years’.*<sup>103</sup>

<sup>97</sup> John MUNCIE, *op. cit.*, p. 13.

<sup>98</sup> Mark CIESLIK & Donald SIMPSON, *Key Concepts in Youth Studies*, London: Sage, 2013, p. 67.

<sup>99</sup> Andy FURLONG, *op. cit.*, p. 187.

<sup>100</sup> See Stuart WAITON, *Scared of the Kids: Curfews, Crime and the Regulation of Young People*, Sheffield: Sheffield Hallam University Press, 2001.

<sup>101</sup> Emma BELL, *Criminal Justice and Neoliberalism*, Basingstoke: Palgrave Macmillan, 2011, p. 10.

<sup>102</sup> Lara NATALE, *Youth Crime in England and Wales*, London: CIVITAS Institute for the Study of Civil Society, 2012 (2010), <http://www.civitas.org.uk/crime/factsheet-youthoffending.pdf> [accessed 5 May 2014], p. 1.

<sup>103</sup> Alan FRANCE, ‘Young People and Anti-Social Behaviour’, in Andy FURLONG (ed.), *Handbook of Youth and Young Adulthood*, London: Routledge, 2009, p. 434; John MUNCIE, *op. cit.*

Yet there has been a continued drop in many forms of recorded crime involving young people and official statistics on drug taking, binge drinking and teenage pregnancy all show these are also falling. However, the popular press and the political class tend to produce a negative narrative on young people, and to exaggerate circumstances for their own benefit.<sup>104</sup> But action and reaction are equally significant<sup>105</sup> for the manufacture of deviancy. The labelling of young people as deviants deflects popular and governmental attention from tackling the origins of the problems of contemporary youth. Clearly, part of the ‘trouble with young people these days’ is the unremittingly negative labelling of them by the popular press and politicians.

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<sup>104</sup> ‘It would be wrong to suggest that people do not behave anti-socially and that some people and neighbourhoods do not suffer the consequences of this behaviour. Nonetheless, it is certainly possible that politicians and the media have over-sold the problem’. (Andrew MILLIE, *op. cit.*, p. 3.)

<sup>105</sup> Simon FRITH, *The Sociology of Youth*, Ormskirk: Causeway Press, 1984, p. 32.

**Table 1: Perceived anti-social behaviour problems in local area  
by newspaper of choice, England and Wales, 2011-2012**

	High level of anti- social behaviour	People being drunk or rowdy in public places	Teenagers hanging around on the streets
	<i>Percentages</i>		
<b>Newspaper of choice</b>			
‘Popular’	16	26	27
<i>The Sun</i>	<b>20</b>	<b>31</b>	<b>30</b>
<i>The Daily Mirror</i>	18	27	28
<i>The Daily Mail</i>	12	20	22
<i>The Daily Express</i>	12	19	21
‘Broadsheet’	11	21	19
<i>The Daily Telegraph</i>	<b>9</b>	<b>16</b>	<b>16</b>
<i>The Guardian</i>	12	26	21
<i>The Independent</i>	13	24	19
<i>The Times</i>	10	20	20
<i>The Financial Times</i>	13	25	24
Some other newspaper	17	26	28
No one newspaper in particular	15	24	25
Would not want to read any newspaper	13	23	24

Source: *Crime Survey for England and Wales*, Office for National Statistics.  
Released: **11 April 2013**.

**Table 2: Perceived anti-social behaviour problems in local area, by age group, gender and ethnic group, England and Wales, 2011-2012**

	High level of anti-social behaviour	People being drunk or rowdy in public places	Teenagers hanging around on the streets
<i>Percentages</i>			
<b>ALL ADULTS</b>	<b>15</b>	<b>24</b>	<b>25</b>
<b>Age</b>			
16-24	18	<b>36</b>	28
25-34	<b>19</b>	33	<b>33</b>
35-44	17	26	27
45-54	15	23	25
55-64	13	19	22
65-74	9	16	17
75+	4	8	12
<b>Sex</b>			
Men	13	23	24
Women	<b>16</b>	<b>25</b>	<b>25</b>
<b>Ethnic group</b>			
White	13	23	23
Non-White	24	33	36
<i>Mixed</i>	17	30	28
<i>Asian or Asian British</i>	<b>26</b>	<b>35</b>	<b>37</b>
<i>Black or Black British</i>	<b>26</b>	34	<b>37</b>
<i>Chinese or other</i>	19	28	36

Source: *Crime Survey for England and Wales*, Office for National Statistics.  
Released: **11 April 2013**.

**Table 3: The Sun references to British young people and teenagers, 1-21 April 2014**

	<b>Date</b>	<b>Headline</b>
(1)	1 April 2014	Dog yob used pet to hunt and kill deer. A teenage yob who hunted and killed a deer with his dog was locked up after appearing at Kirkcaldy Sheriff Court
(2)	2 April 2014	I let my kids do whatever they want
(3)	2 April 2014	English teenagers lagging behind Far Eastern counterparts. League table based on problem-solving tests sat by 15-year-olds in 44 countries put them in a lowly 11th place
(4)	2 April 2014	Our little girl went to school and never returned
(5)	3 April 2014	Outlaw the bullies to stop deaths
(6)	3 April 2014	Teenager arrested over terror suspect's burka bunk
(7)	3 April 2014	Serial culler. A teenager obsessed with killing animals proudly poses with a rifle to show off his latest prey
(8)	4 April 2014	Grandad aged 27 shames Britain. <i>Sun</i> columnist says instead of shaming them, we support young mums with free schools, housing and healthcare in UK
(9)	5 April 2014	The Asbo brothers. Two child criminals on what drove them to terrorise their community
(10)	6 April 2014	Coma hell teen tells of party drug nightmare. Drug victim Jack Blades told last night how he's been given a second chance at life after drug hell
(11)	6 April 2014	Hazel 'died of head and neck injuries'. Tragic Hazel North died of multiple injuries to her head, neck and torso, her death certificate states
(12)	7 April 2014	Teenage yob is nicked 133 times. One teenage yob has been arrested 133 times, figures obtained under the Freedom of Information Act show
(13)*	7 April 2014	With no music or politics, I would be in jail or a coffin. Singer Jermain Jackman speaks about his victory on the show and what he now hopes to achieve
(14)	8 April 2014	Tragedy teen 'was pregnant' say pals. Pal named Maisha said: 'She had another life inside of her, which was her little girl'
(15)	9 April 2014	Middlesbrough is UK's youth unemployment blackspot
(16)	9 April 2014	Connor, 17, slain outside his home. Detectives launched a murder probe yesterday after a teenager was stabbed to death in the street near to his house
(17)*	9 April 2014	£100k win lad: I've made a (crisp) packet. A lucky teenager scooped £100,000 on a Lottery scratchcard he bought instead of a packet of CRISPS and went straight back to work
(18)	10 April 2014	Firefighters free teenager stuck in baby swing
(19)	10 April 2014	Missing Arlene's inquest adjourned. An inquest into the murder of a missing schoolgirl has been adjourned due to a development in the criminal investigation.

- (20) 10 April 2014 Generation of young people ‘left scarred by joblessness’, say peers
- (21) 10 April 2014 ‘Facebook makes women feel bad about their bodies’
- (22) 11 April 2014 No takers for £208k teenager. Violent teenage criminal has been sent back to a secure unit
- (23) 11 April 2014 Grinning idiot’s 70mph roller-skate stunt slammed. Thrill-seeker Dale Powles, 25, blasted for ‘utter stupidity’ after he was filmed holding onto a speeding car
- (24) 12 April 2014 Vicar arrested on suspicion of raping a teenage girl
- (25) 12 April 2014 British teen dies in Costa Rica abseiling accident
- (26) 12 April 2014 ‘Army’ lad in home explosion. Wannabee soldier is feared to have lost both his hands in an explosion at his home in Wiston, Pembrokeshire
- (27)\* 14 April 2014 Incurable cancer teen’s bucket list to raise £1million for charity
- (28) 15 April 2014 Serial shoplifter banned from every main store in town
- (29) 15 April 2014 Clubber pulls pants down and does ‘no 2’ on dance floor
- (30) 15 April 2014 Trouble ‘n’ speak. Teenagers are doing themselves out of the job market by speaking in monosyllabic words
- (31)\* 15 April 2014 Winning six-year cancer fight is best birthday present ever
- (32) 15 April 2014 Party horror. Helen Henderson, 19, died after she was believed to have swallowed the tablet also known as M-Cat at a party
- (33) 16 April 2014 Helen: the last picture. Last photo of Helen Henderson just hours before she died from killer drug meow meow
- (34) 16 April 2014 Yob filmed swallowing live goldfish at funfair
- (35) 16 April 2014 Britain’s youngest parents. Pair have the lowest combined age of any British parents in history
- (36) 17 April 2014 Perv sir spied on teen girl. A Pervert teacher at Forfar Academy is facing jail for secretly filming a 17-year-old schoolgirl as she showered
- (37) 17 April 2014 I’ve lost my best friend. A Dad has revealed his agony at the loss of his ‘best friend’ after his teenage son Calum, 15, passed away in his sleep without warning
- (38) 17 April 2014 Tears of grandad, 29. Proud dad of UK’s youngest mum—who gave birth at 12—reveals he wept when he found out she was pregnant
- (39) 18 April 2014 ‘My son died in prison’. Ryan Clark’s mother speaks about her teenage lad’s tragic death behind bars after he hanged himself in 2011
- (40) 18 April 2014 ‘My son is a martyr,’ says dad of teen killed fighting in Syria. The father of a British teenager who learned of his son’s death on Monday has described him as a ‘martyr’
- (41) 18 April 2014 Party drug deaths need to stop now. Whether it’s the banned drug Meow Meow or the Mortal Kombat pill, the death toll is rising at an alarming rate
- (42) 18 April 2014 My ordeal as mum, 12. EXCLUSIVE: Mum reveals ordeal of having a baby at 12—and urges UK’s youngest parents not to suffer like her

- (43) 19 April 2014 There's no future. Kids are bored. They drink or fight or have babies. After a 12-year-old girl became pregnant at primary school, we visit teen mum capital of UK, Middlesbrough
- (44) 19 April 2014 Yob's stab Man Utd boss rant
- (45) 19 April 2014 My son died as a martyr. Father of Abdullah Deghayes—the teen killed in Syria—says son is a 'martyr' who went to help Syrian people
- (46) 19 April 2014 Brit teen, 18, killed while fighting in war-torn Syria, cops say. Uni-bound Abdullah Deghayes, 18, of Brighton, East Sussex has died but the cause remains unclear
- (47) 20 April 2014 The highs and lows. Drug use is now falling particularly among our younger generation but there's increasing concern around the use of so-called 'legal highs'
- (48) 20 April 2014 Sorry kids—let's talk about sex
- (49) 21 April 2014 What dope gave OK to Glasgow hash party?
- (50) 21 April 2014 Boy of nine phoned smokers' quit line
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\* Stories which could be considered positive or optimistic.

Source: compiled from <http://www.thesun.co.uk>.



**Table 4: Daily Mail references to British young people and teenagers, 1-21 April 2014**

	<b>Date</b>	<b>Headline</b>
(1)	1 April 2014	Mother of girl involved in NekNominate drinking game that left nine-year-old in hospital blames Facebook and demands site take down videos that show the stunt
(2)	1 April 2014	Smirking girl, 13, who slapped supermarket fishmonger, 52, around face with large SEA BREAM has been let off by police because she said sorry
(3)	1 April 2014	Teenager was still alive as boyfriend started to cut off her head with a knife before stabbing himself in the chest, court hears
(4)	1 April 2014	Why this law against ‘emotional cruelty’ could turn every parent into a suspect
(5)	2 April 2014	Heartbroken family pay tribute to ‘happy, outgoing’ 12-year-old schoolboy found hanged at his home after school amid claims he was bullied
(6)	2 April 2014	Secret court orders force feeding of starving girl: 16-year-old in hospital with ‘baffling’ eating disorder weighs just 5 and a half stone
(7)*	2 April 2014	Teenager earns £24,000 a year uploading YouTube videos of himself playing Grand Theft Auto (despite being too young to play it legally)
(8)	2 April 2014	Young mother gouged in the eyes, punched repeatedly in the face and has ear almost bitten off by ex-boyfriend in horrific attack outside primary school while dropping off three-year-old daughter
(9)	3 April 2014	Brothers CRIM: Siblings dubbed ‘Asbros’ in their youth are still running riot eight years later with one in and out of prison
(10)	3 April 2014	Boys at exclusive prep school whose old boys include Prince William and Harry told to improve their manners
(11)	3 April 2014	Fears grow for missing schoolgirl as police admit they have grave concerns for her safety more than a week after she was last seen
(12)	3 April 2014	Someone call 999! Girl who got stuck trying to rescue her iPhone from down the drain has to be rescued by firemen
(13)	4 April 2014	‘Brightest star in the sky tonight’: Friends pay tribute to 16-year-old girl who was found hanged at her home
(14)	4 April 2014	Parents of young beautician killed by drink driver in a head-on crash hit out after he is jailed for just eight years
(15)	4 April 2014	Teenage boys who spend too much time playing computer games have weak bones and are at risk of osteoporosis in later life
(16)	4 April 2014	Teenager to face murder trial after she admits killing her

- mother who was found asphyxiated at their home
- (17) 4 April 2014 Thug who took part in savage assault that left disabled man with BOOT PRINTS on his face is jailed for two years
- (18) 5 April 2014 Chief inspector arrested and suspended after his 19-year-old son is jailed for a string of child sex offences
- (19) 5 April 2014 Drugs mule Melissa is ‘on her way home’ from Peru as minister gives green light to her to return to UK jail
- (20) 5 April 2014 Girl found strangled with a scarf dies in hospital after her boyfriend is charged with attempted murder
- (21) 6 April 2014 Revealed: Girl, 16, who died after being strangled with a scarf was ‘PREGNANT’
- (22) 7 April 2014 Baby-faced hellraiser, 14, who terrorised neighbourhood with his brothers is handed two-year Asbo banning him from hanging out with them
- (23)\* 7 April 2014 Bullied anorexic who suffered THREE heart attacks during her battle with the illness is cured by PILATES
- (24) 7 April 2014 Family’s heartbreak as former carnival princess, 18, dies suddenly on Mother’s Day just hours after finishing shift at Pizza Hut
- (25) 7 April 2014 Now CHILDREN need a work-life balance, say teachers who claim youngsters are not spending enough time with parents
- (26)\* 7 April 2014 Peaches Geldof: From feisty young girl to loving mother-of-two
- (27) 7 April 2014 Would YOU let your children swear at you and cut through live electrical wires? Meet the woman who believes you should never say ‘no’ to kids
- (28) 7 April 2014 Yob aged just 15 has been arrested 133 times and is already Merseyside’s fourth most prolific criminal ever
- (29) 8 April 2014 Cans of super strength cider are being sold for just 89 pence—cheaper than a bottle of water—despite Government crackdown on bargain booze
- (30) 8 April 2014 Teenage boy who was ‘drunk on vodka’ is electrocuted on ‘third rail’ after falling from train station platform
- (31) 8 April 2014 Why listening to rap music drives teenagers to drink: Study finds they want the same alcohol brands as their idols
- (32) 9 April 2014 ‘Sod it’: What star teenage sailor ‘said before accelerating in speed boat moments before night-time collision which left schoolgirls injured’
- (33) 9 April 2014 Britain’s worst teenage criminals exposed: Armed GCSE pupil who robbed £75,000 of gems and the gang who broke into homes armed with table legs and scissors to steal
- (34) 9 April 2014 New Channel 5 documentary reveals the most shocking and carefully planned crimes carried out by Britain’s teenagers
- (35) 9 April 2014 Reading FC player, 20, who left road rage victim, 40,

- with sheets of skin hanging from his neck and severe vision damage walks free from court after crying in the dock
- (36) 10 April 2014 A quarter of children view porn at 12 or younger—and most first stumble across explicit images by ACCIDENT, finds biggest survey of its kind ever conducted
- (37) 10 April 2014 A tragic warning for every parent: Father tells of beautiful, talented daughter, 15, who couldn't live with 21st-century pressures of Facebook and social media
- (38) 10 April 2014 Could Facebook trigger eating disorders? Young women who spend a lot of time on the site have poorer body image
- (39) 11 April 2014 Parents of young aides working in the Commons 'would be horrified': Sordid new claims bring calls to rein in the Westminster drinking culture
- (40) 11 April 2014 Sixth former accused of plotting Columbine-style massacre 'was bullied by Asian classmates and had no friends until he reached secondary school'
- (41)\* 12 April 2014 I'm a clever, beautiful Cambridge medical student—so why shouldn't I flaunt my body?
- (42) 13 April 2014 Always a wild child? A teenage Cara Delevingne is pictured larking around as she smokes a suspicious-looking cigarette
- (43) 13 April 2014 Scouts can get badges in selfies! New awards reflecting 21st century life are announced by youth organisation
- (44) 13 April 2014 'She's living through me all the time': Peaches Geldof opened up on 'traumatic' childhood and grieving for her late mother Paula Yates just weeks before tragic death
- (45) 15 April 2014 Teen dies and four others are in hospital amid fears they had taken lethal Meow Meow during drugs binge at house party
- (46) 14 April 2014 The Jeremy Kyle Show rapped for letting woman abuse her 17-year-old sister as a 'crackhead' and a 'silly anorexic slapper'
- (47) 15 April 2014 Teenagers suffer neck and back pain because they spend too long hunched over iPads and phones, say researchers
- (48) 16 April 2014 21 beers, 44 shots, 17 vodkas, 7 whiskies—in ONE night. The shocking proof students are drinking themselves to death
- (48) 16 April 2014 'Golden girl' law student, 19, found dead in her university halls room after breaking up with her boyfriend
- (49)\* 16 April 2014 'It could have been worse—she could have been doing drugs': Father of new mother, 12, says he is proud after she and boyfriend, 13, become Britain's youngest parents
- (50) 17 April 2014 Pictured: Girl, 19, in the headscarf who suffered 'horrific burns' after cleaning fluid is thrown in her face as she opened door at her friend's house on a suburban street
- (51) 17 April 2014 Female radio DJ who had sex with a 15-year-old girl

- after plying her with vodka walks free from court because she didn't know the youngster's real age
- (52) 18 April 2014 Peaches Geldof's funeral to take place at same church as her mother's on Easter Monday—and her ashes may be scattered at family home where she grew up
- (53) 18 April 2014 A warning for Britain's youngest mother: Woman who gave birth at 12 was raped by her brother, lost her child and got hooked on heroin
- (54) 18 April 2014 First picture of boy, seven, who is fighting for life after being doused in petrol and turned into human fireball by group of children 'in prank gone wrong'
- (55) 19 April 2014 Caravan of love: Britain's youngest parents enjoyed romantic beach break together just a month before their baby was born and gave each other 'True Love' bracelets
- (56) 20 April 2014 Children will be blocked from watching online porn under new laws forcing websites to get proof users are aged 18
- (57) 20 April 2014 Primary school boy just nine begs NHS to help him kick his SMOKING habit after he became addicted from trying one at school
- (58) 20 April 2014 A respectable family. Eight GCSEs. Yet now the girl who got a boob job on the NHS wants to abort her baby so she can star in Big Brother
- (59) 21 April 2014 Parents' fury after young girls who built den during holidays moved on by police who checked if they had Asbos
- (60) 21 April 2014 A doting mum until the very end: Peaches' coffin—decorated with a heartbreaking drawing of her with her young family—arrives at church as mourners gather to pay their respects

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\* Stories which could be considered positive or optimistic.

Source: compiled from <http://www.dailymail.co.uk>.

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# ***‘Living on Road’ in Britain: Alien Disease or Moral Panic?***

**Monia O’BRIEN CASTRO**  
*Université de Tours/ICD*

In the aftermath of the August 2011 riots, Prime Minister David Cameron declared ‘a concerted, all-out war on gangs and gang culture’ in a speech at a youth centre in Witney, his Oxfordshire constituency. This ‘major criminal disease’, as he referred to the problem of ‘gangs’ then, has been a current concern in Britain for a few years.<sup>1</sup> The media have extensively covered stories of so-called ‘postcode’ murders<sup>2</sup> with banner headlines. 15-year-old Alex Malumba (aka Tiny Alien, a Black boy who belonged to the Man Dem Crew) in March 2006,<sup>3</sup> 15-year-old Billy Cox (‘Remer’, a mixed-raced member of the Clap Town Kids) in February 2007,<sup>4</sup> 18-year-old Henry Bolomby (a Black youth whose gang name was Black H) in January 2008,<sup>5</sup> 15-year old Sofyen Belamouadden (this victim of a school rivalry was of Moroccan origin and didn’t belong to a gang) in March 2010,<sup>6</sup> 15-year-old Negus McLean (a Dem African gang member) in April 2011,<sup>7</sup> to name a few, have been the victims of ‘the knife and gun crime wave’ hitting London. Even if ‘gangs’ have been around for countless centuries in one form or another—Mods, Teddy Boys, Rockers, etc.—the media and political leaders have suggested that Britain is now plagued by a traditional feature of American culture which had not so far besmirched Britain. More precisely, they have suggested that new forms of crime

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<sup>1</sup> ‘England Riots: David Cameron Declares War on Gangs’, *Daily Telegraph*, 2011, <http://www.telegraph.co.uk/news/politics/david-cameron/8701853/England-riots-David-Cameron-declares-war-on-gangs.html> [accessed 3 August 2012].

<sup>2</sup> They refer to territorialised gang wars or postcode wars, involving gangs from certain zones, E5 and E9 in East London for instance (‘Teen Shot Dead by “Postcode” Assassins: Police Blame Gang Turf War for Murder of Barman in his 4X4’, *Evening Standard*, 4 January 2006).

<sup>3</sup> ‘The Life and Death of a Gangsta’, *Daily Mail*, 2006, <http://www.dailymail.co.uk/news/article-392647/The-life-death-gangsta.html> [accessed 5 August 2012].

<sup>4</sup> ‘Shot Billy Had a Gun Too’, *Sun*, 2007, <http://www.thesun.co.uk/sol/homepage/news/18522/Shot-Billy-had-a-gun-too.html> [accessed 8 August 2012].

<sup>5</sup> ‘London’s Gang Wars Claim First Teenage Victim of 2008’, *Daily Mail*, 2008, <http://www.dailymail.co.uk/news/article-505627/Londons-gang-wars-claim-teenage-victim-2008.htm> [accessed 17 February 2014].

<sup>6</sup> ‘Gang Murdered Boy during Rush Hour at Victoria Station’, *BBC News*, 2013, <http://www.bbc.co.uk/news/uk-15310015> [accessed 18 February 2014].

<sup>7</sup> Murdermap, <http://www.murdermap.co.uk/pages/cases/case.asp?CID=315375561> [accessed 17 February 2014].

have emerged, apparently led by extremely vicious young Black (and minority ethnic)<sup>8</sup> males living in inner cities and other deprived urban zones.

Extraordinarily enough, there isn't much information available in regard to 'gangs' in Britain, especially empirical studies, but the lack of consensus on a definition is of paramount importance, and debate around the interpretation of the notion of 'gang' is still ongoing as it tends to be a catch-all word. Yet there does seem to be a consensus that there is an alleged natural nexus between 'gangs' and race. Back in 2007, Prime Minister Tony Blair himself declared that political correctness should be dropped and that one should acknowledge that it is 'young Black kids doing it'.<sup>9</sup> Historian and broadcaster David Starkey also controversially asserted that Black culture was criminogenic on *Newsnight* in 2011.<sup>10</sup> This multidimensional problem (spatial, communal, cultural, individual, ethnical, racial) is far from being insignificant since it raises fundamental questions concerning the functioning and state of society; hence the impact on policy-making regarding security, immigration, segregation/integration/community cohesion. If words are not carefully chosen, one of the weakest sections of society, notably minority communities, who make up a large part of urban populations, may well be stigmatised. The casual labelling of some citizens as criminals is likely to exacerbate some of the causes that are said to precipitate to 'gang' involvement, viz exclusion and discrimination, and to logically give way to the expansion of 'gang' activities and (violence) collectives.

The central question that will be addressed in this chapter is whether 'gangs' are really a lethal feature of British society or merely a contemporary urban legend? What is more, it will be established whether or not 'gangs', as they are commonly termed, are synonymous with minority communities. I shall concentrate on the Blair-Brown period, the period in question being characterised by a burgeoning 'moral panic' as far as 'gangs' were concerned. Moreover, the 'gang' phenomenon is clearly reminiscent of another form of 'moral panic' which emerged as the biggest wave of riots hit British cities in the 1980s. This echo is also to be found in the way the two phenomena were handled by the media and government, and in the resulting stigmatisation process. It will thus be pertinent to compare them and draw conclusions regarding the reality of the stigmatisation of rioters in the 1980s and 'gang-members', youths 'living on road'<sup>11</sup> nowadays, and the consequences of these labels on the individuals subjected to them.

<sup>8</sup> BME (Black and Minority Ethnic) or BAME (Black, Asian and Minority Ethnic) describe people of non-White descent. (Institute of Race Relations, <http://www.irr.org.uk/research/statistics/definitions> [accessed 18 February 2014].)

<sup>9</sup> Read young Black kids wreaking 'severe disorder' with guns and knives on the streets. ('Blair Blames Spate of Murders on Black Culture', *Guardian*, 2007, <http://www.theguardian.com/politics/2007/apr/12/ukcrime.race> [accessed 18 February 2014].)

<sup>10</sup> 'Was David Starkey Being Racist on Newsnight Last Night?', *Daily Telegraph*, 13 August 2011, <http://blogs.telegraph.co.uk/news/tobyyoung/100100845/was-david-starkey-being-racist-on-newsnight-last-night> [accessed 6 June 2014].

<sup>11</sup> 'Road culture' is a Black-influenced youth culture played out on the streets and on housing estates, that is 'on road', where young people hang around in their spare time, 'catching jokes' with their friends. Those who enter low-level drug-dealing, crime, violence, are said to 'live on road'. (Ian JOSEPH & Anthony GUNTER, *Gangs Revisited: What's a Gang and What's*

### *On the genesis of the notion*

In order to address these issues, one first needs to determine what the term 'gangs' expressly refers to. Gangs have been the object of research throughout the world, but the key data regarding the topic started to emerge in 20<sup>th</sup>-century North America, more specifically thanks to the studies carried out in urban areas by the Chicago School. In the late 1920s, sociologist Thrasher published one of the earliest analyses of the gang phenomenon. He averred that gangs, or 'play groups' as he saw them, tended to be produced by deprived neighbourhoods, and provided teenagers with a supportive social structure, with roles and duties within the community, for them to step into adulthood. Youth male identity was the central issue but gangs were also associated with minority communities and cultural conflict in mixed-raced urban areas.<sup>12</sup> The idea of the gang as the gathering of individuals around deviant values came about in the 1950s-1960s with Cohen's<sup>13</sup> or Cloward and Ohlin's<sup>14</sup> analyses: according to 'strain theory', the gap between cultural goals and the means marginalised young men had (or rather did not have) to achieve success and recognition led to criminality. Thus, for Yablonsky, the gang offered an alternative family structure nurturing crime, and conflicting with traditional family and community norms.<sup>15</sup> Cloward and Ohlin also established that bona fide criminal gangs emerged in 'organised slums' (which had close connections with politicians and the police), and violent 'street gangs' emerged in 'disorganised slums' (which could only reach status through violence).<sup>16</sup> Pitts recently reconsidered this distinction through the lens of race and argued that White immigrants were to be found in the former, and Blacks and Hispanics in the latter.<sup>17</sup> Oscar Lewis' 'culture of poverty' was the theory put forward to explain that the phenomenon that prevailed amongst what he described as an underclass (Lewis argued that that subculture affects the deeply impoverished living in developing countries, as they are unable to escape from their condition).<sup>18</sup>

From the 1980s onwards, 'street gangs' have been depicted as criminal (drug) ventures belonging to the underclass alternative economy and associated with prison gang cultures. Race, as opposed to specific tattoos or clothes for instance, in fact has appeared to be a central characteristic shared by both victims and perpetrators of gang violence. Today, the proliferation of gang studies has increasingly blurred the boundaries between the various styles of gangs, and the term itself has become a mere synonym for violence.<sup>19</sup> In addition, Katz and Jackson-Jacobs posit that gang

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*Race Got to Do with It? Politics and Policy into Practice*, London: Runnymede Perspectives, November 2011, p. 5.)

<sup>12</sup> Frederic THRASHER, *The Gang*, Chicago: Chicago University Press, 1927.

<sup>13</sup> Albert COHEN, *Delinquent Boys: The Culture of the Gang*, Glencoe: Free Press, 1955.

<sup>14</sup> Richard CLOWARD & Lloyd OHLIN, *Delinquency and Opportunity: A Theory of Delinquent Gangs*, Glencoe: Free Press, 1960.

<sup>15</sup> Lewis YABLONSKY, *The Violent Gang*, New York: Macmillan, 1962.

<sup>16</sup> Richard CLOWARD & Lloyd OHLIN, *op. cit.*

<sup>17</sup> John PITTS, *Reluctant Gangsters: The Changing Face of Youth Crime*, Devon: Willan, 2008, p. 41.

<sup>18</sup> Oscar LEWIS, *La Vida: A Puerto Rican Family in the Culture of Poverty*, New York: Random House, 1966.

<sup>19</sup> Claire ALEXANDER, *(Re)thinking 'Gangs'*, London: Runnymede, 2008, p. 10.

researchers have increasingly concentrated on Black youth culture and crime, thus ‘*staining the group as a whole with an image of deviance*’ on grounds of race and culture.<sup>20</sup> In the 2000s, commentators such as Katz and Jackson-Jacobs, Howell or Klein define the American gang as pure myth conveyed by the media, for it is actually impossible to give a profile, as they vary in terms of gender, race, organisation, specialisation and location.<sup>21</sup> To quote Katz and Jackson-Jacobs, ‘*the central myth is that the gang exists*’.<sup>22</sup> In fact, gangs allegedly strive to create their own myth themselves: the ‘Big Gang Theory’ argues that gang membership enables members to threaten and impress society.<sup>23</sup>

### *The dangers of transposition*

In Britain, the media as well as other institutions such as the police have drawn attention to the development of similar hierarchical collectives (whose members are stereotyped as urban criminal coloured male youths).<sup>24</sup> However, researchers such as Alexander suggest that the current concern stems from an ‘*Americanisation of the understanding of the phenomenon*’, rather than an actual Americanisation of the British urban environment. In the same vein, Hallsworth and Young (as well as Marshall et al. in their aforementioned work, for instance) have expressed serious doubt over the existence of myriads of US-style gangs in Britain, and recommended that the very unhelpful term ‘gang’ should be discarded and the conditions which give rise to such behaviour analysed. They worry about the stigmatising effect of the term which conjures up the image of a group of threatening young men, mostly of Black African-Caribbean extraction, dealing drugs and getting involved in inter-gang conflicts as conveyed by the media.<sup>25</sup> The notion of the racially-defined ‘gang’ is a shaky and misleading construct, as findings show that both White British and Black Caribbean young men are more likely to claim ‘gang’ membership than Black African or South Asian youths, and that ethnic composition varies according to zones (for example, in the period 1999-2002 in England and Wales, the typical gang member was a White male aged under 27).<sup>26</sup>

Whilst Pitts and Hallsworth disagree over the very definition of the notion of ‘gang’, both suggest that social circumstances rather than race determine whether or not young people engage in the problematic behaviour that is often associated with gangs. Previous research alleged a link between such behaviour and the White working class. In the 1960s, David Downes stressed in his study of youth deviance in the East End of London that there were White working class young men gathered in ‘*street corner groups and performing “mundane delinquency” through boredom*

<sup>20</sup> Jack KATZ & Curtis JACKSON-JACOBS, ‘The Criminologist Gang’, in Colin SUMNER (ed.), *The Blackwell Companion to Criminology*, Oxford: Blackwell, 2004, p.103.

<sup>21</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 10.

<sup>22</sup> Jack KATZ & Curtis JACKSON-JACOBS, *art. cit.*, p. 92.

<sup>23</sup> Claire ALEXANDER, 2008, *op. cit.*, pp. 10-11.

<sup>24</sup> Ben MARSHALL, Barry WEBB & Nick TILLEY, *Rationalisation of Current Research on Guns, Gangs and Other Weapons: Phase 1*, London: UCL Jill Dando Institute of Crime Science, November 2005, p. 6.

<sup>25</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 20.

<sup>26</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 11.

and failure at school and on the job market'.<sup>27</sup> Patrick's work in the 1970s was the only one to describe (exclusively White) gangs formed on Glaswegian housing estates.<sup>28</sup> More recent studies point out that too often groups of alienated BME young men moving in underprivileged circles are mistaken for gangs and criminalised by society as a whole, but the term 'gang' cannot be transposed into any one environment since it fails to make a distinction between youth, street gangs and organised crime and it is pregnant with negative connotations referring to culture and race.<sup>29</sup>

### ***The British 'gang' scare: sound and fury?***

Two theories relative to gangs prevail in Britain. The first school of thought, hinted at previously, is represented by Pitts, whose reluctant gangsters thesis (a study of gangs in Walthamstow, East London) emerged in 2008. Pitts argues that the increase in the phenomenon of gang membership and the increase in the use of guns and knives, which started in the late 1990s in major English and Welsh cities,<sup>30</sup> has more specifically affected those groups of citizens such as women, the mentally ill, the handicapped, the unskilled, the under-educated and immigrants, who, trapped in a cycle of poverty and disadvantage, have been marginalised in society and confined to deprived neighbourhoods. Major urban changes owing to the alteration of world trading patterns, the emergence of highly mobile finance capital, the entry of developing countries into the field of manufacturing hitherto hogged by advanced economies, the increase in the service sector distinguished by its dual labour market, and neo-liberal economic and social policies have brought about growing regional and individual economic inequality. Immigrants have been alienated even more, and therefore have been prone to turn to alternative cultures and paths of career. To Pitts, the 'gang' is more estate-based than ethnicity-based, but gang members are definitely influenced by 'Black' street culture.<sup>31</sup> Interestingly enough, the word 'Black' might refer either to new migrants or to long-established communities, or to both categories.<sup>32</sup>

<sup>27</sup> David DOWNES, *The Delinquent Solution*, London: Routledge & Kegan Paul, 1966.

<sup>28</sup> James PATRICK, *A Glasgow Gang Observed*, London: Eyre Methuen, 1973.

<sup>29</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 12.

<sup>30</sup> John PITTS, *op. cit.*, p. 81. In 2002-2003, gun crime escalated by 36% in England and Wales, and again by a further 2% in 2003-2004 (*ibid.*, p. 4). One should observe that John LEA ('Shock Horror: Rioters Cause Riots! Criminals Cause Crime!'), *British Society of Criminology Newsletter*, n° 69, Winter 2011, p. 12) and Simon HALLSWORTH & David BROTHERTON (*Urban Disorder and Gangs: A Critique and a Warning*, London: Creative Commons-Runnymede Perspectives, November 2011, p. 12) set the moment when the fear of street gangs replaced that of street crime in 2002.

<sup>31</sup> John PITTS, *op. cit.* Hanging around in the streets, listening to loud music without showing concern about how others might be affected, wearing branded clothes and accessories, driving top-of-the-line cars, as being violent and disruptive, living from drug-trafficking etc. appear among the characteristics of Black street culture (Tariq MODOOD et al., *The Fourth National Survey of Ethnic Minorities, Ethnic Minorities in Britain: Diversity and Disadvantage*, London: PSI, 1997, p. 347).

<sup>32</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 14.

The second school of thought is that of Hallsworth and Young, who produced a ‘Three-tier Gang Typology’ in 2004. In keeping with the British academic tradition, they believe that the gang problem has been massively exaggerated, nevertheless acknowledging the existence of (delinquent) urban collectives which display gang-like features.<sup>33</sup> Hallsworth and Young’s typology comes in the form of a pyramid of a general development model of ‘delinquent street collectives’, including, from top to bottom, organised crime groups, street gangs, and peer groups: each group is associated with a level of risk, the top (less numerous) group being the most dangerous. The authors define the gang as ‘a relatively durable, predominantly street-based group of young people who see themselves (and are seen by others) as a discernible group for whom crime and violence is integral to the group’s identity’. A wholly unintended consequence of Hallsworth and Young’s model<sup>34</sup> has been that it has led to exaggerations regarding the extent of gang violence in the UK: it formed the basis of the Metropolitan Police Service’s review on gang activity in London, which identified 171 gangs operating across the capital in 2007, for instance. In fact, the model problematises and criminalises those young people (many of whom are Black and dwell in deprived urban areas) who simply hang about, who live ‘on road’. Hence, the guilt-by-association process, whereby individuals who associate with people who break the law are systematically considered guilty as well, is at work. To many commentators, there is no dividing line between delinquents and non-delinquents as behaviour varies according to factors such as time, place or opportunity, which are linked to the friendship pattern characteristic of ‘life on road’.<sup>35</sup> Pitts himself misunderstands the typology as ‘a continuum in which the peer group is a threshold or springboard to gang involvement’.<sup>36</sup>

Both theories have, intentionally or not, created a ‘gang industry’<sup>37</sup> which has contributed to the pathologisation and essentialisation of Black youths as a social

<sup>33</sup> Simon HALLSWORTH & Tara YOUNG, ‘Getting Real About Gangs’, *Criminal Justice Matters*, vol. 55, n° 1, 2004, pp. 12-13.

<sup>34</sup> Hallsworth and Young are in fact very critical of any deliberately criminalising and stigmatising model (see Simon HALLSWORTH, *The Gang and Beyond: Interpreting Violent Street Worlds*, Basingstoke: Palgrave Macmillan, 2013).

<sup>35</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 8.

<sup>36</sup> John PITTS, *op. cit.*, p. 18.

<sup>37</sup> Otherwise known as the ‘Gang talkers’ (see Simon HALLSWORTH and Tara YOUNG, ‘Gang Talk and Gang Talkers: A Critique’, *Crime, Media, Culture*, vol. 4, n° 2, August 2008). Hallsworth, who coined the term, deliberately sets himself outside this group. The latter refers to ‘a multitude of organizations and consultants offering “expert” opinion, guidance and advice’ (Simon HALLSWORTH, ‘Gangland Britain? Realities, Fantasies and Industry’, in Barry GOLDSON [ed.], *Youth in Crisis? ‘Gangs’, Territoriality and Violence*, Oxon: Routledge, 2011, p. 183). They include politicians, policy makers, the media and academics—that their own earlier research unfortunately helped to create (Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 12). The British gang industry has been deeply influenced by the work carried out by the Eurogang Network, a consortium of American gang researchers who collaborate with their European counterparts with the objective of understanding and confronting the materialised gang threat (Simon HALLSWORTH and Tara YOUNG, 2008, *art. cit.*, p. 176). The Eurogang Network defines the street gang as ‘any durable, street-orientated youth group whose own identity includes involvement in illegal activity’ (Malcolm



problem, and has led governments to put the stress on legislation rather than prevention. Some emphasis has been placed on prevention but there are various preventative measures which may be put in place, ranging from the welfarist to the outright punitive. Those involved in the gang industry have failed to engage with contemporary youth studies and have contented themselves with focusing on positive criminology, policing and community safety. Joseph and Gunter contend that the gang industry in fact has downplayed the race and ethnicity factor of gang-related violence in impoverished urban settings (for fear they might create further pathologies which would reinforce the Black criminal stereotype), so much so that they have made way for the (right-wing) media to impose their very own analysis of events and to ‘continue to stigmatise and problematise Black male youth as the perennial “criminal other”’.<sup>38</sup>

The main problem is certainly that the (right-wing) media use shortcuts and never refer to the structural inequalities, or to the push and pull factors which propel young people into violence, namely the socio-spatial and ethno-cultural discrimination that minority community members are constantly confronted with.<sup>39</sup> These media are too attracted to sensationalism, whatever the consequences, and they have succeeded in ‘making’ gangs (that is both the very term and the distorted reality behind it) seem commonplace. Hallsworth and Young provide the following example of gang talk distortions. In 2000, 10-year-old Damilola Taylor’s murder on a Peckham estate (in South-East London) was, as any case of death as a result of street violence (especially if guns or knives are involved), allegedly linked to ‘gangs’: the victim was presented as a gang member, and his killers, two brothers, aged 12 and 13, purportedly belonged to the ‘Young Peckham Boys’ and to the ‘Out to Bomb Crew’. The assertion, the aim of which was obviously to lend weight to the gangland Britain thesis<sup>40</sup>, was, as too often, unsubstantiated.<sup>41</sup>

### *Something old, something new*

Very interestingly, the ‘gang’ phenomenon (more precisely the sharp escalation in the number of violent youth collectives) bears an uncanny resemblance to that of the 1980s urban riots in terms of nature and in terms of how it has been dealt with by the media and heads of government. The continuous pertinence of this link can be illustrated by the fact that during the last big riots, in August 2011, ‘gangs’ were accused of being largely responsible for the events, although the extent of their involvement was later downplayed.<sup>42</sup> In both cases, a stigmatisation process against Black young males living in distressed zones can be observed. The rioters’

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KLEIN et al., ‘Street Gang Violence in Europe’, *European Journal of Criminology*, vol. 3, n° 4, 2006, p 418).

<sup>38</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, pp. 4-5 & p. 7.

<sup>39</sup> *Ibid.*, pp. 3-5.

<sup>40</sup> This thesis states that gangs mushroom apace (Simon HALLSWORTH, 2011, *art. cit.*, p. 183).

<sup>41</sup> Simon HALLSWORTH and Tara YOUNG, 2008, *art. cit.*, p. 180.

<sup>42</sup> HM GOVERNMENT, *Ending Gang and Youth Violence: A Cross-Government Report Including Further Evidence and Good Practice Case Studies*, London: Stationery Office, November 2011, p. 2.

grievances in the 1980s clearly pointed to unemployment, discrimination, police abuse and even colonialism<sup>43</sup>. The racial aspect of the most recent riots was less explicit, but certainly present in the background. Importantly, the aim of the Thatcher governments, successive New Labour governments and the current coalition government has been to reduce the social explanation to a minimum, and insist on the simply criminal nature of the riots. Criminalisation is a way for apparently weak governments not only to maintain control, but also to distance themselves from a social or political interpretation in order to weaken the link between deprivation and dissent.<sup>44</sup>

For example, in the aftermath of the Handsworth riots of 1985, Home Secretary Douglas Hurd (the fact that the Environment minister was no longer in charge of the inner city issue was also in line with the government's rationale of criminalisation) asserted that the Handsworth riots of 1985 were '*not a social phenomenon but crimes*'.<sup>45</sup> He dismissed the nexus between urban disturbances and social deprivation, stating that '*to suppose that the people who burned shops, looted, and, in fact, brought about death were driven by despair is, I think, absurd*'.<sup>46</sup> According to this logic, it was up to the police to solve the problem of urban rioting by tougher policing and force.<sup>47</sup> The 'civilised individual' only, that is the state's army and police, is in a position to put an end to violence when civilisation is threatened, using violence against the 'uncivilised'.<sup>48</sup> Then the government took the same approach they had taken four years earlier and only followed the recommendations set out in the (official) report drafted by the West Midlands head of police. Such a report was a godsend for the government, since it accused drug dealers of having initiated the riots to save their drug business (an interpretation that was refuted by the Silverman Report and the West Midlands County Council Report). Furthermore, it claimed that the relations between the local community and the police were good, and thus recommended measures purely pertaining to security. As for the independent Silverman Report, drafted for the City Council, it ascertained that undeniably, security measures were to be considered, but it insisted on the necessity of adding social measures to them.<sup>49</sup>

Similarly, after the 1981 urban riots, even before the Scarman inquiry into the causes of the events had been published (and denounced the extreme destitution,

<sup>43</sup> Paul HARRISON, *Inside the Inner City: Life under the Cutting Edge*, Middlesex: Penguin Books, 1992 (3<sup>rd</sup> ed.), p. 351.

<sup>44</sup> John GAFFNEY, 'L'interprétation de la violence, une analyse du discours sur les troubles sociaux au Royaume-Uni: le cas de Handsworth, Birmingham, 1985', *Langage et société*, n° 40, 1987, p. 90.

<sup>45</sup> Douglas Hurd, cited in the *Daily Telegraph*, 12 September 1985.

<sup>46</sup> *Ibid.*

<sup>47</sup> John GAFFNEY, 'Programmes of Perception: An Analysis of the Police Report into the Riots in Handsworth, Birmingham in September 1985', in Monica CHARLOT (ed.), *Britain's Inner Cities*, Paris: Ophrys-Ploton, 1994, p. 88.

<sup>48</sup> Claire ALEXANDER, *Embodying Violence: 'Riots', Disorder and the Private Lives of 'the Asian Gang'*, 2004, in *Allacademic*, [http://www.allacademic.com/meta/p\\_mla\\_apa\\_research\\_citation/1/0/9/7/3/pages109731/p109731-1.php](http://www.allacademic.com/meta/p_mla_apa_research_citation/1/0/9/7/3/pages109731/p109731-1.php) [accessed 21 August 2008], p. 8.

<sup>49</sup> CITY OF BIRMINGHAM, *Area Studies Handsworth/Soho/Lozells/Birmingham*, Birmingham: The Council, May 1987, p. 4.

chronic unemployment and racism the protagonists of the riots were confronted with), the government set up an Immediate Response Unit within the police forces that was to be in a position to quickly counter urban disturbances.<sup>50</sup> As a result, the police had been given 'proper' (read as appropriate) equipment to deal with riots.<sup>51</sup> Moreover, the government chose to focus on the Scarman report's guidance relating to security measures. Thus, the Police and Criminal Evidence Act 1984 allowed the government to implement two of these recommendations: the consultations between the police and local authorities (Part X), and the strengthening of police powers in terms of arrest and search (Parts I to IV).<sup>52</sup> What is more, the Public Order Act 1986 (Parts I and III) created five types of criminal offences. Rioting, violent disorder, affray, fear or provocation of violence and harassment, alarm or distress were henceforth defined as public order offences.<sup>53</sup> This set of tools clearly strengthened the penal apparatus.

### *The New Labour approach: a critique*

Maybe surprisingly, New Labour's position on youth violence did not differ markedly from that of the Conservatives. At the height of gang and youth violence fascination, in 2007, Tony Blair associated the Black community with a particular criminal culture involving guns and 'gangs'.<sup>54</sup> A few months later, Secretary of State for Justice Jack Straw stated that a cultural problem led young Black males into gang culture, not deprivation,<sup>55</sup> thus hinting at their alleged criminogenic culture. Similarly, in the context of the 1980s riots, both Hurd and Thatcher had explicitly ascertained a link between the collapse of family values and disturbances, and implicitly suggested that the problem was predominantly a Black problem.<sup>56</sup> Most notable is the fact that both the Scarman<sup>57</sup> and the more sympathetic Silverman<sup>58</sup> Reports denounced the failure of the Black family system to adapt to British culture. All the evidence suggests that New Labour has gone along with the 1980s Conservative view.

<sup>50</sup> HANSARD, 1982, [http://hansard.millbanksystems.com/written\\_answers/1982/jun/08/policeimmediate-response-units](http://hansard.millbanksystems.com/written_answers/1982/jun/08/policeimmediate-response-units) [accessed 16 August 2008].

<sup>51</sup> Margaret THATCHER, *The Downing Street Years 1979-1990*, New York: Harper-Collins, 1993, p. 145.

<sup>52</sup> Elizabeth II, *Public General Acts and Measures of 1984 (Part III, Chapters 50-62)*, London: HMSO, Police and Criminal Evidence Act 1984, c. 60, 1985.

<sup>53</sup> Elizabeth II, *Public General Acts and Measures of 1986 (Part IV, Chapters 60-68)*, London: HMSO, Public Order Act 1986, c. 64, 1987.

<sup>54</sup> 'PM Announces Review of Firearms Laws as Another Man is Shot', *Daily Mail*, 2007, <http://www.dailymail.co.uk/news/article-436893/PM-announces-review-firearms-laws-man-shot.html> [accessed 08/06/14].

<sup>55</sup> 'Straw Blames Absent Dads for Gang Violence', *Daily Mail*, 2007, [www.dailymail.co.uk/pages/text/print.html?in\\_article\\_id=476837&in\\_page\\_id=1770](http://www.dailymail.co.uk/pages/text/print.html?in_article_id=476837&in_page_id=1770) [accessed 8 June 2014].

<sup>56</sup> Jed FAZAKARLEY, 'Racisms "Old" and "New" at Handsworth, 1985', *Journal of Contemporary History*, vol. 13, Sussex: University of Sussex, 2009, p. 6.

<sup>57</sup> Leslie (Lord) SCARMAN, *The Brixton Disorders 10-12 April 1981: Report of an Enquiry*, Hardsmondsworth: Penguin, 1982 (2<sup>nd</sup> ed.), p. 29.

<sup>58</sup> Julius SILVERMAN, *The Handsworth/Lozells Riots, 9, 10, 11 September: Report of an Inquiry by Mr. Julius Silverman*, Birmingham: Birmingham City Council, 1986.

From the moment when they came to office, Gordon Brown's government set out to tackle youth exclusion and by extension youth crime<sup>59</sup> in poor neighbourhoods, launching various programmes such as the Youth Crime Action Plan which adopted a 'triple track' approach of enforcement and punishment.<sup>60</sup> Yet, it seems that the problem of youth crime had been exaggerated. One can flag up the fact that, for example, youth homicides involving guns only made up less than 0.5% of violent crime statistics, and those involving knives remained stable at around 6% in 2008. What is more, figures for 2008-2009 showed that most children and young people had been killed by their own parents.<sup>61</sup>

The 2009 Policing and Crime Act, which came into effect on 31 January 2011 was the first piece of legislation which tried to deal with gang-related 'actual' or real 'threats of violence' by at least three people using a characteristic that enables their identification as a group and is associated with a specific area. It gave local authorities and the police further powers to take out injunctions aiming at preventing serious violence, breaking down gang culture and encouraging multi-agency gang prevention initiatives (Part IV).<sup>62</sup> The main criticism which can be made is that according to the definition, young people simply hanging about in the streets could be unfairly considered as deviant or anti-social, when they might simply hang around doing nothing in a public space.<sup>63</sup>

In 2010, drawing on Hallsworth and Young's three tier model, the Department for Children, Schools and Families published a practice guidance document addressed to frontline practitioners, senior managers and policy makers who work in voluntary and statutory services in social care, the police, education and so on, for them to be able to discern signs of gang involvement and to handle the situation. The material proposed universal youth programmes to deal with the least-at-risk groups, and direct supportive interventions—that were eventually to give way to enforcement, public protection and safeguarding measures—which were directed against street gangs and criminal gangs. So close attention was only to be paid to bona fide gangsters.<sup>64</sup> The three-tier model had already influenced the Metropolitan Police Service's 'Gangs, Group Offending and Weapons: Serious Youth Violence Toolkit' in 2008 for instance, providing definitions for the attention of the police, youth justice practitioners etc., which focus on criminal behaviour as opposed to the existence of groups, in order not to criminalise all groups. In fact, identifying 'gangs' as criminals who gather for mutual protection and profit; as groups of adolescents and more particularly those who become delinquents; and as groups who gather regularly on a social basis, the document dismisses Hallsworth and Young's one-size-fits-all approach and takes into account the possible migrations in

<sup>59</sup> The two went together for Brown but this should not necessarily be the case.

<sup>60</sup> HM GOVERNMENT, *Youth Crime Action Plan*, July 2008, <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/YouthCrimeActionPlan.pdf> [accessed 29 April 2014], p. 1.

<sup>61</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 4.

<sup>62</sup> The National Archives, *The Policing and Crime Act*, c. 26, 2009, <http://www.legislation.gov.uk/ukpga/2009/26/contents> [accessed 19/04/14].

<sup>63</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 7.

<sup>64</sup> HM GOVERNMENT, *Safeguarding Children and Young People Who May Be Affected by Gang Activity*, Surrey: Home Office, 2010.

and out of groups (nevertheless without giving the reasons why). The problem is that the toolkit led to criminalisation anyway, since the term 'delinquents' here remains opaque and therefore can be disproportionately be applied to Black youth peer groups.<sup>65</sup> The one-size-fits-all approach, the characterisation of youth group activity through their structural pattern, only leads to the typecasting, labelling and irrelevant criminalising of certain groups of young people. In Britain, most urban youth violence has nothing to do with 'gangs'.<sup>66</sup>

### *The coalition's gang crackdowns*

In August 2011, thousands of people took to the streets of British inner city areas. The most underprivileged and powerless citizens of the country were associated with but not necessarily guilty of what can certainly be described as an unprecedented and internationally media-covered wave of violence and looting in 30 years. The new Coalition government immediately displayed their clear intention to condemn the events rather than provide an explanation for them, thus taking up the gangland Britain thesis. The mass media followed suit easily, since criminologists' and sociologists' views on the matter were not welcome. 'Gangs' and 'gang' culture were to be tackled. Britain had to be remoralised and highly punitive zero tolerance policing was to be applied against the deviants.<sup>67</sup>

Yet again, young Black men were pathologised because of their lifestyle, but increasingly, young working class Whites, or 'Chavs' as labelled by right-wing media, were also put under the spotlight.<sup>68</sup> 'The Whites have become Black', David Starkey's controversial statement,<sup>69</sup> is revealing: 'gangsta culture'—the celebration of 'bling', violence, law breaking and opposition to authority figures—was said to have infected (to extend Cameron's metaphor of the disease) those who lived alongside Black people, namely Whites especially, with their alien and criminogenic culture.<sup>70</sup> Black gang culture had broken British society and corrupted British values. 'Gangs' (or 'suitable enemies' to use Nils Christie's stereotype of the 'ideal victim') epitomised what was wrong in deprived urban zones.<sup>71</sup> Cameron launched no inquiry, as it would have simply demonstrated that 'criminals cause crime', and the neo-liberal project upon which the Coalition government was based may well have come in for criticism.<sup>72</sup>

Stating that austerity cuts, poverty and inequalities were in no way linked to the riots, Cameron provided an explanation which was at the other end of the spectrum compared to Scarman's for instance: adverse socio-economic conditions were in no way to be taken into consideration.<sup>73</sup> Cameron's myth-driven policy

<sup>65</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 10.

<sup>66</sup> Simon HALLSWORTH, 2013, *op. cit.*

<sup>67</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 3.

<sup>68</sup> *Ibid.*, p. 4.

<sup>69</sup> 'Was David Starkey Being Racist on Newsnight Last Night?', *art. cit.*

<sup>70</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 4.

<sup>71</sup> *Ibid.*, p. 12.

<sup>72</sup> John LEA, *art. cit.*, p. 1.

<sup>73</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 8.

agenda was directly inspired by the American experience of ‘gang’ suppression.<sup>74</sup> Surprisingly, the Coalition government decided to hold on to a failed war on gang experience. In the US, vast sums of money had been siphoned into gang suppression, but the number of gangs and gang members (respectively 20,000 and 1 million in 2008) had not decreased in 20 years.<sup>75</sup>

### *Media-driven moral panic*

Not only have the media helped to make gangs seem commonplace but they have also largely contributed to the fact that ‘gangs’ have been associated with Blacks. In the wake of the 1985 Birmingham Handsworth riots for instance, the lack of consensus as to the causes of the disturbances had already given the media a free hand to convey their own interpretation: according to Solomos and Back, it enabled them to spread racist representations.<sup>76</sup> The popular press helped convey the Prime Minister’s viewpoint by suggesting that the riots were directly linked with immigration—turning Blacks into the source of all evils<sup>77</sup>—which in a certain way allowed the government to justify the anti-(coloured) immigration policy that the Conservatives had been leading since coming to power in 1979.<sup>78</sup> In 2007, the Metropolitan Police Service also suggested that immigration has played a pivotal role in the proliferation of ‘gangs’.<sup>79</sup> A new stage in racialised criminal labelling was even reached in 1985: in fact, both the local and national press moved the Birmingham confrontations to the borough of Handsworth when they had actually occurred in Lozells, a neighbouring borough. Lozells did not conjure up the racially coded image that the press wanted to convey, whereas Handsworth and Black crime were already regarded as synonymous. Consequently, the petty Black delinquent progressed to the rank of Black rioter, and he graduated from being guilty of crime against private individuals to being guilty of crime against society itself.<sup>80</sup>

The obsession of New Labour with ‘immigrant’ youth ‘gangs’ was linked to the obsession they had with segregation, integration and community cohesion. Alexander argued that ‘the ‘gang’ is a parody of ‘cohesive community’—the embodiment of the multicultural nation in crisis’.<sup>81</sup> All the evidence suggests that New Labour’s and the coalition’s hidden agenda was no different from the Conservatives’, and that the press indeed backed the government against some

<sup>74</sup> Simon HALLSWORTH, 2013, *op. cit.*, p. 19.

<sup>75</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 14.

<sup>76</sup> John SOLOMOS & Les BACK, ‘Du clientélisme aux sections noires du Parti travailliste: la politique interrassiale à Birmingham’, *Revue Française de Science Politique*, vol. 46, n° 1, pp. 3-29, 1996, p. 21.

<sup>77</sup> John GAFFNEY, 1994, *art. cit.*, p. 93.

<sup>78</sup> The most striking feature of this policy certainly remains the British Nationality Act of 1981, which put forward a definition of British citizenship as well as scattered measures relative to immigration. Basically, citizenship was no longer granted according to the place of birth, and it no longer conferred the right of abode. Also, three categories of citizens were established. See Elizabeth II, *Public General Acts and Measures of 1981 (Part II, Chapters 54-72)*, London: HMSO, British Nationality Act 1981, c. 61, 1982.

<sup>79</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 7.

<sup>80</sup> John SOLOMOS & Les BACK, *op. cit.*, p. 18.

<sup>81</sup> Claire ALEXANDER, 2008, *op. cit.*, p. 14.

destructive alien culture afflicting peaceful and law-abiding Britain yet again.<sup>82</sup> The studies which influenced policy-making regarding the fight against gang-related violence in the 2000s, as hinted at previously, have failed to explain why poor urban young Black males are really inclined to be attracted to 'life on road'. Therefore, the news media have jumped on the bandwagon and have provided their own interpretation of the phenomenon, publishing allegedly official statistics which lent substance to (extreme) right-wing comments.<sup>83</sup>

For instance, in 2010, the *Daily Telegraph* reported that out of the 12% of Black male Londoners, 54% were to be blamed for all the street crimes, 46% for all the knife crimes, and over 50% for all the gun crimes in the capital city, undoubtedly because of a sensationalist characterisation, namely 'gangsta rap culture'.<sup>84</sup> On closer inspection, the figures displayed corresponded to people 'prosecuted in court, whether convicted or acquitted; those issued with a caution, warning or penalty notice; those the Crown Prosecution Service decided not to charge; and those whose crimes were taken into consideration after a further offence'. The account then reveals more about bias and the discriminatory practices of the police and the legal system, and about institutional racism, than it actually does about offences committed by Black male youths, since there are more White offenders overall. Black male youths though are over-represented among gun and knife users.<sup>85</sup>

### **'Nigger hunting'<sup>86</sup>**

Racism and harassment practices have not been the preserve of the media. In the 1980s, both the Silverman and the Scarman reports for instance, suggested that the police themselves were guilty of such behaviour, noting two specific reasons why the riots had occurred: the insensitivity of the police and, more particularly, their practice of harassment.<sup>87</sup> The conclusions of Hill's book argue along the same lines: she identified one of the main causes of the rioting as the way the police were leading their operations on a daily basis; they seemed to be able to decide who could walk the streets and under which conditions, which brought about a deterioration of the relations between the police and citizens. Those who were stopped and searched claimed to be the victims of harassment. It is not unusual to hear urban youths refer to the police as a 'legit gang' to whom they want to give a taste of their medicine.<sup>88</sup> If one goes by the research work carried out on relations between the police and the public, a vast majority of those stopped are among the young, the unemployed, or

<sup>82</sup> John SOLOMOS, 'Riots, Urban Protest and Social Policy: The Interplay of Reform and Social Control in Ethnic Relations', Policy Papers in Ethnic Relations, n° 7, Centre for Research in Ethnic Relations, Coventry: University of Warwick, December 1986, p. 8.

<sup>83</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 6.

<sup>84</sup> 'Police Statistics Shed Fresh Light on Link between Crime and Race', *Daily Telegraph*, 2010, <http://www.telegraph.co.uk/news/uknews/crime/7856404/Police-statistics-shed-fresh-light-on-link-between-crime-and-race.html> [accessed 8 June 2014].

<sup>85</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 6.

<sup>86</sup> In the 1960s, the phrase was common among policemen: they would go 'nigger hunting', that is harass Black people (Danièle JOLY, *L'émeute*, Lonrai: Denoël, 2007, p. 106).

<sup>87</sup> CITY OF BIRMINGHAM, *op. cit.*, pp. 4-5; Leslie (Lord) SCARMAN, *op. cit.*

<sup>88</sup> Dilys M. HILL, *Citizens and Cities: Urban Policy in the 1990s*, Hertfordshire: Harvester Wheatsheaf, 1994, p. 136.

come from ethnic communities—and most belong to all three categories at once.<sup>89</sup> Since the police are supposed to protect property and suppress drugs, violence, etc., they are bound to be influenced by stereotypes. As evidenced by research, petty crime soars in a context of unemployment; since unemployment rates tend to be higher than average among Black youths, the latter tend to be more involved in petty crime: the police therefore consider that they have to harass this section of the population in order to succeed in catching offenders.<sup>90</sup> Not only does it seem to police officers that harassment is a natural behaviour, but also it is sometimes presented by higher authorities as a duty they have to perform. For instance, in 1981, Superintendent Dick Holland, talking about young Black men of ‘Rastafarian appearance’ declared that this was ‘*the sort of discrimination and prejudice we want from police officers. This is what clears up the crime*’.<sup>91</sup>

The situation hasn’t changed over time: ethnic youths, especially Black youths have been systematically associated with the ‘youth culture’, Yardie culture and ‘gang’ culture. To Modood et al., Black youths are ‘*exemplars of youth culture*’. They have been portrayed by White people as deviant through their lifestyle (Black street culture).<sup>92</sup> Such a stigmatising representation influences the way one mentally constructs the ‘gang’. As Black youths have increasingly posed a potential threat to society and authority, attempting to self-govern their own lives (in other words, revolting against their condition through participation in riots or through gang membership), the police have been ever more suspicious of them. An interesting perspective can be found in the answers provided by the respondents to the Runnymede Trust’s Birmingham focus group composed of young people who ‘*had in various ways been affected directly by “gangs”*’. They claimed that recurrent confrontations with the police have strongly influenced ‘gang culture’.<sup>93</sup> As contended by Roche and Tucker, studying the young enables commentators to take stock of the well-being of society: the state of mind this section of the community is in challenges the government as it proves things have gone wrong in economic and social terms.<sup>94</sup> Deep distrust and mutual resentment has therefore clearly pervaded the relationship between (Black) youths and the police. Still, various sources, among which the rather sympathetic Silverman report, have suggested that the Black community were to a certain extent paranoid: ‘*The feeling of being discriminated against is an important part of the social and psychological background of Handsworth*’.<sup>95</sup>

An interesting point, though, is that in the 1990s ‘gangs’ developed primarily amongst the Asian (Muslim) community (they multiplied tremendously at the time

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<sup>89</sup> *Ibid.*, p. 151; for more recent information see Simon HALLSWORTH & David BROTHERTON, *op. cit.*

<sup>90</sup> Chris HARMAN, ‘The Summer of 1981: A Post-Riot Analysis’, *International Socialism*, vol. 2, n° 14, pp. 1-43, Autumn 1981, <http://www.marxists.org/archive/harman/1981/xx/riots.html#top> [accessed 1 April 2013].

<sup>91</sup> Jed FAZAKARLEY, *op. cit.*, p. 6.

<sup>92</sup> Tariq MODOOD et al., *op. cit.*, p. 347.

<sup>93</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 21.

<sup>94</sup> Jeremy ROCHE & Stanley TUCKER, *Youth in Society*, London: Sage, 1997, p. 3.

<sup>95</sup> Julius SILVERMAN, *op. cit.*, p. 48.



of the 2001 riots in Northern England<sup>96</sup>). The gang industry has however surprisingly decided to focus on Black groups. What is more, Alexander contends that the reason why the authorities and the media have never expressed much interest in White 'gangs' for instance, may be that they would have had to focus on structural similarities rather than on cultural and racial differences.<sup>97</sup>

Crime statistics show that if Black youths tend to be more involved in petty crime, it's true that they're also *victims* of gun and knife-related violence. In the 2000s many a 'gangland hotspot' had been identified in distressed areas throughout the country and Black youths were disproportionately affected as victims of violence involving weapons. For the period 2008-2009, Black young people aged 10 to 19 (that is 21% of London's youth population) represented 30% of the young offender population. 35% of those children and young men in custody were from BME backgrounds. Even though the last figure may have been inflated by police harassment towards Blacks, it remains substantial and indeed too substantial for it to be likely to be accounted for solely by unjust practices. Still, the explanation is simple: poor urban areas are inhabited by a disproportionate proportion of BME citizens. This reality was highlighted by the 2011 London Probation Trust report on youth gangs in London, which, positing that the escalation in youth crime should not be considered as a moral panic and should be envisaged within the context of social exclusion, dismissed any link between 'gangs' and race, stating that their ethnic composition '*tends to reflect the neighbourhoods in which young people live*'.<sup>98</sup>

### *A Victorian vision of the underclass*

As demonstrated previously, immigration was blamed for the eruption of urban riots in the 1980s. But the theory according to which Black youths were at the source of disturbances has been challenged since White youths also took part in the riots in the 1980s<sup>99</sup> and in 2011. While Black-led, the riots were multi-racial, and in some cases, they were totally White.<sup>100</sup> Rioters represented the population of an area, not an ethnic group,<sup>101</sup> just as local resident demographics, as opposed to the race factor, prevails in the composition of 'gangs' in fact.<sup>102</sup> Thus it can be mooted that the predominant common denominator between the rioters and gangs is class, and related daily experience of deprivation, rejection and socio-political invisibility. According to Solomos, the national anomie was not the result of race and alien cultural values, but manifestly race was central to the eruption of riots, given that young Blacks were confronted with a greater number of obstacles such as racism and discrimination.<sup>103</sup>

<sup>96</sup> Ben BOWLING & Coretta PHILLIPS, 'Policing Ethnic Minority Communities', in Tim NEWBURN (ed.), *Handbook of Policing*, Devon: Willan, 2003, p. 2.

<sup>97</sup> Claire ALEXANDER, *op. cit.*, p. 15.

<sup>98</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, pp. 5-6.

<sup>99</sup> Paul LAWLESS, *Britain's Inner Cities*, London: Paul Chapman, 1989 (2<sup>nd</sup> ed.), p. 19.

<sup>100</sup> Chris HARMAN, *op. cit.*

<sup>101</sup> Dilys M. HILL, *op. cit.*, p. 140.

<sup>102</sup> Ben MARSHALL, Barry WEBB & Nick TILLEY, *Rationalisation of Current Research on Guns, Gangs and Other Weapons: Phase 1*, London: UCL Jill Dando Institute of Crime Science, November 2005, p. 8.

<sup>103</sup> John SOLOMOS, *op. cit.*, p. 10.

As Avenel avers, the sociology of riots is best understood via ‘*a sociology of work and the new spatial forms of inscription of class relations*’.<sup>104</sup> Indeed, some sociologists lay stress on the socio-economic impulse behind the riots, that is a genuine structural process which has produced aggressive social personalities among the poor urban youth. The factory context (mass unemployment, job insecurity, the disintegration of the working class which had become socially and politically invisible...), as indicated previously, is also part and parcel of the riot phenomenon.<sup>105</sup> In the same vein, those young people who drift into crime and gangs for instance simply ‘*compensate for the failure of the market to provide jobs and secure work by attempting to find respect through alternative means; often through illegal means*’.<sup>106</sup> But it has been apparently simpler for the media and the authorities to stigmatise individuals rather than adopt a sociological approach questioning the way society functions. As a consequence, they seemed to be most worried on account of the violence while apparently feeling no concern regarding the discrimination experienced by the inhabitants of urban areas and their living conditions, as they promoted the so-called ‘gangland thesis’ and turned a blind eye on ‘*the hidden injuries of class*’.<sup>107</sup>

The thesis in question clearly blames ‘*the moral failure provoked by a perverse alien culture*’.<sup>108</sup> As contended by Lea, the followers of this thesis live worlds apart from the proletariat, and are responsible for what is referred to as ‘metropolitan othering’: they reduce the most appalling urban circumstances to the problem of Black ‘gangs’.<sup>109</sup> Yet, the reality is otherwise: the 1980s riots had been ‘*a violent reminder that the inclusion that the Welfare State promised to its poorest citizens had not occurred*’. As a consequence, this section of the population had to survive in areas which are in permanent recession.<sup>110</sup> Thatcherism was evidently an undemocratic process; it seems that Third Way and coalition politics have followed in its footsteps. As John put it, ‘*the injustice machine accelerates in the cause of law and order, and the safeguarding of people’s rights and civic entitlements is considered an almost obscene concern*’.<sup>111</sup>

The government’s stance on how the 1980s riots should be interpreted and therefore managed was presumably related to the fact that Margaret Thatcher held that the trouble-makers—meaning rioters, muggers or strikers if one refers to the speech she gave in Birmingham to the Conservative Rally on 19 April 1979 for

<sup>104</sup> Cyprien AVENEL, *Sociologie des quartiers sensibles*, Paris: Armand Colin, 2004, p. 86.

<sup>105</sup> *Ibid.*, pp. 85-86.

<sup>106</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 183.

<sup>107</sup> Richard SENNETT & Jonathan COBB, *The Hidden Injuries of Class*, New York: Random House, 1973.

<sup>108</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 7.

<sup>109</sup> John LEA, *art. cit.*, p. 11.

<sup>110</sup> Simon HALLSWORTH, 2013, *op. cit.*, p. 28.

<sup>111</sup> Gus JOHN, ‘Oh Dear! That Criminal Minority Again: Gus John Examines the Police Report on the Handsworth Riots’, *Race Today*, January 1986, <http://www.gusjohn.com/2011/11/black-asian-minority-ethnic-and-refugee-communities-and-inner-city-riots/> [accessed 12 April 2013].

instance<sup>112</sup>—were simply young men from broken homes with no ‘sense of respect for the law, for the neighbourhood and indeed for themselves’, and that repressive remedies were called for before anything else.<sup>113</sup> The youth problem was simultaneously criminalised and racialised through the image of the mugger. A similar stance has characterised New Labour’s terms of office and the new Coalition government’s administration: ‘*every age produces a public enemy*’ to quote Hallsworth.<sup>114</sup> The media have always been obsessed with violent Black young males, especially as of the 1970s, when they played a key role in creating a moral panic over mugging.<sup>115</sup> Mugging, rioting and gang-related activities, in other words Black crime and by extension the unwanted immigrant communities (in poor urban zones), still embody multiple fears and crises, and legitimises the establishment of authoritarian politics to restore order. Just like the mugger, the rioter and the ‘gang’ work as the epitome of all types of social crises and embody distinguishable and familiar scapegoats. That ‘transactional reality’ according to Foucault, both defined and responded to the crisis.<sup>116</sup> Folk devils were brandished through press sensationalism and the cooperation of ‘moral entrepreneurs’, namely right-thinking people.<sup>117</sup>

### ***The construction of the criminal other and its outcomes, or history repeating***

Ultimately, what stands out from these similar phenomena is that they have produced a common stigmatisation against a very specific section of the community. Explanations of the riots, explanations of the ‘gang’, at the end of the day are more revealing of the construction of cultural difference, against the norm of (White) Britishness, than of both phenomena. In the 1970s, Castles and Kosack posited that in substance migration was considered as an asset by the ruling class, since immigrants could be scapegoated for economic problems. The racial tensions that divided the working class facilitated its exploitation. Drawing from this statement, one can put forward the hypothesis that those phenomena have provided the authorities, with the precious help of the media, with the opportunity to hold someone responsible for what has been going wrong in society. The entrenched image of the Black mugger, the Black rioter, the Black gang member has appeared to be the perfect tool to absolve themselves of responsibility.<sup>118</sup>

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<sup>112</sup> Margaret Thatcher Foundation, <http://www.margaretthatcher.org/document/104026> [accessed 14 August 2011].

<sup>113</sup> Margaret THATCHER, *op. cit.*, p. 146.

<sup>114</sup> Simon HALLSWORTH, 2011, *art. cit.*, p. 183.

<sup>115</sup> See Stuart HALL, *Policing the Crisis: Mugging, the State, and Law and Order*, Basingstoke: Palgrave Macmillan, 1978.

<sup>116</sup> John CLARKE, ‘What’s the Problem? Precarious Youth: Marginalisation, Criminalisation and Racialisation’, *Social Work and Society International Online Journal*, vol. 6, n° 2, 2008, <http://www.socwork.net/sws/article/view/62/364> See [accessed 1 April 2013].

<sup>117</sup> John LEA, *art. cit.*, p. 12.

<sup>118</sup> Steven CASTLES & Godula KOSACK, *Immigrant Workers and Class Structure in Western Europe*, London: Oxford University Press, 1973.

Moreover, in a sense, riots and gang-related activities—or (violence) collectives—constitute different types of structures of informal governance. Successive governments, whatever their political sensibilities, have failed to learn from past repeated experiences, in spite of serious testimonies wholeheartedly agreeing with each other. As for the media, they have systematically and freely inflamed the debate. Second-class citizens (many of whom are Black) have been driven to resort to new, tougher ways of taking part in (or even taking over) the political debate for the authorities to stop ignoring them, to enjoy some power, to negotiate their position within mainstream society and find a role in it, but also to stop being victims. Such groups even succeed in becoming virtual institutions through myth making. For instance, Power and Tunstall posited that ‘*causing trouble was a commonly known way of asserting an alternative, defiant, anti-authority and destructive image to compensate for the inability to succeed or participate in a more organised way in mainstream society*’.<sup>119</sup> Here of course the authors refer to Marx’s theory, according to which alienation among the proletariat leads to conflict and obviously to deviant behaviour.

Rioting amounts to refusing the political language, and fighting on one’s territory gives a chance to win.<sup>120</sup> The same can be said of getting involved in gang-related activities. However, since it is both put forward in the public space by the media and repressed by the authorities, one can argue that the concept of ‘gang’, or (violence) collectives, just as the concept of rioting or what Mucchielli identified as a ‘*basic form of protest*’<sup>121</sup> rather relates back to a political vacuum,<sup>122</sup> and to what Paolo Freire referred to as the ‘*culture of silence*’: in other words, alienated and oppressed individuals in colonised territories (deprived areas which have tended to undergo regeneration or rather gentrification processes), and by extension in highly developed countries, internalise negative images of themselves (images created and imposed by the oppressor): consequently neither dialogue nor self-government can be envisaged.<sup>123</sup> Since these collectives are not organised, sustained political organisations, since they have no clearly-stated demands, they cannot possibly succeed in becoming integrated or influence policy-makers into integrating them into mainstream society. Discussing the case of rioters, Bachmann and Leguennec posited that they confront an ‘*enemy without a face*’, they confront those who ignore them on a daily basis, condemn them to social worthlessness and lead them to a deadlock.<sup>124</sup> At the end of the day, rioters and ‘gang’/(violence) collective members

<sup>119</sup> Anne POWER & Rebecca TUNSTALL, *Dangerous Disorder: Riots and Violent Disturbances in 13 Areas of Britain 1991-1992*, York: YPS for the Joseph Rowntree Foundation, 1997, p. 2.

<sup>120</sup> John GAFFNEY, 1987, *art. cit.*, p. 54.

<sup>121</sup> Laurent MUCCHIELLI, ‘Pour une sociologie politique des émeutes en France’, in Jean-Louis OLIVE, Laurent MUCCHIELLI & David GIBAND (eds), *État d’émeutes, état d’exception: retour à la question centrale des périphéries*, Perpignan: Presses de l’université de Perpignan, 2010, p. 254.

<sup>122</sup> Cyprien AVENEL, *op. cit.*, pp. 86-87.

<sup>123</sup> Tom HEANEY, *Issues in Freirean Pedagogy*, <http://nlu.nl.edu/academics/cas/ace/resources/Documents/FreireIssues.cfm> [accessed 14 August 2011].

<sup>124</sup> Christian BACHMAN & Nicole LEGUENNEC, *Violences urbaines: ascension et chute des classes moyennes à travers cinquante ans de politique de la ville*, Paris: Albin Michel, 1996, pp. 355-356.

get stuck in a vicious circle: the prejudices that link 'gang' or (violence) collective membership with a certain social and racial profile are but reinforced. Consequently, opportunities to choose alternative cultures multiply in the eyes of politically and socially invisible populations and yet other forms of governance can be expected to emerge.<sup>125</sup>

Last but not least, to a certain extent, these two forms of subcultural protest movement can be analysed in terms of contributing to the democratisation of British society, in the sense that they bring the issue of alienated populations to the forefront and make them visible. Therefore, having recourse to unorthodox methods to express political views might be considered as inseparable from the pursuit of social change. The 'gang', just like rioters, may well remain outside of and opposed to mainstream society and the rights and protections provided by citizenship on a long-term basis. Even though Scarman himself argued that '*violence, though wrong, is a very effective means of protest*', as things stand, there is still a long way to go, and more understandable and conventional forms of political demand ought to be devised by those who feel they are left out of mainstream society.<sup>126</sup>

### **Conclusion**

As contended by Hallsworth, '*there is an industrial logic to the current fixation on gangs, and, as such, a solution to the problem posed by them must include doing something about the developing gang industry that sustains the very gang it aspires to suppress*'.<sup>127</sup> Policy makers, among others, are thus to a certain extent responsible for the fact that one of the already weakest sections of the community, the Black community as it were, continues to be/is further stigmatised. The term 'gang' is definitely too (negatively) connoted, too racially loaded a term to be used appropriately and can't be transposed into Britain without causing casualties. Even if statistics, the interpretation of which is always a treacherous exercise, were to show that youth violence has certainly been on the increase, the systematic association with the menacing young Black male from the wrong part of town does not correspond to reality in every respect. Massive funds have been devoted to the suppression of 'gangs', when they could have been invested in blighted zones<sup>128</sup>, and initiatives aiming at empowering their residents.<sup>129</sup> Obviously, lessons from America have not been learned.<sup>130</sup>

All the evidence suggests that just as the much maligned conservative administration, the New Labour governments and the current coalition government relied on scapegoating in order to take the attention and the blame away from their economic and social policies, but also probably in order to be in the best position to impose their community cohesion agenda: in other words the stigmatisation of foreigners through anti-other policies and through language, highlighting their mores

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<sup>125</sup> Cyprien AVENEL, *op. cit.*, pp. 86-87.

<sup>126</sup> Leslie (Lord) SCARMAN, *op. cit.*, p. 36.

<sup>127</sup> Simon HALLSWORTH, 2011, *art. cit.*, p. 196.

<sup>128</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 16.

<sup>129</sup> See Richard CLOWARD & Lloyd OHLIN, *op. cit.*

<sup>130</sup> Simon HALLSWORTH & David BROTHERTON, *op. cit.*, p. 14.

and behaviour, and concealing the realities of their living conditions in the context of the hostile coexistence of parallel communities imperilling social cohesion in Britain. The repetitive use of the threatening image of the mugger, throughout the 1980s when rioting was legion, and in the 2000s with the escalation in youth crime, seems to have multiplied the occurrences of violence in Britain. The authorities obviously haven't taken heed of the conclusions given by the various inquiry reports published on riots, even though they have all (the most recent ones included) highlighted the very same litany: deprivation, alienation, discrimination, racism, police harassment, unequal employment and housing opportunities. However, these documents had warned British policy-makers that the excluded, youths more particularly, would find ways to fight against oppression, and the chronic denial of rights and resources. Admittedly, the government's strategy may well seem to have been manifold and included legislation, repression, blame-the-victim approaches, youth crime and gang prevention initiatives, and regeneration programmes, as opposed to constructive, all-concerted, sustainable investment in depressed areas, and development of youth provision, education programmes meeting the holistic needs of alienated young people as well as raising their aspirations. However, such a strategy is most unlikely to succeed for the single reason that it ignores poverty and deep-rooted socio-economic problems, and therefore misidentifies who the real enemies are.

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# ***‘Calling a Gang a Gang’: The Law in Denial?***

**Alexis CHOMMELOUX**  
*ICD – Université François-Rabelais*

## ***Introduction***

The social stigma deriving from accusations of membership of or association with a ‘gang’—a notion that tends to challenge those wishing to define it convincingly and comprehensively—is evident and well documented. Yet the term is used widely in the press, particularly the tabloids, and—initially with much more circumspection—by policy makers and politicians, notably (but not necessarily) when unwelcome statistics are released or when a spate of heinous knife-crime in London or Glasgow grabs the headlines, making the need for them to appear ‘tough on crime’ more imperative. The risk of oversimplifying complex social situations is obvious, and the all-too-automatic connexion with what is often simplistically referred to as a ‘gang’ composed of sections of society defined by race, gender, class, neighbourhood, etc. has been conclusively evidenced by criminologists and other social scientists.<sup>1</sup> The concept of the ‘gang’ is nebulous, hard to define, potentially catch-all, and prone to facilitate the stigmatisation of all sorts of social and anti-social behaviours characterising various people ranging from international organisations run by criminal oligarchs to small groups of hooded kids hanging out more or less aimlessly at bus stops—i.e. in the words of Ernesto Laclau,<sup>2</sup> ‘gang’ is an ‘empty signifier’. Even a selection of broadsheets perused without prior consideration for their possible scientific usefulness clearly shows that the term is used in wildly differing contexts to describe wildly differing situations. From American street-dancers accused of making up a ‘gang’,<sup>3</sup> and Australian bikers trying to improve their image,<sup>4</sup> to upsetting accounts of organisations smuggling illegal immigrants into the UK,<sup>5</sup> and of groups taking part in the so-called sexual

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<sup>1</sup> Cf. Jack KATZ & Curtis JACKSON-JACOBS, ‘The Criminologist’s Gang’, in Colin Summer (ed.), *The Blackwell Companion to Criminology*, Oxford: Blackwell, 2004, p. 103. Cf. also Hannah SMITHSON, Rob RALPHS & Patrick WILLIAMS, ‘Used and Abused: The Problematic Usage of Gang Terminology in the United Kingdom and Its Implications for Ethnic Minority Youths’, *British Journal of Criminology*, September 2012.

<sup>2</sup> Ernesto LACLAU, *Emancipation(s)*, New York: Verso, 2007. Laclau uses the concept derived from semiotics and which, strictly speaking, refers to a signifier without a signified in the context of politics and political philosophy.

<sup>3</sup> ‘Insane Posse Clowns Sue US Government over Gang Designation’, *Guardian*, 8 January 2014.

<sup>4</sup> Cf. BACA (Bikers Against Child Abuse).

<sup>5</sup> ‘People-smuggling Gang Jailed After Channel Port Arrests’, *Guardian*, 29 January 2014.

‘grooming’ of young women and ‘gang-rapes’,<sup>6</sup> the term, with more than a little help from the ‘gang talkers’ in the media and politics,<sup>7</sup> has become ubiquitous, covering a broad array of criminal—or supposedly criminal—activities. Unless clear criteria are agreed upon, the risk is that ‘*the empty signifier will continue to plague law-and-order discourses, [...] stereotyping vulnerable groups and neighbourhoods and hindering informed debate and effective responses*’,<sup>8</sup> not least among law-makers and law enforcement officers. The role of the law—in all senses of the word, including in slang for the police—in informing such ‘debates’, ideally as a provider of ‘effective responses’ to social problems and as a ‘science’ by nature apt to define and categorise behaviours, is *prima facie* a central one. Besides, many who express concern about ‘gang-crime’ and a pervasive ‘gang culture’ invariably call on policy-makers to devise legislation on the issue. This call to fight lawlessness with the law is often based on a preference for criminal law, better still laws that proscribe ‘gangs’, increase police powers and enhance sentencing, though such provisions are by no means the only tools available to government and, along with all the other tools available, deserve to be assessed with regard to their desirability and effectiveness. In this context, what is—or was—perceived as reluctance or tardiness on the part of British policy makers and politicians when it comes to ‘calling a gang a gang’ and to passing legislation with specific reference to a defined category of people collectively bearing that name, seems all the more remarkable since politicians do not consistently shy away from using the term.

An optimistic observer, confident in a high-minded political elite interested principally in the public good, might infer that such a well-informed, disinterested class of people, being aware of the multifaceted situations that come under such a politically charged heading and of the undesirable stigma attached, have broadly resisted the temptation to give in to the tabloids and public pressure, and have, on the whole, believed in the superiority to knee-jerk legislation of other policies which, to recycle an easily identifiable political slogan, could be described as being ‘tougher on the causes of crime’<sup>9</sup> rather than on crime itself. An explanation equally compatible with the notion that British politicians are a credible and worthy lot could be that Westminster would love to find the magic legal formula regarding ‘gang-related’ problems but is aware that the many elements which constitute what the proverbial man on the Clapham omnibus would describe as ‘gang-related’ are indeed very difficult to compound within a catch-all definition whose practical use would do more good than bad. As a result, the inference might be that, pragmatically, they are, have been or were to a great extent making do with a medley of common law and statutory, civil and criminal, national and local, ancient and recent legal instruments considered to be more appropriate and to have the advantage of circumventing the operational and legal risks involved in seriously

<sup>6</sup> “‘They Like Us Naïve’”: How Teenage Girls Are Groomed for a Life of Prostitution by UK Gangs’, *Independent*, 31 January 2010.

<sup>7</sup> Simon HALLSWORTH & Tara YOUNG, ‘Gang Talk and Gang Talkers: A Critique’, *Crime, Media, Culture*, vol. 4, n° 2, 2008, pp. 175-195.

<sup>8</sup> Chris RICHARDSON & Liam KENNEDY, “‘Gang’ as Empty Signifier in Contemporary Canadian Newspapers”, *Canadian Journal of Criminology and Criminal Justice/Revue Canadienne de Criminologie et de Justice Pénale*, October 2012, pp. 464-465.

<sup>9</sup> Being tough on crime and ‘tough on the causes of crime’ was of course a commitment contained in the 1997 Labour manifesto.

‘calling a gang a gang’—i.e. in defining it. It could well be that politicians who, four decades after the UK joined the European Economic Community, still tend to take their policy inspiration from the other side of the ocean—and their legal inspiration from other common law jurisdictions—rather than from the European continent have had ample opportunity to take into account the situations that, sometimes, ‘calling a gang a gang’ has resulted in in the US, Canada and other common law jurisdictions.<sup>10</sup>

A third possibility may also be contemplated: many an unpleasant phenomenon makes its way to the United Kingdom from the United States—from child obesity and drive-ins to poor grammar and reality television—and, for all the contradictory temptations to emulate the American cousin in a great many areas, it may be very comforting to hang on for as long as possible to the idea that some nefarious phenomena have not yet reached Blighty. In that case, *not* calling a gang a gang is tantamount to not acknowledging the existence of ‘gangs’, or at least to acknowledging it, but only to a point, or to acknowledging it only when it is politically expedient to do so. Should the third hypothesis be given more credence than the other two, one should be fair to politicians and acknowledge, at least with regard to youth ‘gangs’, that reluctance and tardiness were also the hallmarks of British academia: in Shute’s view, the first decade of this century saw what Huff<sup>11</sup> described as ‘*three characteristic stages of community response to a youth “gang” problem: initial denial; followed by recognition, media overreaction and police suppression; followed by embedded policy based of misidentification of both “gang” members and the causes of “gang” membership*’.<sup>12</sup>

Be that as it may, the question has to be: where are we now? Has the period of alleged denial ended? Has it given rise in some or all ‘gang-related’ areas to a ‘*narrow, almost stereotypical, range of US-derived policy responses*’<sup>13</sup> as is sometimes claimed? Or has the British delay or denial (denoting circumspection or pusillanimity) allowed the UK to avoid some of the ‘*misidentification, stigmatic labelling and policy misdirection*’?<sup>14</sup> A useful way of looking at the situation, still from the point of view of honest, far-sighted politicians devising policies—including criminal ones—while aware of the long-term risks of alienating elements in society, particularly among the young and the visible minorities, could indeed focus on determining what policies stigmatise more, on what policies *label* people more, *as deviants*, given that politicians know or ought to know that stigmatising and labelling are unhelpful, socially divisive, and indeed one of the reasons why young people become involved with criminal groups in the first place. Is it better not to use a term in the law even though it is widely used in society, in crime statistics and

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<sup>10</sup> Others believe that, on this issue, as in so many others, Britain has imported American methods wholesale, an assumption that will need to be examined, at least as far as legal methods are concerned.

<sup>11</sup> Clarence Ronald HUFF (ed.), *Gangs in America III*, Thousand Oaks: Sage, 2002.

<sup>12</sup> Jon SHUTE, ‘Family Support as a Gang Reduction Measure’, *Children & Society*, vol. 27, 2013, p. 48.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

increasingly in policy documents<sup>15</sup> or is defining it, to the extent that it is possible to do so, a precondition to thrashing out a multipronged strategy useful in combating it or, preferably, in solving the social ills in relation to it? If the latter, can it be done? The theoretical risks of either approach and of the ‘*twin tendencies to stereotype gangs as all similar or to ignore the issues of gang structures*’<sup>16</sup> are easily foreseeable. One extreme, a likely corollary of what was allegedly the first stage, is that denial will mean underestimation of the problem, a failure to tackle it and subsequently social mayhem and a breakdown in law and order. The other extreme, a corollary of the third stage and a consequence of the second, entails reification, oversimplification and, to use a term connected with law enforcement and punishment (admittedly in a dated form), tarring too many people with the same brush. This second approach is necessarily based to some extent on assessing people’s guilt or liability with respect to their association and may lead to convicting people, finding them liable or issuing injunctions against them in the more mundane sense of ‘by association’—*i.e.* with an undiscerning and overactive tar-brush. Examples from abroad will be summoned, notably from North America where the legal and law-enforcement practices will need to be briefly assessed.

This chapter will focus on whether the term ‘gang’ is used in the law, if so how, since when and how frequently, and if the advantages of using the term as a defining element in legislation and other regulations outweigh the disadvantages which may include unhelpful stigmatisation. It will look at the risks, theoretical and observed, in overseas jurisdictions, before analysing the situation that has prevailed in the UK over the past couple of decades and, testing the validity of the aforementioned ‘characteristic three stages of community response’ with regard to the law more specifically and ‘gangs’ more generally, it will assess the extent to which said law was affected by *denial*, *overreaction* and *misidentification*.

### **‘Gangs’, stigmatisation and the law**

The risk of stigmatising evokes another risk resulting from calling a Black person Black but is more indirect and perhaps more perfidious. The racial bias here is veiled and, though this is beyond the scope of this chapter, calling a Black man Black in crime reports in particular, with common references to ‘Black on Black’ or ‘Black on White’ crime, has taken hold in the UK with the logical incursion of the adjective ‘Caucasian’—reborn in Germany in the 18<sup>th</sup> century and now used predominantly in the US<sup>17</sup> to describe a criminal who is neither Black nor Asian, nor belonging to a number of visible minorities, a denomination increasingly called into

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<sup>15</sup> E.g. CENTRE FOR SOCIAL JUSTICE, *Dying to Belong: An In-depth Review of Street Gangs in Britain*, a Policy Report by the Gangs Working Group, February 2009; HM GOVERNMENT, *Ending Gang and Youth Violence: A Cross-government Report Including Further Evidence and Good Practice Case-studies*, 2011.

<sup>16</sup> Malcom KLEIN, ‘Resolving the Eurogang Paradox’, in Malcom KLEIN, Hans-Jürgen KERNER, Cheryl L. MAXSON & Elmar G.M. WEITEKAMP (eds), *The Eurogang Paradox: Street Gangs and Youth Groups in the US and Europe*, Dordrecht: Kluwer Academic Publishers, 2001, p. 10.

<sup>17</sup> ‘Has “Caucasian” Lost its Meaning?’, *New York Times*, 6 July 2013.

question for its usefulness with regard to dwindling affirmative action.<sup>18</sup> The scope of this chapter precludes us from delving too deeply into these questions since, thankfully, no UK statute, by-law, order or legal instrument uses this dubious (or honest, depending on your point of view) categorisation. The colour of the victim’s skin may of course lead to aggravating circumstances and, logically, to enhanced sentencing if the victim of a criminal offence was targeted on ethnic or racial grounds; self-regulatory provisions may encourage racial diversity; equal employment legislation necessarily hints at the distinction. Yet notwithstanding such protections of minorities and victims of possible discrimination, the terms themselves have not been used in recent law. As a Frenchman however, the author cannot resist the temptation to add that the practice of not calling a Black person a Black person in French crime reports can be seen as a form of hypocrisy that doesn’t ‘fool’ the alas growing number of citizens who are easily prejudiced against—and indeed may confirm the besieged White man’s suspicion that they are the victims of an establishment plot—and may cause a shift in the way the ‘labelling’ imposes itself with euphemistic and nonetheless damaging references. The constant use in the French media of expressions like ‘*les quartiers sensibles*’, ‘*les quartiers difficiles*’ and, even more absurdly, ‘*les quartiers*’, as though the vast majority of us did not live in a ‘neighbourhood’, is a very fine veil that signally fails to hide the ethnic, racial, demographic aspects of the antisocial, criminal stories related and leads to post-code difficulties for job applicants whose addresses become the main reason for their CVs being ignored. The boundaries of discrimination have shifted and new terms do the stigmatising, causing others to be stigmatised *by association*. In the UK, the boundaries of what is politically correct have moved as the religious, ethnic or racial backgrounds of both victims and perpetrators are being increasingly mentioned, and not only in the right-wing media.<sup>19</sup>

The law, which should be part of the strategy to solve what in well-defined cases<sup>20</sup> may be a very pressing problem, should also be the last rampart against discrimination, having come a long way to addressing that particular way of violating fundamental human rights, in the UK at least.<sup>21</sup> It should therefore, as far as possible,<sup>22</sup> be beyond reproach and avoid the stigmatisation that it seeks to combat in other areas without underestimating or minimising the reality of the problem. Defining the problem is therefore central to academics and those in charge of devising a plan, as all working groups agree. Whether the term should be used

<sup>18</sup> Caucasian ‘seems like one of those polite euphemisms that hides more than it reveals. There is no legal reason to use it. It rarely appears in federal statutes’ (*ibid*).

<sup>19</sup> Cf. the considerable number of pieces on ‘gang-rapes’ by Muslims of non-Muslim victims on such a website but also the BBC’s *Inside Out London* programme broadcast on 2 September 2013 about the ‘hidden scandal of sexual grooming of young Sikh girls by Muslim men’.

<sup>20</sup> For the risks of extending and overplaying the ‘gang’ threat, cf. Simon HALLSWORTH & David BROTHERTON, *Urban Disorder and Gangs: A Critique and a Warning*, London: Runnymede, 2011, p. 13.

<sup>21</sup> Cf. *inter alia* race relations legislation, legislation on the prevention of racial hatred, the ECHR and HRA 1998, etc.

<sup>22</sup> Even the most sacred rights are relative rights that have to be balanced against other rights and obligations, and that is true of the right not to be subjected to discrimination as is protected under section 14 of the Human Rights Act 1998 in particular.

explicitly however is another matter, for if calling a ‘gang’ what should not be called a ‘gang’ may not be satisfactory in academic terms and may not be conducive to social harmony, the impact of getting it wrong in a *legal* provision that will potentially cause people to be wrongly incriminated and convicted for instance will provoke more immediate and catastrophic problems. In other words, if you cannot define it clearly—and policy reports and specialists agree on the difficulties<sup>23</sup>—should you use it? Conversely however, if the term is not used, another risk could ensue: the risk of calling a ‘gang’ something else, possibly something worse.

### ***The risks involved in not ‘calling a gang a gang’***

Where no specific gang-related provision exists—either because of definitional problems or for other reasons—but where general, catch-all (and badly drafted) legislation has been adopted instead, other concepts that are also excessively broad and more stigmatising still may be used. This was the case with anti-terror legislation in the state of New York until the highest court, in the *Morales* (Edgar Morales) case, finally ruled that the Bronx’s DA’s office had ‘*erred in trying to use a state terrorism charge to prosecute street gangs*’.<sup>24</sup> One consequence of this—admittedly in the American context—has been that legal scholars have called for comprehensive and well-defined ‘anti-gang’ legislation. The problem, it was argued, was a conjunction of the overly broad New York Antiterrorism Act of 2001 setting forth that terrorism should be characterised when there is ‘*intent to intimidate and coerce a civilian population*’ and ‘*the surprising lack of gang statutes available to law enforcement officials (which) has encouraged prosecutors to attempt to remedy the situation by using several different statutes, including New York’s antiterrorism statute*’.<sup>25</sup> It could therefore be argued that failing to legislate on ‘gangs’ could be both ‘surprising’ and, more to the point, risky, leading British prosecutors and judges to abuse broad-spectrum anti-terror laws. The controversial decision by the London High Court, which found that the police were justified in detaining David Miranda, a Brazilian national, for possession of documents leaked by Edward Snowden under anti-terror legislation, is a topical illustration of that risk and of what Liberty called a ‘*barefaced abuse of power*’.<sup>26</sup> The parallel between terrorism and other criminal organisations is easily drawn, and some tools devised to combat the former bear an uncanny resemblance to those aimed at defeating the latter. Many are assessed in the same terms and stigmatisation based on race, ethnicity or faith may play its part in explaining membership of or association with criminal groups or terrorist organisations. A recent interview with a young French Jihadist fighting in

<sup>23</sup> Cf. CENTRE FOR SOCIAL JUSTICE, *op. cit.* pp. 20-21 and the rather vague working definition the group used (my stress): ‘A relatively durable, predominantly street-based group of young people who see themselves (and are seen by others) as a discernible group, engage in a range of criminal activity and violence, identify with or lay claims over territory, have some form of identifying structural feature and are in conflict with other similar gangs’.

<sup>24</sup> Chantal TORTOROLI, ‘Gangs of New York Are Terrorists? The Misapplication of the New York Antiterrorism Statute Due to the Lack of Comprehensive Gang Legislation’, *Saint John’s Law Review*, vol. 84, n° 391, 2010, pp. 391-421. Cf. also ‘Court Rules Gang Crime Falls Short of Terrorism’, *New York Times*, 12 December 2012.

<sup>25</sup> Chantal TORTOROLI, *op. cit.* p. 393.

<sup>26</sup> <http://www.liberty-human-rights.org.uk/news/press-releases/david-miranda-detention-lawful-high-court-judgment-demonstrates-problem>.

Syria makes it clear that the constant stigmatisation of Islam and Muslims in the French media, in the context of the protracted debate on the meaning and implications of secularism, is fuelling this phenomenon.<sup>27</sup>

The logic of association, as opposed to the principle of individualisation (in the contemplation of whether a crime has been committed and concerning the sentence handed down), is used in cases based on both suspicions of terrorist activities and ‘gang-related’ activities where no specific law exists: association allows prosecutors to charge people with crimes they have yet to commit. As for the remedies, one device aimed at combating *serious crime* (and what many would recognize in some of its aspects as ‘gang-crime’, though the term is conspicuously absent from the act) is based on this *association*: control orders, or Serious Crime Prevention Orders to be precise, which the Serious Crimes Act 2007 has allowed judges to impose on people suspected of having been involved in serious crime, ‘*originated at the beginning of this century in the UK terrorism context as a way of getting past legal problems with indefinite detention of terror suspects*’<sup>28</sup> and are central to the UK’s anti-terror policy devised two years earlier and based on the Prevention of Terrorism Act 2005. What’s more, terrorism and the shock that its ‘mass’ version directly affecting the West has had are likely to cause a cycle that could, using Huff’s words, be described thus: ‘denial’ when it took place overseas, even when our embassies were targeted, an ‘overreaction’ in keeping with the outrage of 9/11<sup>29</sup> and the London and Madrid attacks, and a tendency to ‘misidentify’ for fear of risking other atrocities and the political fallout. Concerning crime policy more generally, the rhythm of political exigencies and media reactions has led politicians to pile criminal legislation upon—often unenforced—criminal legislation to please the supposedly impatient citizenry or further political ambitions dependent upon cynically putting crime at the top of the agenda. Nicolas Sarkozy’s presidency is a prime example: a torrent of legislation demonstrated overreaction and misidentification of the problems rolled into one. Blair of course, with his ‘eye-catching initiatives’ was accused of the same tendency.<sup>30</sup> To return to ‘gangs’ and the possible *association* with terrorism, it should be noted that in sections of the press, the issues are deliberately assimilated and conflated. For example, the *Spectator* establishes an insidious connexion between the two concepts in an article about terrorist groups, evoking ‘*an enemy that is organic, elusive and constantly mutating: gangs built on bravado*’.<sup>31</sup> Besides, researchers interested in strategic

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<sup>27</sup> *Le Sept-neuf*, France Inter, 10 February 2014; *La Matinale*, France Culture, 17 February 2014.

<sup>28</sup> Lucia ZEDNER, ‘Preventive Justice or Pre-punishment? The Case of Control Orders’, *Current Legal Problems*, vol. 60, n° 1, 2007, pp. 174-203, cited in Julie AYLING, ‘Criminalizing Organizations: Towards Deliberative Lawmaking’, *Law & Policy*, vol. 33, n° 2, April 2011, p. 164.

<sup>29</sup> It took the State of New York six days to enact the aforementioned antiterrorism statute. Cf. N.Y. Penal Law §§ 490.00-35.

<sup>30</sup> ‘Blair’s Frenzied Law-making: A New Offence for Every Day Spent in Office’, *Independent*, 16 August 2006.

<sup>31</sup> ‘Al-qa’eda’s Secret UK Gangs: Terror as a ‘Playground Dare’, *Spectator*, 18 March 2008.

security also believe in the cogency of drawing parallels between ‘gangs’ and terrorist groups and look closely at the defining elements of the two phenomena.<sup>32</sup>

### *The risks involved in ‘calling a gang a gang’*

If in some US states the lack of specific laws was blamed for the ‘undue association of gangs with terrorism’ and, more commonly, with a failure by the authorities to get on top of problems perceived to be ‘gang-related’, other US states have experimented with such ‘gang-laws’, ‘gang-injunctions’ and ‘gang-procedures’, as have Canada, Australia and others. This section will briefly evoke situations observed in states that did decide to ‘call a gang a gang’ in their legislation, before returning to the situation prevailing in the UK. The most evocative case, that of California, also indicates that even when you do ‘call a gang a gang’, the association with terrorism and subsequent stigmatisation may still be established explicitly in legislation, not least under that state’s statutory cornerstone in the protection against ‘gangs’, the Street Terrorism Enforcement and Protection Act,<sup>33</sup> commonly known as the STEP Act. California is an example of a state associated with ‘gangs’ and ‘gang violence’, and with good reason. It is a state that has considerable experience with ‘anti-gang’ provisions and/or with aiming specific legal tools at ‘gangs’. Chicago is another state that will get a brief mention, being also associated with gangs, though perhaps traditionally with gangs which are more akin to the mafia and to what most would regard as organised crime. In the words of Los Angeles ‘gang prosecutor’ Genelin: ‘*Chicago gangs are set up like organized crime; L.A. gangs are disorganized crime*’.<sup>34</sup> Illinois too has had a strategy aimed at gangs. The debates these strategic choices have sparked off and the litigation they have caused, notably around the turn of the millennium, provide an indication of the perceived risks involved in explicitly calling a gang a gang in the law itself or at the very least in the law enforcement strategy. Despite the gang prosecutor’s pun, and/or because it is argued that its ‘gangs’ are developing into fully grown mafias, California, like other states, has made use of federal criminal statutes aimed at organised crime such as RICO.<sup>35</sup>

The problem with RICO was that when the activities and the groups targeted were connected to interstate commerce, there was no doubt that the act could be used without violating the Constitution under the Commerce Clause but when the connection was less clear, judges were divided as to what standards to apply. Even though sophisticated ‘street gangs’ with increasingly long arms were becoming a new mafia with interstate business interests, not all street ‘gangs’ were constitutionally subject to the federal statute.<sup>36</sup> California also passed legislation of its own, notably the aforementioned STEP Act. The former was found to be

<sup>32</sup> Scott DECKER & David PYROOZ, ‘Gangs, Terrorism and Radicalization’, *Journal of Strategic Security*, vol. 4, n° 4, Winter 2011, pp. 151-166.

<sup>33</sup> *California Penal Code*, Section 186.21.

<sup>34</sup> ‘Gangbusters: Prosecutors Aturning to Powerful Federal Statutes and Some Handy Local Ordinances to Stop Criminal Gangs in their Tracks’, *ABA journal*, January 1998, pp. 64-68.

<sup>35</sup> The Racketeers Influenced and Corrupt Organizations Act, 1970.

<sup>36</sup> Cf. Lindsey T. MILLS, ‘Applying RICO to Street-gang Thugs’, *Temple Law Review*, vol. 8, n° 3, Fall 2008.



adaptable to the fight against what would not necessarily have been recognised as their prime targets by the legislators at the time it was passed (‘street gangs’ in particular) while the latter, with its controversial title, provides a clear reference to ‘gangs’, said ‘gangs’ being defined for the purpose. In this 1988 act, considered as a model by prosecutors,<sup>37</sup> ‘*a substantive crime of knowing participation and wilful furtherance of felonious conduct by members of a criminal street gang*’<sup>38</sup> is created and enhanced penalties are provided for offences benefiting ‘gangs’. The use of ‘gang evidence’ in court (evidence that the defendant’s case should be understood in the broader context of their association with a ‘gang’) is also central to criminal trials, and the question of whether it should be considered as ‘prejudicial’ (and therefore unduly stigmatising) and rejected by judges is a procedural problem that is addressed in the APRI in the following terms: the response to the defence’s objection that ‘gang evidence’ is prejudicial should be ‘*Of course it is! That’s the point!*’.<sup>39</sup> What is contended here is that there is only a problem when the evidence is ‘*substantially more prejudicial than probative*’ and that ‘gang evidence’ is useful in proving intent, motive, identity, criminal liability and in explaining the conduct of witnesses. In California, more local initiatives target ‘gangs’ explicitly: the Los Angeles Strategy Against Gang Environments involves civil injunctions being issued against those whose ‘*conduct [was] generally associated with ‘gang activity’ such as drinking, vandalism, possessing weapons, using drugs, using ‘gang’ hand signs, appearing with known ‘gang-members’, applying graffiti and using beepers in public*’.<sup>40</sup> It involves sending ‘*gang prosecutors from the district attorney’s office*’ to liaise with police and inform them of ‘gang-members’ parole and probation restrictions, allowing them in some cases to lift Fourth Amendment requirements and search without cause.<sup>41</sup>

Such strategies are definitely based on exceptional measures aimed at ‘gangs’, including curfews in some cities, and are at variance with civil rights issues, as highlighted by many ACLU (American Civil Liberties Union) documents. As far as civil law and its extensive use *via* gang-injunctions are concerned, the labelling of ‘gang-members’ may be all the more problematic since the people concerned often lack the resources to attain proper remedies: indeed, the use of a civil tool has serious ‘access to the law’ implications, legal aid being sometimes denied to those claiming they have been unduly targeted. Judges have had to rule on the legality and indeed the constitutionality of laws calling a gang a gang, particularly with regard to anti-loitering and ‘gang-injunctions’ in relation to which they have had to decide whether the First Amendment was engaged. On the whole, the principle of labelling, targeting, issuing orders against and criminalising activities because they are ‘gang-related’ has not been censured by the United States Supreme Court, though in one famous case<sup>42</sup> the judges were understood to limit its use where the circumstances in which injunctions were provided for were unconstitutionally vague, allowing such

<sup>37</sup> ‘Prosecuting Gang Cases: What Local Prosecutors Need to Know’, American Prosecutors Research Institute, April 2004, p. 21.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*, p. 8.

<sup>40</sup> ‘Going Gangbusters: Prosecutors Fight Gangs with Injunctions Banning Conduct such as Using Beepers and Applying Graffiti’, *ABA Journal*, October 1996, p. 64.

<sup>41</sup> *Ibid.*

<sup>42</sup> *Morales*, 527 U.S. 41, 64 (1999).

discretion as to permit arbitrary and discriminatory enforcement. In what was another Morales case (*City of Chicago v. Morales*), the ordinance was in fact an anti-loitering device and the state that enforced it was Illinois. In 1997, the California Supreme Court had held that ‘gang associations’ were not the type of association protected by the First Amendment and that in this case, the injunction’s terms were not excessively vague.<sup>43</sup>

The debate, however, has not been brought to a consensual conclusion by such authoritative judicial decisions, least of all the argument about the effectiveness of measures explicitly targeted at gangs, which is as heated as ever. Some researchers claim for example that the injunctions are making a difference,<sup>44</sup> while many others disagree about the real long-term benefits and the pertinence of setting people apart from society<sup>45</sup>, some going as far as to challenge the assumptions that support the Supreme Court’s reasoning. In a comprehensive analysis,<sup>46</sup> Caldwell explores the presupposition that underpins the constitutionality deriving from the traditional balancing test between ‘*the community’s right to security and protection*’ and ‘*the individual’s right to expressive and associative freedom*’, i.e. ‘*the question of whether they actually bring about more community safety or whether they serve an important government interest*’.<sup>47</sup> Besides, studies have concentrated on a classification of potential risks associated with specific ‘gang-related’ measures, listing them for the benefit of policy makers so as to help them avoid repeating mistakes, particularly those due to the precipitation induced by politicians’ need to be seen not to be wasting time. Ayling’s ‘typology of legislative approaches’ is particularly useful in that it computes the ‘levers’ (actors, activities, objectives, structures and impacts in/of the criminal activities) with legislative approaches, their main objectives, and the potential risks and drawbacks.<sup>48</sup>

### **‘Calling a gang a gang’ in the United Kingdom?**

There has been much talk in the UK, and with regard to the UK, of a form of reluctance, at least until recently, when it came to explicitly categorising ‘gangs’ in policy and legislation. One of the reasons for this has been the definitional difficulty associated with ‘gangs’. It appears that the terms in which the problem is posed have been rather different on this side of the ocean, with a broad school of thought advocating and perpetuating denial of the very existence of gangs in the UK or at least urging caution. The debate on the subject is still active, as is exemplified by the

<sup>43</sup> *People ex rel. Gallo v. Acuna*, 929 P.2d 596 (Cal. 1997).

<sup>44</sup> Cf. Matthew D. O’DEANE, *Effectiveness of Gang Injunctions in California: A Multicounty 25-year Study*, a doctoral dissertation defended at Walden University in 2007 and other subsequent articles by the same author such as: Matthew D. O’DEANE & Stephen A. MORREALE, ‘Evaluation of the Effectiveness of Gang Injunctions in California’, *The Journal of Criminal Justice Research*, vol. 2, n° 1, 2001, pp. 1-26.

<sup>45</sup> Cf. Simon HALLSWORTH & David BROTHERTON, *op. cit.*, pp. 14-18 for instance.

<sup>46</sup> Beth CALDWELL, ‘Criminalizing Day-to-day Life: A Socio-legal Critique of Gang Injunctions’, *American Journal of Criminal Law*, vol. 37, n° 3, 2010, pp. 242-290.

<sup>47</sup> *Ibid.*, pp. 256-257.

<sup>48</sup> Julie AYLING, *op. cit.*, pp. 154-155.

academic spat between Joseph and Gunter<sup>49</sup> on the one hand and Hallsworth and Young<sup>50</sup> on the other hand.<sup>51</sup> Beyond the divides there is a solid argument that whatever denial there may have been was to a great extent due to the existence, in academia and among policy makers and policy advisors, of a reticence particularly among authors who preferred ‘a “subcultural” interpretation of youth group violence’.<sup>52</sup> Denial of the cogency of potentially using the term ‘gang’ is obviously not something that what is sometimes referred to pejoratively as the ‘gang industry’<sup>53</sup> could be accused of, and yet the reality of the definitional problems it confirmed and the precautions it recommended to anyone wishing to use the term could be seen by some as delaying action. In this instance the European connexion rather than American or Commonwealth connexions allowed the debate to evolve. This largely occurred *via* the ‘Eurogang’ project,<sup>54</sup> which proposed a definition of ‘gangs’, of ‘youth gangs’ at least, that was more or less acknowledged as being of some use throughout Europe. This indicates that the precautions advocated with regard to ‘calling a gang a gang’ were not a British idiosyncrasy and the project contributed to the advent of ‘a willingness to acknowledge and study the reality of UK “youth gangs”, as distinct from “non-gang” delinquent youth and organised criminal networks’.<sup>55</sup> That said, it is telling that even this definition of what is effectively a (street) ‘gang’ came about without the authors finding it in themselves to ‘call a gang a gang’: the admittedly useful elements agreed upon officially defined a ‘troublesome youth group’.<sup>56</sup> The emerging definitions, limiting the scope of what a ‘gang’ is as they may—to ‘youth gangs’ that is—, nonetheless offer guidelines as to what areas of the law should be looked at in order to assess UK law,

<sup>49</sup> Ian JOSEPH & Anthony GUNTER (eds), *Gangs Revisited: What’s a Gang and What’s Race Got to Do with It? Politics and Policy into Practice*, London: Rnymede, 2011, pp. 3-15.

<sup>50</sup> Simon HALLSWORTH & Tara YOUNG, ‘On Gang and Race: A Rejoinder to Joseph and Gunter’, in Ian JOSEPH & Anthony GUNTER (eds), *op. cit.*, pp. 17-22.

<sup>51</sup> The former, blaming the latter for being major players in the ‘gang industry’, accused them of devising an excessively rigid and flawed ‘three-tier gang typology’ which over-defined and criminalised, and which was misguidedly used by law-enforcement agencies and policy makers. They also claimed that Hallsworth and Young failed to tackle the race element, shying away from cultural reasons for young Blacks being disproportionately affected by gangs. The latter replied their views had been misrepresented and misunderstood, that their typology’s very aim was to insist on the complexities, notably for the benefit of policy makers, and that their research indicates clearly that they are not in the least criminalising the young or exaggerating the gang phenomenon. They add that exclusion and marginalisation do matter and transcend ethnicity. See Molly O’BRIEN CASTRO, this volume.

<sup>52</sup> Anne CAMPBELL & Steven MUNCER, ‘Them and Us: A Comparison of the Cultural Context of American Gangs and British Subcultures’, *Deviant Behavior*, vol. 10, n° 3, 1989, pp. 271-290, cited in Jon SHUTE, *op. cit.*, p. 48.

<sup>53</sup> Simon HALLSWORTH & Tara YOUNG, 2008, *art. cit.*, pp. 175-195.

<sup>54</sup> Definition was at the heart of this programme involving European and North-American researchers, as is made clear in the *Eurogang Program Manual* (Frank M WEERMAN, Cheryl L. MAXSON, Finn-Aage ERBENSEN, Judith ALDRIDGE, Juanjo MEDINA & Frank Van GEMERT, *Eurogang Program Manual: Background, Development, and Use of the Eurogang Instruments in Multi-site, Multi-method Comparative Research*, February 2009).

<sup>55</sup> Jon SHUTE, *op. cit.*

<sup>56</sup> Cf. *Groups, Gangs and Weapons*, Youth Justice Board, 2007, p. 27.

to examine the UK policy issues and debates that influenced said law, and to ascertain whether the pitfalls of Huff's 'three characteristic stages' were avoided.

When politicians decided it was useful to bring to the fore what they saw as a 'gang-related problem' and when the law became part of the solution with specific provisions aimed at that particular 'problem' are central questions that may get rather different answers. Though the British statute books may indicate a relative penchant for caution if compared with American legislation, politicians were seemingly much more eager to evoke 'gangs' and indeed to talk up the 'problem', acting as 'moral entrepreneurs' in Cohen's sense of the word.<sup>57</sup> In 2007, Tony Blair angered leaders of the Black community in a speech made in Cardiff that focused on 'Black culture' that seemed to indicate that 'gang-crime' was a problem associated with the 'Black community'. This ill-advised (or was it, in electoral terms?) speech came at a time when 'gang-related' problems and knife-crime were copiously conflated, and indicated a rather narrow understanding of the problem by the British Premier. Irrespective of its political correctness<sup>58</sup> and the flimsy evidential basis of the link it established between race and crime, this attempt at 'calling a gang a gang' may be questioned: was it only coincidental with the emergence of an operational definition of what was almost called a (youth) 'gang', and with the beginning of the end of denial among academics and advisors, or was it mainly part of a strategy often used by Blair to out-right the right on issues of law and order in which starting and feeding a moral panic could only help? Shute toys with the idea that academic acceptance may have '*legitimised a coincidental media obsession with the conflated subjects of "gangs" and inner city gun and knife violence*'.<sup>59</sup> Modern governments have tended to kowtow, or at the very least 'cosy up', to the media, and saying that Blair was no exception would be quite an understatement.<sup>60</sup> Berkeley considers that it is '*politicians and the right-wing press*'<sup>61</sup> rather than right-wing politicians and like-minded press that put forward 'cultural explanations' based on an equation between youth, race and violent crime, an equation that the law is not supposed to endorse, and that law enforcement should be wary of. If the alleged denial of the problem came to an untidy end under New Labour, did it give rise to an over-reaction that reflected the moral panic depicted in the press? It brooks no argument that the period is an important one, whether by coincidence or not, and researchers in the future would do well to delve into the archives with a view to better understanding New Labour's take on 'gangs' and the influence on and interaction with policy of the 'overreacting', predominantly right-wing press, a project beyond the scope of this chapter.

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<sup>57</sup> Stanley COHEN, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers*, London: Routledge, 2002.

<sup>58</sup> On that score, the echo that this assault on political correctness found, in the riot context of August 2011, is most edifying in the proclamation by David Starkey that 'the problem is that the whites have become blacks' (*Newsnight*, BBC 2, 13 August 2011, cited in Rob BERKELEY, 'Foreword', in Ian JOSEPH & Anthony GUNTER, *op.cit.*, p. 2).

<sup>59</sup> Jon SHUTE, *op. cit.* p. 49.

<sup>60</sup> And it may well have been the Sun Wot Won It in the general elections that came after 1992.

<sup>61</sup> Rob BERKELEY, *art. cit.*

*The ‘spades’ and other tools in the UK’s ‘anti-gang’ toolbox*

Apart from the many laws protecting those at risk of becoming gang-members (social legislation in the area of education or social benefits, legislation focusing on all manner of prevention, on the specific protection of children, etc.), a broad selection of provisions can be used against gangs even though they are not specific to gangs and, in some cases, were devised when gangs as we think we know them had not been imagined, let alone defined. They are of course the substantive provisions in connexion with every possible criminal offence or civil wrongdoing. They range from criminal provisions for murder, rape, drug trafficking, etc., to civil provisions with respect to trespass or duress for instance. Though some may be particularly useful statistically or relevant tactically, this chapter will not dwell on them. One procedural provision not specifically aimed at gangs, having been created three centuries ago, but found to be useful by law enforcement agencies in the UK in their fight against gang- and knife-crime (the two being often misguidedly confused since many young people actually carry knives for their protection) did come under scrutiny in the first decade of this century. The ‘joint enterprise’ principle, or doctrine, illustrates the theoretical risks evoked above in relation with convictions based on association as they increasingly and very concretely affect gang-related crimes, opening up a whole can of worms as regards the effectiveness of the measures, the resulting alienation of young people and possible—probable—miscarriages of justice. In this case, it is not a law that ‘calls a gang a gang’ that is at issue, but an ancient legal device seized upon by the authorities in a new context where a gang can be called a gang.

The debate on the use of joint enterprise reached a climax after the riots of August 2011, with claims that proceedings based on the principle had angered communities that had been feeling stigmatised and discriminated against, thus fuelling the demonstrations, and with fears that joint enterprise would be used again against the young people involved in the riots. In November, the question was raised on *Newsnight*,<sup>62</sup> and the rift between the police that argued the doctrine was useful and effective in the fight against knife-crime—not least in their ‘anti-gang’ propaganda aimed at youngsters—and those who denounced the abuses was clear. Examples were given of dubious convictions: the film *Let Him Have It*, based on a real story in which a man was hanged not for actually shooting a man dead but for shouting ‘let him have it’,<sup>63</sup> illustrated the issue. In another high-profile case,<sup>64</sup> Jordan Cunliffe, a partially sighted boy who was fifteen at the time of the offence, got a life sentence for the murder of Garry Newlove before the Chester Crown Court. He was present at the scene of the attack along with two other youngsters, a single kick caused the victim’s death, and it is contended that, in this case and too many others, joint enterprise helps convict people for simply being in the wrong place. Nonetheless, in November 2008, the Court of Appeal dismissed his appeal.

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<sup>62</sup> ‘Use of Joint Enterprise Law under Scrutiny’, *Newsnight*, BBC 2, 1 November 2011.

<sup>63</sup> Peter MEDAK, *Let Him Have It*, Warner Bros, 1991.

<sup>64</sup> The murder of Mr Newlove had fuelled a media frenzy about ‘gangs’ and ‘thugs’, but the case was also central to the accusations leveled against unfair judicial decisions in the media (‘Lethal Enterprise’, *Panorama*, BBC 1, 23 November 2009) and in Parliament (Justice Select Committee, cf. *infra*).

According to the Bureau of Investigative Journalism: ‘in 2008 and 2012, it was more likely that a joint enterprise ruling would be upheld, as compared to a non-joint enterprise ruling, suggesting it is harder for those convicted under joint enterprise to get their convictions quashed or their sentences reduced’.<sup>65</sup> Though information is difficult to obtain regarding the increasing number of such convictions affecting ‘gang-members’, JENGBA (Joint Enterprise—Not Guilty by Association), an organisation which believes the doctrine targets the ‘vulnerable’ and convicts those who are ‘at the periphery of a crime’,<sup>66</sup> claimed it had a hefty caseload. At the time of the broadcast, the campaigners were dealing with 256 cases, 215 of which involved a life sentence. In 13% of cases, the accused were under 18, a quarter of them were under 21 and six out of ten were either Black or from an ethnic minority.<sup>67</sup>

What was at stake there was law enforcement ‘calling a gang a gang’ and drawing the procedural consequences from what it saw to be a useful doctrine. Overreaction? Misidentification? This was certainly a blunt instrument. It was not just a spade but also a very broad brush likely to splash many bystanders with stigmatising tar. Just as the American Supreme Court and State Supreme Courts were asked to rule on the constitutionality of American ‘anti-gang’ devices, the English courts and the UK Supreme Court were also given the opportunity to rule on the legality of using joint enterprise, if not exactly in ‘gang-related’ cases, at least in an instance involving street-crime and a revenge killing gone wrong. A woman in this case had been caught in crossfire between Arnel Gnango and an opponent and had been shot not by Gnango but by the other man who was actually trying to shoot him. After the Court of Appeal had quashed Gnango’s conviction in July 2010, refusing to apply joint enterprise in a case where there was no ‘agreement or common purpose to commit’ the crime and no ‘aiding and abetting’ with respect to said crime, the Supreme Court upheld the conviction in December 2011.<sup>68</sup> The logic behind the decision was not a model of clarity and was widely criticised. Fears were voiced that the UK Supreme Court was introducing ‘a more American legal policy model for dealing with street violence’<sup>69</sup> by taking its cue from American precedent.<sup>70</sup> The contentions made in some quarters that the judges had been influenced by press hysteria and a wish to assuage public opinion at a time when both were obsessed with the idea that London was turning into the Wild West are hard to verify. What is certain is that Lord Brown did remark that the ‘general public would be astonished and appalled if [...] the law attached liability for the death only to the gunman who actually fired the final shot’<sup>71</sup> and that the decision caused a great deal of unease. Subsequently, the legislator was called upon, notably by the Law Commission and human rights organisations. A law was needed, to call a spade a spade and to put an end to or limit a form of ‘criminalisation by association’, arguably the most dangerous form of labelling. A report was published

<sup>65</sup> ‘Joint Enterprise Cases Heard at Court of Appeal Double’, *Bureau of Investigative Journalism*, 31 March 2014.

<sup>66</sup> ‘MPs Call for New Gang Murder Law’, *BBC News*, 18 January 2012.

<sup>67</sup> JENGBA figures, cited in *ibid.*

<sup>68</sup> *R. v Arnel Gnango* (2011) UKSC 59.

<sup>69</sup> ‘A More American Legal Model for Gang Violence’, *Guardian*, 25 July 2011.

<sup>70</sup> *Alston v Maryland* 339 Md 306 (1994), cited in *ibid.*

<sup>71</sup> ‘Conviction Reinstated over New Cross Crossfire Murder’, *BBC News*, 14 December 2011.

by the Commons Justice Committee in January 2012, which advocated a reform of the procedure on account of confusion over the law, said the situation was putting ‘*vital witnesses in fear of coming forward and allowing the real criminals to escape justice*’. The report’s central recommendation was that ‘*young people are not unnecessarily brought into the criminal justice system when they are on the edge of ‘gang-related’ activity*’.<sup>72</sup>

Probably the most obvious emblem of New Labour’s strategy against street-crime is an acronym that became a household name. ASBOs (Anti-Social Behaviour Orders) were introduced as a versatile tool with the potential to deal with some gang-related issues though ‘gangs’ were not the prime targets. The measures were not uncontroversial and were criticised by many civil rights advocates such as Gask who believed they gave the authorities too much discretion, that they blurred the distinction between civil and criminal remedies and that they were particularly dangerous when they targeted children.<sup>73</sup> Some regional police forces claimed that they were effective against ‘gang-related’ problems, in the West Midlands in particular,<sup>74</sup> but the report also took on board the operational criticism levelled at ASBOs, particularly at their overuse and at the ‘*breadth of certain prohibitions [...] resulting in no action being taken in some breach cases*’. It was contended that this situation meant antisocial young people were afforded extra ‘street-cred’ and, where it applied to them, that members were unwittingly awarded a badge of honour. The report recommended the creation of ‘gang-specific’ civil orders ‘to tackle *high impact players*’.<sup>75</sup> By the time those suggestions were made, a Court of Appeal decision had dealt a fatal blow to another instrument that, though not devised with ‘gangs’ in mind, had been used by local authorities against ‘gang-members’ successfully.<sup>76</sup> Prior to the ruling, Birmingham City Council had noticed that, in a context where ‘gang’ culture and violent crime were on the increase, the potential of criminal law was limited as ‘*residents (were) often too frightened to co-operate with the police or give evidence*’.<sup>77</sup> It had therefore used a section of the Local Government Act 1972 to obtain interim injunctions so as to prevent alleged ‘gang-members’ from entering the city or carrying out certain activities. The Court of Appeal put a stop to that, considering that ASBOs were the ‘appropriate course’, having been devised for such circumstances and being ‘*subject to particular safeguards, some of which did not apply to injunctions granted at common law*’.<sup>78</sup>

With the decision of the Court of Appeal, an avenue was thus closed off, and this spurred politicians into really ‘calling a gang a gang’ and thinking up a ‘gang specific’ injunction. The genesis of this new tool, it should be pointed out, is not necessarily indicative of an impulse to emulate America, being also rather

<sup>72</sup> Sir Allan BEITH MP, Chair of the Justice Select Committee of the House of Commons, ‘Justice Committee Publishes Report on Joint Enterprise’, 17 February 2012.

<sup>73</sup> Alex GASK, ‘Anti-social Behaviour Orders and Human Rights’, *Liberty*, 2004.

<sup>74</sup> CENTRE FOR SOCIAL JUSTICE, *op. cit.* p. 163.

<sup>75</sup> *Ibid.*, p. 164.

<sup>76</sup> HOME OFFICE, *Impact Assessment of Amending Gang Injunctions to Enable Their Use to 14 to 17-year-olds: A Pilot Scheme*, 2009.

<sup>77</sup> Louise WHITEHEAD, ‘The Law on “Gangbos”’, *Law Society Gazette*, 8 December 2011.

<sup>78</sup> *Birmingham City Council v Shafi and Another* (2008) EWCA Civ 1186 (2009) 1 WLR 1961.

symptomatic of a classic English law case of legislation having to trump awkward common law decisions. At last, a statute<sup>79</sup> defined ‘gang-related’ violence<sup>80</sup> and provided a specific tool, a civil tool ‘in aid of the criminal law’ that was to be better at targeting ‘gangs’ than ASBOs and was to hit—and therefore label—fewer people by association. In July 2010, in the period preceding their forthcoming demise—or rebranding, as some would argue—Theresa May, the Home Secretary, accused ASBOs of putting ‘*too many young people on the conveyor belt to prison*’.<sup>81</sup> ASBOs were becoming somewhat discredited not only, or indeed not primarily, for their effects on the young<sup>82</sup>. The Gangs Working Groups, in 2009, criticised ministers for their blind reliance on the police and punishment, while recommending tools to be used immediately, among which were the increased use of stop and search,<sup>83</sup> and the possible introduction of ‘a gang specific civil order’.<sup>84</sup> As was clear from the parliamentary debates, the new tool—the ‘gang injunction’—was aimed specifically at preventing violence related to ‘gangs’ as defined in Section 34(5) of the Police and Crimes Act 2009, not at acts of anti-social behaviour or other substantive crimes. Naturally, the statute could not solve decades of definition-related complexities by simply setting forth a prescriptive definition of what is ‘gang-related’, and it made it incumbent upon the applicants, i.e. the chief officer of police for a police area, the chief constable of the British Transport Police Force or a local authority, to convince the court that the violence that needed to be prevented was indeed ‘gang-related’, making it essential for them to ‘*demonstrate an understanding of the local “gang” problem*’.<sup>85</sup> ‘Gang injunctions’ had the apparent advantage of decriminalising, thus minimising the stigma associated with a criminal record in particular and this desire to remove young people from the criminal justice system was welcomed. From the point of view of law enforcement, decriminalising also meant avoiding some of the operational difficulties of the criminal law, e.g. concerning evidence (with references to previous convictions or hearsay evidence admissible in this context) or the use of the more convenient ‘balance of probabilities’ test when determining involvement with ‘gang-related’ activities. Moreover, a civil injunction also seemed to deal with a very counterproductive effect of ASBOs: the unhelpful sense of immunity resulting from unsuccessful

<sup>79</sup> PCA 2009, notably Section 34.

<sup>80</sup> PCA Section 34(2) & 34(5): ‘violence or a threat of violence which occurs in the course of, or is otherwise related to, the activities of a group that; a) consists of at least three people; b) uses a name, emblem or colour or has any other characteristic that enables its members to be identified by others as a group; and c) is associated with a particular area’.

<sup>81</sup> Julia FURLEY, ‘Gang Injunctions and Civil Liberty’, *Law Society Gazette*, 18 February 2011.

<sup>82</sup> A judge was applauded for throwing out the MoD’s application for an ASBO against an elderly peace-protester, likening the application to an ‘attempt to use a club to beat down the expression of legitimate comment’<sup>82</sup>. He was then booed for imposing a curfew on the grandmother.

<sup>83</sup> The problems of facilitating ‘stop and search’ powers are well documented and the racial bias resulting from the application of section 60 of the 1994 Public Order Act, which allows police officers to rely on mere ‘reasonable suspicion’, has been denounced by the Equality and Human Rights Commission. Cf. ‘Police up to 28 Times More Likely to Stop and Search Black People’, *Guardian*, 12 June 2012.

<sup>84</sup> CENTRE FOR SOCIAL JUSTICE, *op. cit.* p. 30.

<sup>85</sup> ‘Theresa May to Scrap ASBOs: Home Secretary Kills Off Tony Blair’s Flagship Measure to Deal with Youth Crime and Anti-social Behaviour’, *Guardian*, 28 July 2010.



prosecution. The first ‘gang injunction’ was granted in February 2011, a few days after the legislation had come into force, and though there were criticisms of what some dismissively and wrongly called ‘Gangbos’ (rather than IPGVs, an acronym that never took on), and though learned lawyers doubted whether it really mattered whether the ‘conveyor belt’ to prison was a civil one or a criminal one,<sup>86</sup> a new balance seemed to have been sought and perhaps at least partly struck. At any rate, there was some optimism particularly in the *Law Society Gazette*.

Notwithstanding the civil nature of the new device that filled the gap created by the Court of Appeal and did so with an explicit reference to and a definition of ‘gangs’, albeit broad and wide-ranging, and notwithstanding the focus on a smaller number of higher-impact members and higher-level violence (in compliance with the wishes expressed inter alia in *Dying to Belong*), it is claimed that ‘gang injunctions’ were introduced as part of a more helpful package of measures aimed at helping ‘gang-members’ mend their ways. ‘Positive conditions may be attached to the order, such as mentoring and job preparedness courses’.<sup>87</sup> Just as with ASBOs, civil liberties concerns have been voiced, mainly regarding freedom of movement and association, but safeguards are in place. The defendant may apply for the order to be discharged or varied and may appeal the decision obtained. Should he or she be found to be in breach of the terms of the injunction (a civil contempt of court carrying a maximum penalty of two years in custody and/or an unlimited fine), it is the more protective criminal standard of proof that is used and, subject to means and merit, legal aid is available. On the important racial question, an *Equalities Impact Assessment* was published alongside the statute. Such safeguards will probably be considered insufficient by civil liberties organisations, especially those who believe that children may still be at risk (*Children & Young People Now*, for instance, worried about the Home Office’s wish to extend the use of ‘gang injunctions’ in relation with under-18s), but the Court of Appeal, in a case also involving Birmingham City Council, handed down a ruling likely to bolster the device.

In *Birmingham City Council v James*,<sup>88</sup> the Court of Appeal upheld the decision of the trial judge who had granted the Council an injunction against the appellant, preventing him from entering a specified area, and associating with certain named persons or gathering with them in public places. The appellant had argued that the injunction should not have been granted since there were, he claimed, more appropriate remedies open to the judge and that the prescribed area was too restrictive. The issue of whether *mens rea*<sup>89</sup> had to be established for the application to be admissible was also given consideration by the Lord Justices. On the first issue, if the conditions of both the 1998 statute (establishing ASBOs) and the 2009 act—and potentially of the 1996 Housing Act establishing Anti Social Behaviour Injunctions<sup>90</sup>—were complied with, the local authority could choose which tool to use. There was, in other words, no ‘closest fit’ principle that

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<sup>86</sup> Julia FURLEY, *op. cit.*

<sup>87</sup> Louise WHITEHEAD, *op. cit.*

<sup>88</sup> *Birmingham City Council v James* (2013) EWCA Civ 552.

<sup>89</sup> *Mens rea* (guilty mind in Latin) is a necessary element when determining criminal responsibility.

<sup>90</sup> The words of L. J. Jackson, reported by *Incorporated Council of Law Reporting*.

defendants could use to try and get appellate courts to overturn decisions granting injunctions. On the facts, the trial judge had been justified in deciding that the two Section 34 conditions had been met, and had granted an injunction that was assumed to have been appropriate and proportionate, even though it denied the defendant access to the part of town where his mother lived. Only in cases where a decision ‘*proceeded on a clearly inappropriate basis*’ or was ‘*for some reason plainly wrong*’<sup>91</sup> would the Court consider limiting the applicant’s choice of tool. Unquestionably, the Court’s refusal to get dragged into some quest for the ‘closest fit’ and the failure to acknowledge the *mens rea* argument offer legal and practical reinforcement to the strategy based on injunctions. And Birmingham, for reasons due more to this recent decision in its favour than the popular success its yesteryear ‘gangs’ are enjoying on television,<sup>92</sup> was in the news recently for the use of various types of injunctions against its ‘gangs’. *Birmingham Mail*, in February 2014, reported ‘landmark injunctions’ being secured against a local ‘gang’ with a total of ‘*17 years in gang injunctions and anti-social behaviour injunctions [...] to prevent violence, drug dealing, nuisance and annoyance caused to residents*’.<sup>93</sup> Discretion on the part of the trial judge as to the type of order has been reinforced, with *James* strengthening the notion that the Court of Appeal will only question the judgment in the event of gross abuse of their discretionary powers. Yet with regard to the blurring of the civil/criminal divide, the CPA is an improvement on the Crime and Disorder Act 1998 that first introduced ASBOS. Though they remain a civil instrument ‘in aid of the criminal law’, civil injunctions are clearly civil in nature and the Court of Appeal ruling in *James* has clarified the situation somewhat by rejecting the incursion of criminal standards of proof regarding the application. In this complex intertwining of criminal and civil procedural elements, reaffirming the civil nature of the instrument may reassure civil rights groups on principle but fail to address their concerns when it affects the standard of proof at this stage. Conversely, it may be deplored for purposes of clarity and applauded by the same organisations, but there seems to be no sign of the criminal standard of proof being abandoned when a breach of the conditions of the injunction is examined.

Gask’s third main area of concern regarded children and teenagers. Though ‘gang injunctions’ were originally only applicable to adults, the Crime and Security Act 2010 amended the legislation so as to permit such injunctions to be taken out against teenagers aged 14 or more. The influence of the 2011 riots, which ‘*raised concerns in some quarters about the proliferation of youth violence and gangs*’, can be felt in this area as well since they ‘*brought forward the commencement of 14-17*

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<sup>91</sup> Jonathan MANNING, & Sarah SALMON, ‘Gang Injunctions, ASBOS and the Closest Fit’, *Local Government Lawyer*, 23 May 2013.

<sup>92</sup> *Peaky Blinders* is a popular BBC series first broadcast in 2012 whose heroes are members of the eponymous Birmingham ‘gang’ (the Peaky Blinders). Needless to say that the law enforcement methods depicted, against ‘gang-members’, Fenians and Communists alike, were far less scrutinized in 1919 with regard to their human rights credentials or the risk of stigmatisation involved. Issues connected with police corruption, however, may still be topical.

<sup>93</sup> ‘Gang Members Hit with Injunctions After “Campaign of Violence” in Birmingham’, *Birmingham Mail*, 14 February 2014.

“gang” injunctions, and widened their scope’.<sup>94</sup> In early 2014, the Home Office published its Review of the Operation of Injunctions and the figures showed that civil injunctions had been used more sparingly (in compliance with the objective) and that out of 88 injunctions served, only two had affected individuals under the age of 18.<sup>95</sup> As the report indicated that sufficient use was probably not made of injunctions, the power to issue them would be taken away from the civil courts where under 18s were concerned and placed within the jurisdiction of the youth courts.<sup>96</sup> During the committee debates on the Crimes and Courts Bill, the Minister for Policing and Criminal Justice explained the thinking behind this change. Damian Green announced that just over a hundred injunctions had been issued (slightly more than the report figures which were obtained from the 25 areas that responded out of a total of 33 taking part in the Ending Gang and Youth Violence Programme) and said that the decision was based on the fact that ‘*Youth courts have more appropriate processes, as well as tailored facilities for dealing with under 18s*’ and that ‘*they also have expertise in handling and sentencing young people, and an understanding of the support structures they need*’. The minister also added that the Youth court would be sitting in its ‘civil capacity’.<sup>97</sup> Whether these assurances are enough to reassure children’s charities fully is doubtful. The reality of the government’s plan to increase the number of ‘gang injunctions’ taken out against under 18s will no doubt be eagerly awaited by those who claim that the UK is playing fast and loose with its obligations under the United Nations Convention on the Right of the Child. With regard to Article 40, which deals with the obligation to maintain privacy ‘at all stages’ when children are embroiled in legal proceedings, it can be argued that it will be better guaranteed under the new system, an advantage making it worth paying the price of this slight blurring of the civil/criminal divide that may *prima facie* have been reintroduced through this shift in jurisdiction.

Before concluding, it should be added that other forms of ‘gang-related’ criminalisation have emerged that are indicative of the fact that law enforcement agencies and policy makers have no qualms about using the term. Aggravation of circumstances (and therefore of penalties) for instance<sup>98</sup> places the observer in the awkward position of having to recognize that the concept may be a tempting one to use when dealing with situations akin to organised crime, yet of being also all too aware of the fact that, especially when combined with joint enterprise, it has the potential to aggravate legitimate doubts about adding ‘gang-membership’ to recognised substantive offences. In any case, the Crown Prosecution Service’s sentencing manuals, concerning robbery or burglary for example, are additional signs that the term is not shied away from.

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<sup>94</sup> A *uk.gov* document entitled ‘Injunctions to Prevent Gang-related Violence: Supporting Documentation for Youth Offending Teams’, updated in June 2013, aimed at complementing the main *Home Office Statutory Guidance on Gang Injunctions* and at assisting the Youth Offending Teams.

<sup>95</sup> HOME OFFICE, *Review of the Operation of Injunctions to Prevent Gang-related Violence*, London: Stationary Office, January 2014.

<sup>96</sup> ‘Home Office Bid to Increase Gang Injunction Use on under 18s’, 14 February 2014.

<sup>97</sup> ‘Clause 17: Youth Courts to Have Jurisdiction to Grant Gang-related Injunctions: Crime and Courts Bill (Lords)’, *TheyWorkForYou.com*.

<sup>98</sup> Cf. the Crown Prosecution Service’s sentencing manuals concerning burglary, robbery, etc.

### *Conclusion*

Assessment of ‘Gangbos’ and of any legal strategy in relation to ‘gang-related’ or, to adopt a more consensual expression ‘gang-attributed’, problems will be very different depending on whether one is banking on their success or critical of the way they are assumed to misidentify social realities and threaten human rights. Gangs are in the news almost every day now, and this may either vindicate a decision by politicians to ‘call a gang a gang’ because ‘gangs’ are a reality, be it a constructed and exaggerated one, or indicate that the strategy is failing dismally because there is no sign of the phenomenon abating. To those considering that ‘calling a gang a gang’ is a mistake because the terms used still have not been validly defined, the *prima facie* honesty of doing so is actually the very opposite of honesty. That is especially true in a context where ‘gang talkers’ are suspected of making political capital from a misrepresentation which also masks their failure to deal with crime, and where the decision to do so aggravates the problems of street violence and youth violence by making it more difficult to address the real problems.<sup>99</sup> Indeed the definition remains at the heart of the debate, and the Home Office report admits that understanding of the problem on the ground is patchy, but at least, and that is relevant when labelling and stigmatisation are feared and denounced, there is an attempt to address concerns about equality and to depict those targeted as potential victims as well as potential perpetrators. ‘Gang injunctions’, for example, are described as ‘*a useful tool in reducing the risk of young people perpetrating, and being victimised by, serious gang violence*’.<sup>100</sup> Time will tell if such reassurances are mere lip service or a credible sign that ‘gang injunctions’—as opposed to ASBOs—are an improvement and, if so, whether the change is really due to a better awareness of the complexity of the problems and of the risks of American-style legal ‘carpet bombing’.

What is undeniable, however, is that the law is not—or is no longer—‘in denial’ of the fact that the term exists and can be made use of. Whether Huff’s three stages are useful in analysing what happened in the UK is debatable. As for the Americanisation that is associated with said stages, influences are manifest, but it would be an exaggeration to claim, as some do, that most responses were simply shadowing American-style policies, even though, for the benefit of a public fed on ‘gang talk’, it seemed expedient to British leaders to briefly include Bill Bratton in the British ‘gang show’. One reason is that the very notion is unhelpful given the diversity of responses in a country whose constitutional reality is so very different. In some positive ways, the very diversity of the ‘American’ responses has been replicated with pilot schemes tried out and local projects implemented in various parts of the UK, and some of these individual projects were influenced by similar attempts made in North America. In a sense, the decentralised, trial and error *modus operandi* may be seen as American-style, but whether it can be referred to, usually pejoratively, as Americanising is another matter. Constitutionality, a notion that human rights advocates find less pejoratively American, may be an area whose adaptation into a completely different system *via* the Human Rights Act could be

<sup>99</sup> Brigid BAILLIE, ‘Gangbos Two Years On’, *The Justice Gap*, 5 February 2013.

<sup>100</sup> ‘Injunctions to Prevent Gang-related Violence’, *art. cit.*

analysed.<sup>101</sup> Naturally, statutes in the UK are ‘constitutional’ inasmuch as they affect areas whose subject matter is ‘constitutional’ and their constitutionality, i.e. compliance with a superior form of legislation, is not tested. And yet time will also tell what effect an act that could be described as ‘more equal’ than others will have on the creation by a relatively new Supreme Court of a different body of human rights case-law. Admittedly, the UK Supreme Court is on occasion accused of following American precedent but there may be less criticism of an Americanisation—via what is in effect Europeanisation—of the way the court operates if declarations of incompatibility start being issued against ‘anti-gang’ policies. As for the rhythm of what had been predicted as a typically American overreaction, with evocations of three-strikes-and-you’re-out-type criminal policies, the British reality was different. Rather than use RICO or antiterrorism acts as was done in the US, British governments adopted a more piecemeal approach,<sup>102</sup> the first stage of which may have looked like denial, and probably was, but in the end seemed more satisfactory in the sense that the new approach relies on a slowly maturing—though still criticised—definition and works on the basis of studies establishing connexions between the reality of ‘gangs’ and social realities rather than assuming associations or establishing confusion between different criminal realities. The issue of Americanisation and of its questionable reality could give rise to a study in its own right. It is used here because it is a common British reflex, because ‘gangs’ are believed to be a problem that has affected America first, and because the risk of misidentification and overreaction were presented as symptoms of a form of Americanisation.

Assessment of policy obviously depends on the answer to one fundamental question: will it work? What the successive governments which are believed to have put an end to denial agreed upon—in political discourse at least—was the conservative notion that it is an inappropriate response to ‘throw money at the problem’, a notion also used by the proponents of ‘zero-tolerance’ and, more generally, in order to counter the arguments of those deploring social injustice. As reports show, connexions with organised crime and religious radicalisation of what is regarded as ‘gang-related’ indicate that the criminal response—in the broad sense, describing criminal law but also civil law used with the threat of criminal penalties and more generally used punitively—has to be an essential component in any strategy. This criminal policy has to be finely tuned, well targeted or else it will not only be ineffective but counterproductive, particularly if it creates a form of stigmatisation that results in riots and causes crime. Such unwanted consequences will be all the more problematic if the response is seen to be unjust, and, irrespective

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<sup>101</sup> At the time of the incorporation of the European Convention on Human Rights into English law, the New Labour government had insisted on the duties as well as the rights, catching ‘the drift of the American communitarian critique’, and this ‘American thinking’ ignored the fundamental differences between an American system where certain rights are entrenched, sometimes with very negative consequences, and the European human rights philosophy. Helena KENNEDY, *Just Law: The Changing Face of Justice—and Why it Matters to Us All*, London: Vintage, 2005.

<sup>102</sup> Hallsworth and Young, academics thought to have influenced policy on ‘gangs’, explain that the very intention of their advice to policy makers was to divert British law enforcement from ‘US-style gang suppression techniques’. Cf. Simon HALLSWORTH & Tara YOUNG, 2011, *art. cit.*, p. 19.

of the efforts at making its provisions and enforcement as fair as possible and as little stigmatising as possible, this criminal response will be seen to be unjust, to criminalise the poor, the young, Blacks, Muslims, etc., if it is considered as the main plank of the strategy. In that sense, the overreliance on ASBOs—which might have been a good precision tool to be used as a last resort but was far less ideal as the ever-ready sellotape in the tool box—at a time when crime statistics showed that the UK was actually getting safer may well have been misguided and could be seen as ‘misidentification’ and ‘overreaction’.

The penal response is not enough and the various programmes implemented locally show that prevention, mentoring and a social approach more generally are essential and that unless successive governments put their money where their mouths are, the problem will not go away. Even the less criticised ‘Gangbos’ are not considered as being ‘*part of a wider programme which goes beyond quasi criminal penalties*’ and are thought to result in ‘*zero rehabilitation, or other alternative focus, for [...] respondents*’.<sup>103</sup> ‘*The law has never been used successfully to solve social problems like destitution, disaffection and social exclusion—all it does is move the misery out of sight*’.<sup>104</sup> When such words are uttered by as keen an observer of British society as Baroness Kennedy, and by someone who loves the law and has practiced it so well and so passionately, politicians of all persuasions should probably take heed. Whether more finely tuned gang injunctions will reconcile civil libertarians and law-enforcers by allaying the legitimate fears of the former while allowing the latter to deal with what is sometimes a problem requiring immediate—legal—action remains to be seen. That British society needs more than ‘*regeneration programmes and youth crime and gang prevention programmes that tinker around the edges*’,<sup>105</sup> however, is far less in doubt.

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<sup>103</sup> Birgid BAILLIE, *art. cit.*

<sup>104</sup> Helena KENNEDY, *op. cit.*, p. 244.

<sup>105</sup> Ian JOSEPH & Anthony GUNTER, *op. cit.*, p. 13.

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# ***La question du « foyer anormal » : débats et représentations dans la presse britannique des années cinquante***

**Martine STIRLING**  
*Université de Nantes*

La fin de la Deuxième Guerre mondiale marque de grands changements pour la Grande-Bretagne, en particulier dans le domaine social. Après les privations et l'angoisse des années de conflit, c'est l'heure de la reconstruction. L'application du plan Beveridge et la mise en place de l'État providence visent à fonder un monde meilleur et une nouvelle société dont la famille constitue l'axe central. En octobre 1951, à Scarborough, alors qu'il prépare sa campagne électorale en vue d'un deuxième mandat, Clement Attlee fait un bilan positif, évoquant les avancées dans le domaine social : « *There was the army of the poor ; there were the slums ; [...] There were derelict areas. [...] The fruits of our policy can be seen in the new fine generation that is growing up...* » Et pourtant, un problème va rapidement prendre une importance grandissante : c'est celui de la famille « anormale », thème repris par la presse et les services sociaux. Je me propose ici d'étudier les critères d'identification du « foyer anormal » dans les années 1950, à travers la représentation qui en est faite dans la presse populaire. En quoi cette vision correspond-elle ou influence-t-elle la politique sociale de l'époque ? Enfin, peut-on la comparer au tableau de la « famille à problèmes » que nous brosse la presse populaire aujourd'hui en Grande-Bretagne ?

## ***L'Angleterre de l'après-guerre : optimisme et prospérité***

Une pléthore de réformes voit le jour dès 1945 pour lutter contre les « Cinq Géants », calamités sociales que dénonçait Beveridge. Un système d'allocations familiales payable directement aux mères a été mis en place. Le 5 juillet 1948 marque les débuts d'un système de santé gratuit pour tous. Des comités d'étude gouvernementaux se penchent sur un programme de construction de logements municipaux sans précédent aux normes sanitaires modernes<sup>1</sup>.

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<sup>1</sup> Sous la direction de Sir Trustam Eve, chairman of the war works Commission. Clement Attlee fait voter deux nouvelles lois (*New Towns Act 1946, Town and Country Planning Act 1947*) qui aboutissent à la création de 14 nouvelles villes entre 1947 et 1950. Dès la fin des années 1940 (et bien avant l'époque Thatcher), les familles désireuses d'acheter leur *council house* peuvent déjà emprunter au Gouvernement à des taux inférieurs à 2 pour cent sur 30 ans. En 1953, le Parti conservateur réalise le premier *Party Political Broadcast* de l'histoire, en dehors d'une période d'élection. Il a pour thème l'avancement du programme de construction des habitations municipales à loyer modéré. Les spectateurs, nombreux à cette époque dans

De plus en plus de femmes ont un emploi<sup>2</sup> et ont accès aux études universitaires<sup>3</sup>, tandis que les jeunes enfants voient s'ouvrir des salles de classe fonctionnelles et agréables qui font la fierté des gouvernants<sup>4</sup>. La situation démographique est elle aussi en nette amélioration : le taux de naissances augmente de deux pour mille entre 1940 et 1950<sup>5</sup> et la mortalité infantile diminue d'un tiers pendant la même période<sup>6</sup>, tandis que l'espérance de vie moyenne des femmes passe de 63 ans en 1932 à 72 ans en 1952, une augmentation jamais vue depuis 1900<sup>7</sup>.

Et c'est pourtant dans ce contexte optimiste que commencent à émerger des rumeurs inquiétantes et des images infernales venues d'un autre monde. C'est un député conservateur, Sir Archibald James, qui, en 1943, lors d'un débat sur les allocations familiales, donne un nom à ce qui va devenir dans les années 1950 l'ulcère qui ronge la société britannique. Il déclare : « *No social problem worries me more than that of the child in the abnormal home* »<sup>8</sup>. L'évêque de Sheffield reprend ce thème quelques années plus tard à la Chambre des Lords. Il insiste sur l'ampleur du phénomène qui se développe et le qualifie d'« *evil* », un choix de terme qui diabolise par implication les parents<sup>9</sup>. Mais que recouvre la notion de « famille anormale » ?

Une réponse nous est donnée par la presse populaire. Le magazine conservateur *Picture Post* présente en décembre 1953 une série de reportages sous le titre évocateur de « *The Best and Worst of Britain* ». On y oppose la compassion des anglais pour les animaux à leur indifférence pour les enfants dans le besoin. Les journalistes soulignent en passant que la *NSPCC*, l'association caritative nationale pour la protection de l'enfance, n'a été fondée que soixante ans après la *RSPCA*, la société protectrice des animaux, et ne bénéficie pas, comme cette dernière, du statut

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les salles de cinéma, y voient une mère de famille comblée traverser les grandes pièces claires de sa nouvelle demeure. Avec un sourire béat, elle ne tarit pas d'éloges sur le cadre enchanteur que lui a offert le gouvernement : « *Simply wonderful* », « *a House means a home* ». Harold Macmillan, alors Ministre du logement, présente le court-métrage. Il annonce : « *Give the people what they need – a home* ». De fait, 912 805 nouveaux logements municipaux seront construits entre 1950 et 1954, plus du double de ceux qui avaient été construits durant la période de l'entre-deux guerres.

<sup>2</sup> Pendant la décennie, la proportion de femmes salariées passe de 26 à 35 % et, en 1955, les femmes mariées représentent 41 % des employées (de sexe féminin). (*Occupational Segregation, Census Report for England and Wales, 1951-1981.*)

<sup>3</sup> Depuis l'*Education Act* de 1944 qui rend les autorités locales entièrement responsables de l'enseignement des enfants de 5 à 15 ans.

<sup>4</sup> Elles feront l'objet d'une présentation spéciale lors du *Festival of Britain* en janvier 1951.

<sup>5</sup> Le taux de naissances passe de 14,6 pour mille en 1940 à 16,2 pour mille en 1950 et atteint 17,5 pour mille en 1960 ; il baissera ensuite et ne sera plus que de 13,9 pour mille en 1990. (Office of Population, Census and Surveys [OPCS], *Marriage and Divorce Statistics, Birth Statistics, Annual Abstract of Statistics, 1920-1990.*)

<sup>6</sup> En 1940, la mortalité infantile était de 61 pour mille ; en 1950, de 31,2 pour mille ; en 1960, de 22,4 pour mille. À titre indicatif, en 1990, elle était de 7,9 pour mille. (*Ibid.*)

<sup>7</sup> À titre indicatif, l'espérance de vie des femmes est actuellement de 79 ans. (*Average Future Expected Lifetime at Birth, England and Wales, Annual Report of Registrar-General for England and Wales, Government Actuary's Department.*)

<sup>8</sup> HC, *Trend of Population*, 16 juillet 1943, col. 637.

<sup>9</sup> HL, vol. 144, *Care of Children*, 12 décembre 1946, col. 892.

royal<sup>10</sup>. Le ton du reportage fait frémir. On y évoque une cité cauchemardesque peuplée de gamins malheureux, affamés, battus, une véritable hydre dont nul ne peut venir à bout : « *Imagine a children's city, as large as Cambridge or Wigan – and every child tormented or sickly or hungry. Every year the city is demolished and the children are comforted ; every year it rises up anew, heartbreaking and horrible* »<sup>11</sup>.

Ces enfants sont victimes de négligence parentale que le magazine *Picture Post* qualifie de « *torture à la mode* »<sup>12</sup>. Les familles concernées sont en partie victimes de facteurs comme le manque de logements suite aux bombardements et le chômage. Les auteurs font la distinction, comme à l'époque victorienne, entre les pauvres méritants et les autres, *the deserving and undeserving poor*. La veuve atteinte de tuberculose osseuse, par exemple, qui se traîne dans les escaliers pour s'occuper de ses cinq enfants en bas âge, appartient au premier groupe : « *In this house the Mother is trying* » nous confirme l'auteur du reportage<sup>13</sup>. Mais la suite du récit laisse penser que la plupart des familles sont en grande partie responsables de leur situation. L'image diabolique ressurgit : elles sont légion, « *a legion of idlers* »<sup>14</sup>. Les pères ou compagnons dans la plupart des cas sont absents – chez leur maîtresse, en mer, au pub et décrits tout à tour comme paresseux, ignorants, chômeurs, alcooliques, violents.

Mais l'article ne s'attarde sur eux que le temps de quelques lignes. Leur principal défaut, outre la paresse, est de ne pas être la figure d'autorité dont femme et enfants auraient besoin. Le foyer, laissé aux soins de ces mères, devient anarchique : les enfants ne mangent pas à table ; la nourriture (pain blanc, margarine, ou cornets de frites) est malsaine. Le mobilier est insuffisant ou en mauvais état. Le désordre ambiant (pots à lait à même le sol, absence de couverts sur la table) est un reflet du désordre mental et moral : « *There are no rugs in the room, no laces in her shoes, no fire in the grate* ». À propos d'une autre maison, on nous explique : « *This is not a house at all – it's a pigsty* »<sup>15</sup>. Les auteurs soulignent par ailleurs qu'ils ont fait grâce aux lecteurs des détails les plus sordides : « *We have not dwelt on the stench of stale urine and rotting scraps of food, the lice, the nits, the fleas* »<sup>16</sup>. Les femmes sont à l'image de leur domicile : usées, crasseuses, obèses, laides en un mot. Tout, en elles, évoque l'abrutissement et le laisser-aller. « *Another woman, large, slovenly and 'terribly sick'* ». Les guillemets laissent penser qu'elle simule la maladie. Prostrée, insensible, semble-t-il, à son environnement, elle gémit sans arrêt :

*We find her on the pavement. Her face is covered with grime. The children are sitting silent in the wreck of a pram, on either side of a bag of chips. Before the Inspector has said a word she is crying : 'My*

<sup>10</sup> NSPCC : National Society for the Prevention of Cruelty to Children ; RSPCA : Royal Society for the Prevention of Cruelty to Animals.

<sup>11</sup> Trevor PHILPOTT & Hilda MARCHANT, « We Love our Animals like Children...But We Let some Children Live like Animals », *Picture Post*, 12 décembre 1953, p. 23.

<sup>12</sup> *Ibid.*, p. 22.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*, p. 23.

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*, p. 22.

*nerves is terrible, Mr. Harvey. I dream of yer. (sic) I lock myself in this room and daren't answer the door.' ... The words come out in a ceaseless, high-pitched song, punctuated with sobs*<sup>17</sup>.

Cette femme manifestement souffre de dépression et, peut-être, d'un handicap mental ; mais l'auteur nous met en garde. Il ne faut pas s'apitoyer sur son sort car elle en est en partie responsable : « *Mother is dirty and a fool* ». Le terme « *Mother* » (avec une majuscule) est à dessein employé de manière incongrue, pour évoquer les attributs maternels qui lui font défaut. À Cardiff, le cauchemar continue. Une mère semi-inconsciente gît sur un matelas qu'elle partage avec un enfant en bas âge. Sur la table de nuit, le journaliste note la présence d'une bouteille de vin de table à moitié vide et d'alcool à brûler. La femme est enceinte et a déjà au moins trois enfants qui traînent dans les recoins, l'air hagard. Elle a tenté en vain de se faire avorter à la demande de son mari mais a échoué et ce dernier lui a dit d'« *aller crever* ». Elle plaide pour que l'inspecteur de la NSPCC ne lui retire pas ses autres enfants. Mais là encore, l'article attire l'attention sur sa posture lascive et immorale : elle a les bras et les jambes écartés, les cheveux mal coiffés et le regard terne<sup>18</sup>.

Depuis 1945, selon la loi, le père, en tant que chef de famille, est le principal responsable du bien-être de sa femme et de ses enfants ; il est « *absolutely liable* » alors que la femme ne l'est qu'en partie (« *conditionally liable* »)<sup>19</sup>. Mais finalement, quelles que soient les circonstances qui ont conduit à la détresse des enfants, c'est la mère qui est incriminée par la presse et les autorités. Le foyer mal tenu est le principal motif de condamnation car il évoque laisser-aller et négligence. « *Wives who can't do washing are the main cause of problem families* » explique le Docteur Elliott, chargé de santé pour la région du Kent, au journal conservateur *The Daily Express*<sup>20</sup>.

« *Women who will not clean themselves, their children or their houses* », précise le *Picture Post*, « *who flounder in a bog of tallymen's accounts, hire-purchase payments and unpaid bills* »<sup>21</sup>. Les problèmes auxquels se heurtent ces mères de familles sont multiples et découlent surtout d'une pauvreté alarmante liée à l'absence de gagne-pain masculin. Mais cela ne les exonère pas. Tour à tour sales, naïves, stupides, négligentes, paresseuses, trompées ou battues, elles n'ont pas su gérer leur ménage. Le *Daily Mirror*, journal travailliste, décrit ces familles comme des « *undesirables* » et attire aussi l'attention sur la qualité répugnante des lieux et l'absence d'une bonne ménagère : « *The smell hits you as soon as you go in, the walls are dirty and scribbled on. There is dirt on the floors. The garden is a debris-strewn wilderness* »<sup>22</sup>. Il s'agit ici des *half-way houses*, taudis où sont parqués, provisoirement en théorie, les SDF de l'époque et qui parfois ne disposent pas d'eau courante ou de toilettes.

<sup>17</sup> *Ibid.*

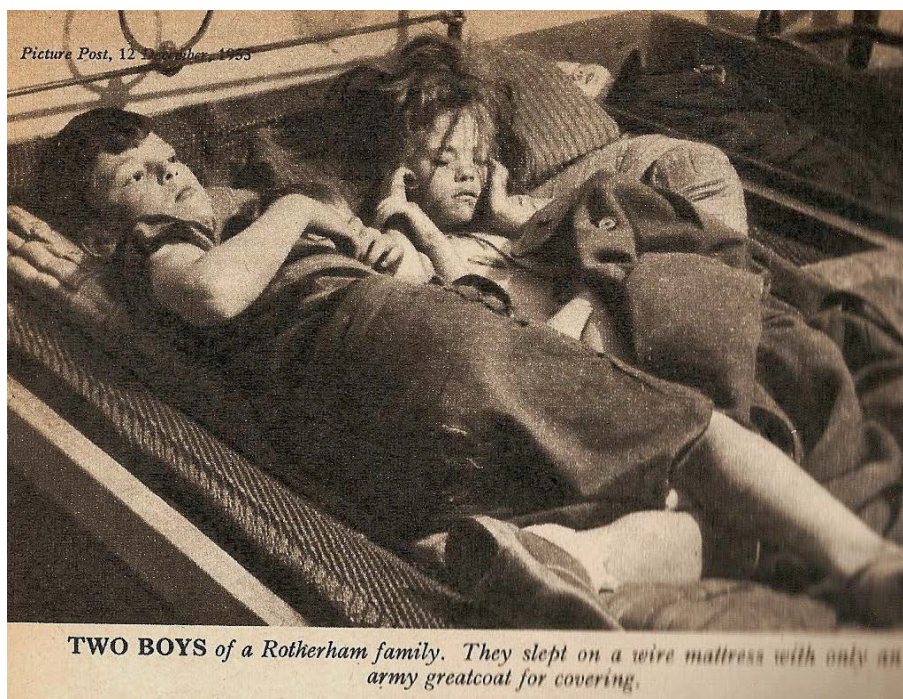
<sup>18</sup> *Ibid.*, p. 23.

<sup>19</sup> Sir William JOWITT, ministre chargé de la sécurité sociale (*National Insurance*), HC, vol. 408, *Family Allowances Bill, Second Reading*, 8 mars 1945, col. 2267.

<sup>20</sup> *The Daily Express*, 28 octobre 1957, p. 9.

<sup>21</sup> *Picture Post*, art. cit., p. 23.

<sup>22</sup> *Daily Mirror*, 14 juillet 1953, p. 7.




Tout en s'indignant du fait que certaines familles sont victimes de la pénurie de logements, l'auteur souligne que d'autres méritent leur sort car ce sont de mauvais locataires. Ailleurs, le même journal décrit la famille-type à problèmes : « *They breed rapidly. They live in filthy conditions. They turn their houses into slums. Their children often grow up as parasites in the community* »<sup>23</sup>.

### ***La famille « normale »***

Quel contraste par rapport au foyer *normal*, celui que nous offrent les pages publicitaires du même magazine. Les deux visages de la femme y cohabitent : la femme professionnelle et la maîtresse de maison. L'une s'acquitte de son travail avec sérieux et enthousiasme, l'autre maîtrise avec dextérité ses appareils ménagers, tout en soutenant la carrière de son mari grâce à un mélange de plats instantanés, de médicaments et de conseils pratiques.

<sup>23</sup> *Daily Mirror*, 7 février 1951, p. 7.

*Picture Post, 13 January, 1951*



*When the fire burns low and it's time for bed,  
then it's time too for a beakerful of Bourn-vita  
to round off the busy day. It sends you to bed  
cosy and comfortable, completely relaxed and  
ready for the sound, unbroken sleep that restores  
the energy you need for tomorrow.*

**sleep sweeter-**

La ménagère opère en toute sérénité dans une cuisine « à l'américaine » avec des surfaces en formica – « *the surface with a smile* » – qui combinent hygiène et esthétique. Même la Royal Air Force encourage les maris à s'engager en leur promettant le bonheur conjugal : un logement avec cuisine « tout électrique » pour 15 shillings par semaine<sup>24</sup>. Confort et harmonie sont les maîtres mots des petites annonces qui tapissent les pages des magazines tandis que des sociétés comme English Electric se présentent comme des organismes d'intérêt public<sup>25</sup>. Les pères de famille peuvent désormais emmener femme et enfants en vacances dans le tout dernier modèle de voiture de la Standard Motor Company, « *(the) New car for the working world* », qui peut atteindre une vitesse de 70 km/h<sup>26</sup> – la vie de famille se conjugue désormais avec loisirs et progrès.

<sup>24</sup> « There's a Place for You in the R.A.F. », *Picture Post*, 19 septembre 1953.

<sup>25</sup> « English Electric, une des plus grandes sociétés d'électricité dans le monde, utilise ses ressources sans pareille en vue de mettre plus d'équipements modernes à la portée des femmes au foyer. Grâce à son programme de recherche en matière d'électroménager de la plus haute qualité, et aussi à la production d'articles en plus grand nombre, *English Electric* contribue de façon essentielle à l'amélioration de vie quotidienne des familles dans le monde entier. » (Publicité pour English Electric, *Picture Post*, 19 septembre 1953, p. 48.)

<sup>26</sup> « New Car for the Working World », *Picture Post*, vol. 60, n° 12, 19 septembre 1953, pp. 24-25.



De même, rien n'est plus loin de l'image négative de la mauvaise mère – sale, négligente, inculte et fatiguée, que celle de la ménagère pimpante, bien habillée, bien coiffée et surtout souriante, qui donne de l'huile de foie de morue à ses enfants, protège sa peau grâce à Pears Soap, Nivea et Palmolive et veille à la blancheur de ses dents. C'est la bonne mère et la bonne épouse : présence discrète et agréable en tout point. Elle est attentive et omniprésente.

Le mot « *care* » (soin) revient constamment : elle prend soin d'elle-même, de son ménage, dans les moindres détails. La propreté de son foyer est à l'image de sa propreté morale – *cleanliness next to godliness*. Comme le résume une des nombreuses publicités pour une poudre à laver : « *More than just white – Spotless !* »



C'est le règne de la lumière, de la pureté, qui s'oppose à *carelessness*, qui évoque l'*autre*, la femme de l'ombre, noire de crasse et répugnante ; celle qui n'a pas d'homme digne de ce nom et pour cause.

Pendant les années 1950 et surtout sous les gouvernements conservateurs, les politiques vont porter une attention soutenue à ces foyers « anormaux ». On parle désormais de familles « à problèmes », car elles ne sont plus si atypiques : elles sont même la norme dans certains quartiers. Chaque année, la *NSPCC* traite plus de 17 000 dossiers de maltraitance<sup>27</sup> et on les trouve, dit le *Picture Post*, aussi bien à Cheltenham qu'à Battersea. Elles se reproduisent à une vitesse alarmante rappelle le *Daily Mirror* : leur taux de fécondité est deux à trois fois plus élevé que la normale, un thème qui revient constamment dans la presse.

L'inquiétude d'une contagion possible se fait jour. Elles ont une influence néfaste sur les familles normales. « *Problem families infect others : good tenants become bad ones* »<sup>28</sup>. Leurs enfants deviendront plus tard des « *parasites* »<sup>29</sup>. Il s'agit d'une infection virale qui menace le corps sain de la société britannique tout entière.

<sup>27</sup> 17 071 cas entre mars et septembre 1951 ; 17 091 en 1950 ; et 17 051 en 1949. (HC, vol. 494, *Cruelty to Children*, 19 novembre 1951, col. 180-181.)

<sup>28</sup> *Daily Mirror*, 7 février 1951, p. 7.

<sup>29</sup> *Ibid.*



### *Les causes de la famille « anormale » ou « à problèmes »*

Ce qui était considéré par les travaillistes comme un reste des inégalités sociales antérieures, auquel un soutien financier permettrait de mettre fin, est un échec. La pauvreté n'est pas une explication suffisante, explique la droite, dans un discours qui ressemble en certains points à celui du *Picture Post*. Ce dernier va même plus loin, sous l'influence de son nouveau rédacteur en chef conservateur Frank Dowling qui a remplacé Ted Castle, mari de Barbara et de gauche. Il affirme que ce n'est pas le manque de ressources qui est en cause : « *money is not the problem* ». Au contraire, les nombreuses allocations que reçoivent désormais ces familles n'ont fait qu'« *augmenter leur paresse* »<sup>30</sup>.

La rhétorique gouvernementale est plus modérée : c'est l'époque du consensus et les réformes sociales ne sont pas à mettre en question. On note toutefois un durcissement. En 1951, John Hay, député conservateur, demande un alourdissement des peines infligées aux parents coupables de maltraitance. Il donne en exemple le comportement horrible d'une mère qui n'a pas reçu le châtiment qu'elle méritait : « *She had punched the child until the blood flowed, twisted her fingers, seized her by the throat, and pulled her hair. She then knocked down the child and kicked her in the stomach... What does the House think the magistrates did? They fined that woman £10* »<sup>31</sup>.

De son côté, le ministre de l'Intérieur, Sir David Maxwell Fyfe<sup>32</sup>, brosse un tableau des différents types de familles concernées. Certaines souffrent, explique-t-il, de tares génétiques et ont un retard mental qui les rend inaptes à la vie en société ; mais il y a aussi les égoïstes qui ne pensent qu'à leur plaisir et les gens instables ou peu éduqués, incapables de gérer leur progéniture<sup>33</sup>.

Le *Daily Express* souligne l'influence néfaste de ces mères malades, dénuées d'instinct maternel et coupables de cruauté par négligence<sup>34</sup>. Mais c'est l'égoïsme qui est mis en avant par le *Picture Post*, avec la photo éloquente d'une petite fille abandonnée par une mère partie faire la fête. Son regard est vide ; elle est émaciée et nue, ses jambes maigres et tordues reposent sur un grabat malsain dans une semi-obscurité. En arrière-plan, le vide évoque l'absence de tout soutien familial<sup>35</sup>.

<sup>30</sup> *Picture Post*, art. cit., p. 22.

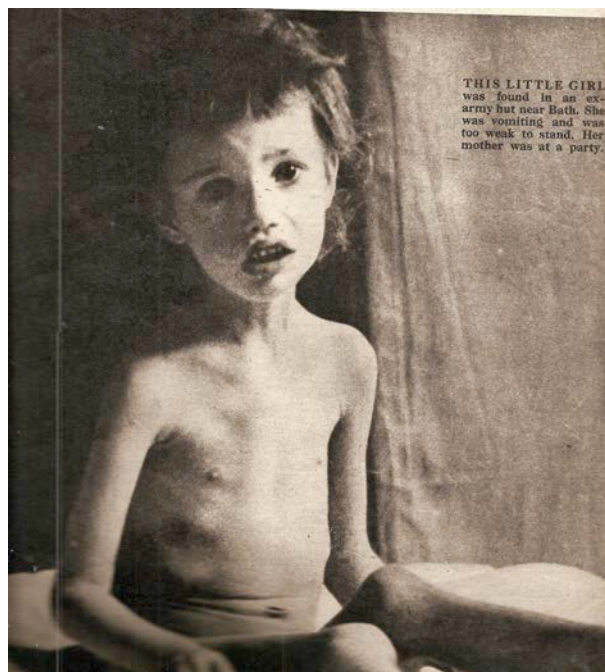
<sup>31</sup> HC, *Cruelty to Children*, op. cit., col. 181.

<sup>32</sup> David Patrick Maxwell Fyfe, 1<sup>st</sup> Earl of Kilmuir (1900-1967), juriste et député conservateur, ministre de l'Intérieur dans le Gouvernement de Winston Churchill de 1951 à 1954. Il devint Viscount Kilmuir en 1954 et entra à la Chambre des Lords où il fut nommé Lord Chancellor.

<sup>33</sup> « There are various types of offenders. One, of course, is the problem family, the subnormal and the socially incompetent. That is one class. Another class consists of the selfish parents unwilling to forgo their own pleasures to look after their children. One also has the unskilled or unstable parents with no resources against the misbehaviour of difficult children except violence. » (HC, *Cruelty to Children*, op. cit., col. 186.)

<sup>34</sup> *Daily Express*, 13 septembre 1955, p. 3.

<sup>35</sup> *Picture Post*, art. cit., p. 22.



Selon la Vicomtesse Davidson<sup>36</sup>, députée conservatrice, ce genre de comportement montre le peu d'importance donné à l'enseignement de la morale et de la religion, « *the sapping of religious and moral training, and the lack of unselfish love which all right-minded parents must have* »<sup>37</sup>. La montée du divorce, quatre fois plus élevé en 1950 qu'en 1940<sup>38</sup>, est invoquée comme un facteur supplémentaire de désintégration du tissu social<sup>39</sup>. Quoi qu'il en soit, des remèdes drastiques s'imposent.

### ***Les solutions : isolation et stérilisation***

Le fait d'avoir étiqueté les « familles à problèmes » a quelque chose de rassurant. Elles sont circonscrites et repérables et les municipalités peuvent tenir des

<sup>36</sup> Députée conservatrice de Hemel Hempstead de 1937 à 1959.

<sup>37</sup> « La raison pour laquelle les cas horribles, évoqués ce soir, sont en augmentation, est peut-être due en partie au fait que les parents n'ont aucune conscience de leurs responsabilités à l'égard de leurs enfants à qui ils devraient les enseigner, la disparition progressive de l'apprentissage de la religion et des valeurs morales et le manque d'amour et de générosité que tout parent normal devrait avoir. » (HC, *Cruelty to Children*, op. cit., col. 184.)

<sup>38</sup> 3 944 divorces en 1930 ; ce chiffre est passé à 8 396 en 1940 et à 32 516 en 1950. (*OPCS Marriage and Divorce Statistics*, Annual Report of the Registrar-General for England, Wales and Scotland.)

<sup>39</sup> Pourtant, dans les années cinquante, la Grande-Bretagne a encore un des taux de divorce les plus bas d'Europe, inférieur même à celui de pays catholiques comme la France. (*United Nations Demographic Yearbook*, 15th Issue, United Nations, 1963, cité par Michael Anderson, *Sociology of the Family*, Harmondsworth, Penguin Books, 1971, p. 305.)

registres précis. Bristol, ville prospère et assez bourgeoise, en compte 150<sup>40</sup> et une ville industrielle comme Sheffield, 500<sup>41</sup>. Dans la mesure où ces familles sont une forme de maladie, il faut à tout prix les isoler pour contenir l'infection. La presse populaire de gauche comme de droite approuve cette démarche. « *Families who just don't bother to keep themselves, their houses or their gardens should be made to live together in one area* » déclare le *Daily Mirror*<sup>42</sup>. La municipalité de Torquay, ville prospère et touristique de la côte sud de l'Angleterre, a trouvé la réponse : les familles recensées comme étant sales, sans respect pour leur environnement et/ou en retard sur leur loyer seront parquées sous surveillance dans des appartements spéciaux avec des portes renforcées et des sols en béton, ce qu'approuve le *Daily Express*<sup>43</sup>. L'emprisonnement de toute mère coupable de négligence est une autre solution envisagée par le *Daily Mirror* qui relate qu'une femme de militaire a été condamnée à trois mois de prison pour avoir laissé sombrer son foyer en l'absence de son mari. L'évocation du statut professionnel de celui-ci a pour effet d'alourdir sa culpabilité aux yeux du lecteur ou de la lectrice à qui la presse populaire est en partie destinée. Lorsque la sentence est prononcée, le soldat concerné exprime son soulagement : ce sera préférable pour leurs enfants de 2 et 7 ans qui seront ainsi à l'abri de l'influence pernicieuse de la mère. « *Mrs Smedleys' quarters in Devonport were the most disgusting he had ever seen* » dit le responsable de la NSPCC. Et le journal de crier au scandale d'un tel niveau de saleté « *on Crown Property* »<sup>44</sup>.

Dans ce contexte, le courant eugéniste anglais de l'entre-deux guerres s'affirme de nouveau. Les familles à problèmes, selon certains membres du corps médical, sont avant tout des familles *nombreuses*. Les mères ne sont pas toujours capables d'assumer leur progéniture et certaines « craquent » dès la naissance du premier enfant, explique le responsable des services de santé de la ville de Bristol. Il propose de stériliser les mères de famille à problèmes à l'issue d'une étude financée, sans surprise, par la Eugenics Society<sup>45</sup>. Certains membres de l'Église anglicane s'associent à cette approche : « *A large family often brings misfortune and degradation* » dit le pasteur de St Matthews à Bristol interviewé par un journaliste du *Daily Express*<sup>46</sup>.

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<sup>40</sup> *Daily Mirror*, 26 février 1951, p. 5.

<sup>41</sup> *Ibid.*, p. 4.

<sup>42</sup> *Ibid.*, p. 7.

<sup>43</sup> *Daily Express*, 9 janvier 1952.

<sup>44</sup> *Daily Mirror*, 27 janvier 1950.

<sup>45</sup> La *Eugenics Society of Great Britain* a été fondée en 1907. Elle s'inscrivait dans le cadre d'un mouvement européen et américain particulièrement actif dans la période de l'entre-deux guerres en faveur de l'amélioration de la race humaine par sélection génétique. La *Eugenics Society* s'est, dès 1933, dissociée publiquement des théories nazies mais a constamment prôné la nécessité du contrôle des naissances dans les familles défavorisées et/ou porteuses de tares héréditaires.

<sup>46</sup> *Daily Express*, 4 avril 1950, p. 2.

***Un nouvel enseignement :  
« mothercraft », l'art d'être une bonne mère***

Une autre solution se présente, cette fois au niveau éducatif. Cette focalisation sur la mère, qu'il s'agisse de la « bonne mère » décrite par John Bowlby ou de la « mauvaise mère » de la presse populaire, va être à la base de la politique sociale des années 1950 qui va chercher à recréer un modèle familial « normal », même là où la vraie famille n'existe pas. Il faut tout d'abord rééduquer les mères, plus malléables et accessibles que les pères. Sir David Fyfe, ministre de l'Intérieur, souligne le rôle important que les associations caritatives sont amenées à jouer dans ce domaine. La vision déjà normative de la famille et des mères, contenue dans le Plan Beveridge, est renforcée. C'est le « *social citizenship* » qui consiste à bien s'occuper de son foyer et de ses enfants : « *responsible housewifery and motherhood* »<sup>47</sup>.

Des institutions caritatives, comme le Mayflower Home de l'Armée du Salut à Plymouth, ou les Family Service Units, mis en place par l'Église anglicane à la fin de la guerre, enseignent aux « mauvaises mères » les arts ménagers<sup>48</sup>. Elles y apprennent à faire les courses, à préparer un repas équilibré, à coudre et à repasser<sup>49</sup>. À Sheffield, les services sociaux ont même créé une institution qu'ils décrivent comme un « *hotel psychologique* » où des stages de trois mois sont imposés aux épouses défaillantes sous la direction d'une équipe de médecins, d'infirmières et de psychologues<sup>50</sup>. Cet apprentissage est indispensable pour réhabiliter les foyers et doit commencer le plus tôt possible. Ainsi, une jeune fille de 14 ans abusée sexuellement par des membres de sa famille est prise en charge par la pension de Shaw Hill School à Warrington qui accueille des enfants retirés à leurs familles. Elle devra se rendre à la messe régulièrement et on lui enseignera les arts ménagers. Selon le *Daily Express*, c'est ce qui va permettre de sauver cette enfant<sup>51</sup>. Les petites annonces du journal *Church Times* regorgent d'offres d'emploi pour des *moral welfare workers* pouvant ainsi encadrer et éduquer les familles à problèmes<sup>52</sup>.

Le *mothering* ou *mothercraft* vont devenir des disciplines à part entière et la spécialité professionnelle, comme toujours peu ou pas rémunérée, des femmes. Il faut également veiller à leur intégration ou, dans le cas des familles à problèmes, à leur réintégration dans la société. La municipalité du Suffolk (East Suffolk County Council) place ces familles dans des maisons mitoyennes car c'est un fait connu que les femmes ont besoin de bavarder. Le fait de les placer dans un logis où elles peuvent « papoter » d'un côté à l'autre du mur du jardinet (« *over the garden*

<sup>47</sup> Stephanie SPENCER, *Gender, Work and Education in Britain in the 1950s*, Basingstoke, Palgrave Macmillan, 2005.

<sup>48</sup> « La NSPCC (*National Society for the Prevention of Cruelty to Children*) fait un excellent travail en matière de conseils auprès des mères et de prévention de la maltraitance. [...] Le *Mayflower Home* de l'Armée du Salut a obtenu des résultats encourageants, à petite échelle, en ce qui concerne la formation de mères condamnées pour négligence de leurs enfants. » (HC, *Cruelty to Children*, *op. cit.*, col. 187.)

<sup>49</sup> *Daily Express*, 10 octobre 1953.

<sup>50</sup> *Daily Mirror*, 26 mars 1951, p. 2.

<sup>51</sup> *Daily Express*, 23 septembre 1953.

<sup>52</sup> *Church Times*, 8 décembre 1950.

*wall* »), tradition ouvrière chère aux anglo-saxons, peut suffire à en faire de meilleures mères.

Ce renforcement de la présence d'une bonne mère va être appliqué aux familles d'accueil et aux orphelinats, afin d'opérer une normalisation du cadre de vie des enfants concernés. Il faut dire qu'à la fin de la guerre, les conditions d'accueil dans les orphelinats étaient souvent lamentables. Les enfants de tous âges étaient souvent parqués comme des bêtes dans des conditions épouvantables :

*The smell in this room was dreadful. A premature baby lay in an opposite ward alone. This ward was very large and cold. The healthy children were housed in the ground floor corrugated hutment which had once been the old union casual ward. The dayroom was bare and empty of all toys. The children fed, played and used their pots in this room. They ate from cracked enamel plates, using the same mug for milk and soup. They slept in another corrugated hutment in old broken black iron cots some of which had been tied up with cord. The mattresses were foul and stained. On enquiry there did not appear to be any available stocks of clothes to draw on and it was said by one of the assistant nurses that 'everything was at the laundry and did not come back'<sup>53</sup>.*

Dans certaines institutions religieuses, ils servaient même de main-d'œuvre bon marché pour des tâches ménagères comme le nettoyage du linge sale, tout comme les mères célibataires présentées par le célèbre film de Peter Mullan<sup>54</sup>.

La solution, préconisée par les commissions d'enquête gouvernementales *Clyde* et *Curtis*, consiste à remplacer ces institutions par de petites unités d'une douzaine d'enfants dirigées par une « mère » (« *house mother* ») qui y reproduira les conditions de vie d'un foyer traditionnel. « *She must play the part of mother to the children... Create for them the atmosphere for their happiness* »<sup>55</sup>. Au préalable, elles auront suivi un programme de formation en rapport avec les activités d'éveil de l'enfance que prônent les psychologues. Conformément à la vision normative du foyer modèle, la discipline sera apportée par un homme « à poigne » ou *warden*<sup>56</sup>. On encourage les femmes des classes moyennes à se présenter comme familles d'accueil (*foster parents*) par le biais d'une campagne menée par les *Women's Institutes* et des *Townswomen's Guilds*<sup>57</sup>. Ceci laisse penser, sans toutefois le dire,

<sup>53</sup> HMSO, *Report of the Care of Children Committee*, Cm 6922, M. Curtis, paragraphe 144, août 1946.

<sup>54</sup> Peter Mullan, *The Magdalene Sisters*, 2002.

<sup>55</sup> HMSO, *Training in Childcare : Interim Report of the Care of Children Committee*, Cm 6760, janvier 1946.

<sup>56</sup> « You get adolescent young men who should be under masculine control, but who are under feminine control. I think if you want a good man you have to pay for him, and public funds should be used for that purpose. We want our wardens to be leaders of youth in the best sense of the word. » (HL, *Care of Children*, 12 décembre 1946, col. 897.)

<sup>57</sup> HL, *op. cit.*, col. 906. Les *Women's Institutes* ont vu le jour en 1915 et les *Townswomen's Guilds* en 1929. Ce sont toutes deux des associations caritatives dont l'objectif est de

que ces familles auront une influence meilleure sur leurs jeunes charges que les familles ouvrières qui effectuent traditionnellement cette tâche.

Parallèlement à cette initiative, le réseau des comités municipaux de travailleurs sociaux et d'inspecteurs (*children's officers*) est renforcé. Ceux-ci ont comme principale mission de surveiller les foyers à problèmes, d'en retirer les enfants à risque et de les placer dans des familles d'accueil ou des centres d'hébergement. Sept nouvelles lois concernant la protection des enfants seront votées entre 1950 et 1958<sup>58</sup>. En outre, entre 1950 et 1960, quatre autres lois vont constituer la trame d'une législation qui vise à protéger les enfants de couples inaptes, en situation matrimoniale conflictuelle ou hors-norme : *Adoption Act 1950*, *Guardianship of Infants Act 1951*, *Children and Young Persons Act 1954 & 1958*, *Legitimacy Act 1959*<sup>59</sup>.

La préoccupation multiséculaire de la lutte contre la délinquance prend désormais une nouvelle orientation. L'appel à la vigilance publique va gagner en importance au fil des années. En mai 1952, Norman Cole, député de Bedfordshire South, propose d'augmenter le pouvoir des autorités locales en matière d'enquête sur les cas possibles de négligence ou de maltraitance. Il veut aussi élargir les catégories d'enfants pouvant être pris en charge et resserrer ainsi le filet de surveillance autour des parents. Chaque membre de la communauté, explique Norman Cole, doit être vigilant et ne pas hésiter à informer les autorités de tout cas suspect. La population est invitée à coopérer :

*However much legislation we have on the matter of child cruelty and neglect, it is of little use unless we have the complete co-operation of the public at all times... I think that the public must realise that in dealing with cases of criminal neglect they have a large measure of responsibility for bringing these cases to the notice of those best able to deal with them*<sup>60</sup>.

La loi, *Children and Young Persons Bill*, reçoit l'Assentiment Royal le 1<sup>er</sup> août 1952. Elle a le mérite d'attirer l'attention de la collectivité sur le bien-être des enfants, mais toute famille et, en particulier, toute mère devient une cible potentielle de critiques et de surveillance. Les critères normatifs qui sous-tendent l'image du « bon foyer », ou du foyer « normal » font de toute exception à la règle (le foyer « anormal ») l'objet de soupçons et d'une attention particulière des services sociaux. Elle permet désormais aux municipalités de retirer des enfants à leurs parents sur simple dénonciation et élargit la définition légale de la cruauté pour y intégrer les

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promouvoir le rôle des femmes au sein de la communauté locale par le biais d'initiatives locales et nationales.

<sup>58</sup> *Guardianship of Minors*, 1953 ; *Maintenance Orders/Childcare*, 1950 ; *Matrimonial Causes Act*, 1950 ; *Adoption*, 1953 ; *Affiliation Proceedings*, 1957 ; *Children and Young Persons Act*, 1957 ; *Family Law Reform* ; *Matrimonial Proceedings (Children) Act*, 1958.

<sup>59</sup> Les excès de ce dispositif seront critiqués féroce­ment des années plus tard par Ken Loach dans son film *Ladybird, Ladybird* (Diaphana Distribution) en 1994.

<sup>60</sup> HC, vol. 501, *Children and Young Persons Bill*, (Third Reading), 23 mai 1952, col. 880-881.

cas de laisser-aller parental. Cet instrument punitif qui vise par excellence les familles défavorisées reçoit néanmoins le soutien de la gauche. Le député travailliste Barnett Janner explique que cela permettra d'en faire de bons citoyens<sup>61</sup>. Ainsi, la tendance qui consiste à inviter la communauté à montrer du doigt les membres gênants de la population va en s'affirmant. En 1955, le Norfolk County Council appelle les familles à dénoncer les voisins bruyants, sales ou qui posent problème en général<sup>62</sup>.

Le fonctionnement du foyer doit donc être de nature à satisfaire les inspecteurs de l'enfance. La mère, en particulier la mère célibataire, est une cible privilégiée. Seule, démunie, sa situation lui interdit d'être une vraie mère et par conséquent, dans le monde religieux et médical, on s'accorde pour dire que l'adoption est la solution optimale pour éviter tout dérapage : « *Adoption, if successful, is the most completely satisfactory method of providing a substitute home. It is especially appropriate to the child who has finally lost his own parents by death, desertion or their misconduct and in a secondary degree to the illegitimate child whose mother is unable or unwilling to maintain him* »<sup>63</sup>.

Le courant de l'époque en matière de psychiatrie et de psychologie de la petite enfance va renforcer la vision normative du ménage, de la femme et de la mère. Dans la foulée d'Anna Freud, des personnalités du monde médical, comme David Winnicott ou John Bowlby, vont condamner sévèrement tout comportement hors norme de la mère. John Bowlby précise, par exemple, que le fait d'avoir un enfant hors mariage est un symptôme de névrose. Ces femmes sont incapables d'élever des enfants : « *It is the opinion of many social workers with psychiatric knowledge and experience of this problem that, with many girls, becoming an unmarried mother is neurotic and not just accidental. In other cases the girls are chronically maladjusted or defective* »<sup>64</sup>.

La nouvelle tendance sociologique, décelable dans la législation et les débats parlementaires et étayée par les jugements des médecins et des psychologues, vise avant tout à consolider la cellule familiale, pierre angulaire de la société. L'intervention croissante des pouvoirs publics cherche à normaliser les structures et la vie familiales, en remplaçant au besoin les parents naturels par des familles sélectionnées et aptes à transformer les enfants en bons citoyens. L'expression « *substitute family* » revient fréquemment dans les débats<sup>65</sup>.

<sup>61</sup> Député travailliste de Leicester South West. Voir HC, *op. cit.*, col. 882.

<sup>62</sup> *Daily Mirror*, 5 septembre 1955, p. 7.

<sup>63</sup> Christian Hardie, « The Curtis Report : A Summary », *The Christian Democrat*, n° 10, Oxford, Catholic Social Guild, janvier 1947.

<sup>64</sup> « Beaucoup de travailleurs sociaux, dotés de connaissances psychiatriques et d'une certaine expérience dans ce domaine, pensent que pour un grand nombre de jeunes filles, le fait de devenir mère célibataire est une forme de névrose et non pas un simple accident. Dans d'autres cas, elles souffrent d'un manque d'intégration ou sont faibles d'esprit. » (John Bowlby, *Child Care and the Growth of Love*, Londres, Penguin Books, 1955, p. 110.)

<sup>65</sup> « We all recognise that in the absence of parents or guardian it is our business, collectively, to stand *in loco parentis* and to provide those children who have lost the usual family background with the best possible substitute for a real home. I think that both these views are

### *Conclusion*

En résumé, dans les années 1950 et dans nombre de débats sur la famille, la mère est davantage culpabilisée que valorisée. Dans la presse, la situation de l'enfant, avec son cortège de drames quotidiens, semble être privilégiée car elle est susceptible de susciter l'émotion du lecteur. Le discours politique et médiatique sur l'importance de la famille recèle toutefois une certaine hypocrisie. En fermant les crèches municipales à la fin de la guerre, en ne créant pas les écoles maternelles promises, les gouvernements successifs de droite ou de gauche ont contribué à l'enfermement des mères des classes défavorisées dans une situation de dépendance.

Les cérémonies du couronnement d'Elizabeth II, le 2 juin 1953, vont être une nouvelle occasion de rappeler les valeurs de l'Angleterre de l'après-guerre. Décrite comme belle, jeune, élégante, la future reine est applaudie pour sa féminité et révérée dans son rôle d'épouse et de mère, point auquel la presse attribue autant, sinon plus d'importance, qu'à son statut de monarque. Le magazine *Housewife* de janvier 1953 consacre un article spécial, « Queen and Wife », à la Reine qu'il présente ainsi : « *You will see the Queen in her important role as wife and mother. Here you will see her in her off-the-record pictures taken with her husband and family. And here you will see, in their more informal moments, not only the most popular family in the country but also one of the happiest* »<sup>66</sup>.

Cette jeune reine, discrète et émue, personnifie l'idéal féminin de l'époque. On pourrait penser que ces images sont symptomatiques d'une certaine tentative des médias des années 1950 pour maintenir ou renforcer le *statu quo* et le partage traditionnel des rôles au sein de la famille et que la législation représente les derniers soubresauts d'un appareil politique, législatif et judiciaire qui n'allait plus résister très longtemps à l'impulsion donnée par l'évolution des mœurs et des aspirations. Et pourtant, en dépit des changements sociaux, le discours sur les familles à problèmes n'a guère changé. On retrouve les mêmes critères d'évaluation de ces familles chez les politiciens du New Labour ou du parti Conservateur ainsi que dans la presse populaire. À titre d'exemple, Tony Blair déclarait en 2001 que la criminalité était souvent liée à des familles désunies (« *broken families* ») ou à l'absence de modèles parentaux : « *The bulk of crime is committed by a hard core of persistent offenders, around 100 000 in all. Their background is almost universal : truancy ; drugs ; low employment prospects ; often from broken families or having passed through care* »<sup>67</sup>.

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entirely in accordance with average opinion today. » (HL, *Care of Children*, 12 décembre 1946, col. 901.)

<sup>66</sup> « Queen and Wife », *Housewife Magazine*, 3 janvier 1953, p. 2.

<sup>67</sup> Propos tenus par Tony BLAIR, « Speech to the Peel Institute », le 26 janvier 2001, <http://www.number-10.gov.uk/output/Page1577.asp> [page consultée le 21 juin 2007]. Cité par Emma BELL, *L'État britannique entre le social et le carcéral : Une étude du « tournant punitif » de la politique pénale néo-travailliste (1997-2007)*, thèse de doctorat en études anglophones, Université Lumière Lyon 2, 2008, p. 162, [http://theses.univ-lyon2.fr/documents/lyon2/2008/bell\\_e](http://theses.univ-lyon2.fr/documents/lyon2/2008/bell_e) [page consultée le 15 mai 2013].



Le discours de David Cameron après les émeutes de l'été 2011 reprend ces thèmes :

*Do we have the determination to confront the slow-motion moral collapse that has taken place in parts of our country these past few generations ?  
Irresponsibility. Selfishness. Behaving as if your choices have no consequences. **Children without fathers.** Schools without discipline. Reward without effort. Crime without punishment. Rights without responsibilities. Communities without control<sup>68</sup>.*

C'est l'ennemi caché, au sein même de la société, ce monstre caché et omniprésent qu'évoquait le *Picture Post* en 1953. Ruth Lister<sup>69</sup> attire l'attention sur la terminologie négative utilisée aujourd'hui encore pour parler des couches défavorisées ou *underclass* ; elle cite Dahrendorf, « *a cancer which eats away at the texture of societies* » et Murray qui évoque peste et contagion. Images pathologiques, étiquette collée à un groupe dont le comportement, aujourd'hui comme hier, est indésirable et menaçant.

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<sup>68</sup> David CAMERON, « Speech on the Fight-back after the Riots », Witney, 15 août 2011, <http://www.newstatesman.com/politics/2011/08/society-fight-work-rights> [page consultée le 15 mai 2013].

<sup>69</sup> Voir Ruth LISTER, « In Search of the Underclass », in Ruth LISTER (ed.), *Charles Murray and the Underclass : The Developing Debate*, Londres, IEA Health and Welfare Unit, Choice in Welfare, n° 33, 1996, p. 10.

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# ***The Demonisation and Social Control of Teenage Mothers in 21st-century Britain***

**Fabienne PORTIER-LE COCQ**  
*Université Paris 13, Paris Sorbonne Cité*

Teenage motherhood is nothing new but *'the public perception that teenage childbearing is a social problem is relatively new'*, dating in both the United States and the United Kingdom to the 1970s.<sup>1</sup> Childbearing has now become regarded as an antisocial act, although teenage birth rates are actually at about the same level as in the mid 1950s, a period often regarded as the *'"golden age" of family'*.<sup>2</sup>

*'To be a "young mum" or an "old mum" is now to be positioned as outside of the norm'*<sup>3</sup> in England and Wales where for first births the standardised average age of mothers was 27.9 years in 2011 compared with 27.7 in 2010 and 26.6 in 2001.<sup>4</sup> As regards 'older motherhood', the number of live births to mothers aged 40 and over in England and Wales nearly trebled from 1990 (9,717) to 2010 (27,731).<sup>5</sup> Furthermore, *'young mums are faced with the problem of transgressing norms, thus becoming an object of gossip and rumour'*.<sup>6</sup> Effectively, for most girls growing up in the countries of the Organisation for Economic Co-operation and Development (OECD), norms and aspirations are to further their studies, have a job, housing and two salaries, to delay childbearing, then to form a small family.<sup>7</sup> Young pregnant girls are acutely aware of how their pregnancy is viewed by others and attempt to fight against discrimination. *'The pregnant tummy, the bump, is a potential source of shame and something they learn to be defensive about'*.<sup>8</sup> Pregnancy makes sex visible; it converts private behaviour into public behaviour,<sup>9</sup> as it ostentatiously reminds and shows adults and parents that young people are having sex.

In the 19th century, the emphasis was on protection of the girl herself: wayward girls were seen as being in *'need of protection or firmer, more loving*

<sup>1</sup> A. T. GERONIMUS, 'Teenage Childbearing as Cultural Prism', *British Medical Bulletin*, vol. 69, n° 1, 2004, pp. 155-166.

<sup>2</sup> S. DUNCAN, C. ALEXANDER & R. EDWARDS, 'What's the Problem with Teenage Parents?', in S. DUNCAN, R. EDWARDS & C. ALEXANDER (eds), *Teenage Parenthood: What's the Problem?*, London: Tufnell Press, 2010.

<sup>3</sup> R. THOMSON et al., *Making Modern Mothers*, Bristol: Policy Press, 2011, p. 28.

<sup>4</sup> ONS, *Live Births in England and Wales, 2011*, 13 January 2013.

<sup>5</sup> ONS, *Population Trends*, London: Stationary Office, 2011.

<sup>6</sup> R. THOMSON et al., *op. cit.*, p. 33.

<sup>7</sup> F. PORTIER-LE COCQ, *Maternité et sexualité des adolescentes: voix anglaises et écossaises*, Rennes: Presses Universitaires de Rennes, 2009, p. 314.

<sup>8</sup> R. THOMSON et al., *op. cit.*, p. 28.

<sup>9</sup> C. NATHANSON, *Dangerous Passage: The Social Control of Sexuality in Women's Adolescence*, Philadelphia: Temple University Press, 1991, p. 4.

*supervision*'.<sup>10</sup> Over time, this attitude 'was increasingly supplanted by a philosophy that stressed control of the girl and protection of society'.<sup>11</sup> In the late 19th century, what used to be the private sphere of the family underwent some changes with the appearance of organisations such as the National Society for the Prevention of Cruelty to Children. Within charities, middle-class female philanthropists would visit working-class mothers to advise them as regards morality and birth control. The Ladies' Sanitary Reform Association, which became the Ladies Health Society, began its work in 1862 and was the early precursor to what were to become health visitors. Babies and infants were perceived as the wealth and the future of the nation and laws were passed to frame and protect birth and children. Since the Midwives Act 1902, midwives have been subjected to regulations and been made accountable to local authorities. Their training and the control they had over mothers were extended through the 1936 Act.<sup>12</sup>

Attempts to control young mothers continued throughout the 20<sup>th</sup> century but were soon accompanied by a discourse of vilification rather than welfare. Since 1979, teenage pregnancy has been in the limelight and teenage mothers have been represented as deviant, irresponsible, scroungers, bad parents and in need of social control. The Conservative governments of John Major vilified single mothers, notably teenage mothers who represent 2% of single parents.<sup>13</sup> They were held responsible for social decline, crime and delinquency.<sup>14</sup> In 1992, at the Conservative Party Conference, Peter Lilley, Secretary of State for Social Security, suggested that teenage mothers were deliberately taking advantage of the welfare system, singing 'there's young ladies who get pregnant just to jump the housing queue'. In the same vein, Conservative Minister Virginia Bottomley claimed that young single mothers should no longer have their own housing since this only provided an incentive to

<sup>10</sup> B. BRENZEL, 'Domestication as Reform: A Study of the Socialization of Wayward Girls, 1856-1905', *Harvard Educational Review*, vol. 50, n° 2, 1980, p. 207.

<sup>11</sup> E. FREEDMAN, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930*, Ann Arbor: University of Michigan Press, 1981, p. 147.

<sup>12</sup> P. FOLEY, 'The Development of Child Health and Welfare Services in England, 1900-1948', in P. FOLEY, J. ROCHE & J. TUCKER (eds), *Children in Society: Contemporary Theory, Policy and Practice*, Houndmills, Basingstoke, Hampshire: Palgrave, 2001, pp. 9-11.

<sup>13</sup> GINGERBREAD, *Gingerbread Factfile*, London, 2010.

<sup>14</sup> Teenage mothers, according to Coyne et al., are more likely to be convicted of a crime than older mothers, whereas David Farrington, who examined empirical evidence on the links between family factors and delinquency, argues that child abuse and young mothers are relatively poor predictors of delinquency. Children born to teenage mothers are more likely to be not only delinquent, but also chronic juvenile offenders, a number of studies have shown. (C. A. COYNE et al., 'Teenage Childbirth and Young Adult Criminal Convictions: A Quasi-experimental Study of Criminal Outcomes for Teenage Mothers', *Journal of Criminal Justice*, vol. 41, n° 5, September 2013, pp. 318-323; D. P. FARRINGTON, *Family Influences on Delinquency*, New York: Jones and Barlett, 2010, p. 216; D. P. FARRINGTON & R. LOEBER, 'Transatlantic Replicability of Risk Factors in the Development of Delinquency' in P. COHEN, C. SLOMKOWSKI & L. N. ROBINS (eds), *Historical and Geographical Influences on Psychopathology*, Mahwah, NJ: Lawrence Erlbaum, 1999; D. S. NAGIN, G. POGARSKY & D. P. FARRINGTON, 'Adolescent Mothers and the Criminal Behavior of Their Children', *Law and Society Review*, vol. 31, 1997, pp. 137-162.)

teenage pregnancy.<sup>15</sup> Margaret Thatcher had even suggested that single mothers be sent to convents.<sup>16</sup>

Following the election of New Labour in 1997, the then Prime Minister Tony Blair commissioned a report on teenage pregnancy which stressed that 90,000 girls aged under 18 became pregnant each year in England, of whom 8.5% were aged under 16 and 2.5% under 14. Three-fifths of conceptions led to live births. Tony Blair himself stigmatised young mothers when he called Britain's teen pregnancy rate shameful.<sup>17</sup> Though his government proved unable to control youthful sexuality, it was the first one to tackle the issue of teenage conception via a ten year-action plan which focused on policies to regulate and control teenage parenthood through better sex education about access to contraception, and about fatherhood, housing and social inclusion through work or education. The objectives of the Labour Government were twofold: halve the teenage conception rates amongst under 18 year-olds in England and place 60% of teenage parents and their children in education, employment or training by 2010. The ten-year action plan sought to minimise the risk of exclusion by including them in society on condition that they accept the prevailing value-system of the latter. Those who failed to do so were subjected to repressive measures. The prevention of teenage conceptions was the key aim, rather than support, and this was to be carried out through the social control of teenage mothers.

The purpose of this article is first and foremost to outline and analyse the demonisation of teenage mothers since the 1980s. The uses made of such labelling are then explored. Finally, the paper will identify the practical outcomes of the imposition of labelling upon young mothers.

### *The demonisation of teenage mothers/parents*

This section begins by attempting to define the notion of deviance before moving on to look at the main reasons why teenage mothers are subject to stigmatisation.

*'Deviance for sociologists does not mean depravity or perversion. Deviance is behaviour that violates the standards of conduct or expectations of a group or a society'*; <sup>18</sup> it involves the violation of group norms. Thus, on the basis of the sociological definition, we are all deviant at some point in time because each of us violates common social norms in certain situations. For instance, in British schools, headteachers, staff and parents may be regarded as 'deviant' when they refuse pregnant girls the opportunity to pursue their studies in their schools on the grounds that insurance does not cover them when, in truth, both school and parents fear the

<sup>15</sup> 'Put Single Parents in Hostels, Says Bottomley', *Observer*, 23 January 1994.

<sup>16</sup> 'Outcry as Thatcher Says: Send Single Mothers to Convent', *Express*, 21 October 1998.

<sup>17</sup> SOCIAL EXCLUSION UNIT, *Teenage Pregnancy*, Cm 4342, London: Stationary Office, 1999, p. 4.

<sup>18</sup> P. M. WICKMAN, 'Deviance', *Encyclopedic Dictionary of Sociology*, Guilford: Dushkin, 1991 (4th ed.), p. 85.

phenomenon will spread if they allow young pregnant girls to stay on at school.<sup>19</sup> The norm would be to provide education at least until the compulsory school leaving age of 17 in 2013 and 18 years of age in 2015 (*Education and Skills Act 2008*).

Yet, behaving in a deviant way can sometimes be seen as conforming, complying with peers or a culture, e.g. binge-drinking or wearing a hoodie. Drawing the line between ‘normal’ and ‘deviant’ behaviour is a difficult choice, as it also depends on cultures. Conforming to societal norms means adjusting; we adjust to societal norms, we follow the behaviours of others so that we can be acceptable to people around us; it gives us feelings of belonging, affection and attention. As H. S. Becker noted: it is not only transgression but mostly and above all being labelled by others which makes deviance.<sup>20</sup> Erving Goffman used the word stigma to describe the labels used by society to belittle some members or groups of society.<sup>21</sup> For example, young mothers from a case study in Northern Germany would wear large belts around their bump in an attempt to conceal their pregnancy and thus to avoid labelling – in the words of Goffman they had ‘*spoiled identity*’.<sup>22</sup>

Mothers who fail to meet normative expectations of the role of mothering are inevitably positioned as the deviant ‘other’ and considered to be unfit parents. Young mothers are demonised because they are a reminder to the general public of youthful sexuality which some consider problematic on moral grounds because it challenges traditional values such as chastity, parental authority, marriage and the nuclear family.<sup>23</sup> As R. Schaefer et al. have pointed out, ‘*sexual activity in young girls is much more likely to be labelled as promiscuous (i.e. deviant) than is the case in young boys. That is the double standard which views the behaviour as deviant in women but not deviant in men*’.<sup>24</sup> Girls are socialised to see marriage, motherhood and domesticity as their main aims in life; if they do not conform to or reject the societal view of adequate feminine behaviour, they endanger themselves.<sup>25</sup> In the case of British teenage mothers, what poses a problem to society is that they are unmarried and young, hence in need of social control.<sup>26</sup> In the 1950s and 1960s, some teenage mothers were married or resorted to shotgun marriages, hence were not viewed as problematic. Others had to put up their baby for adoption or work hard to support it. Over the second half of the 20<sup>th</sup> century, ‘*having a baby “out of*

<sup>19</sup> N. DAWSON et al., *The Education of Pregnant Young Women and Young Mothers in England*, Universities of Bristol and Newcastle, 2005; F. PORTIER-LE COCQ, 2009, *op. cit.*

<sup>20</sup> H. S. BECKER, *Outsiders: Studies in the Sociology of Deviance*, New York: Free Press, 1963.

<sup>21</sup> E. GOFFMAN, *Stigma: Notes on the Management of Spoiled Identity*, New York: Prentice-Hall, 1963.

<sup>22</sup> F. PORTIER-LE COCQ, ‘Mères adolescentes en Angleterre et en Écosse: mythes et réalités, la parole des mères’, PhD thesis, Université Rennes 2, 30 November 2007.

<sup>23</sup> J. KIDGER, ‘Including Young Mothers: Limitations to New Labour’s Strategy for Supporting Teenage Parents’, *Critical Social Policy*, vol. 24, n° 3, 2004, pp. 291-311.

<sup>24</sup> R. SCHAEFER & B. HAALAND, *Sociology: A Brief Introduction*, New York: McGraw-Hill Education, 2006 (2nd Canadian Edition), p. 181.

<sup>25</sup> S. LEES, *Losing Out: Sexuality and Adolescent Girls*, London: Hutchinson, 1986.

<sup>26</sup> In 2006, 0.5% of 18- to 24-year-olds in Britain were married; with 12% cohabiting, and 35% living apart together (LATs) (S. DUNCAN et al., *Teenage Parenthood*, 2010).

*wedlock*” was financially and socially ruinous’.<sup>27</sup> The Thatcher government of 1979 shifted moral concerns about teenage pregnancy to economic ones: the cost to the public purse of supporting teenage mothers. As highlighted above, teenage mothers were demonised because they were assumed to ‘sponge’ and live off benefits.

Furthermore, teenage mothers are often believed to harm traditional family values and structures. Fears about the breakdown of the family are conflated with those concerning teenage pregnancy. Demographic changes in Britain from the 1970s onwards in connection with family have seen the decline in marriage, the increase of divorce and cohabitation and more births outside marriage. Marriage rates have fallen and cohabitation has increased, divorce rates have risen. The proportion of over-16s married has also been falling since the early 1970s<sup>28</sup> and there has been an increase on both cohabitation and lone parenting, particularly lone motherhood.<sup>29</sup> Cohabitation and births outside marriage are no longer stigmatised provided that both parents care for and provide for their children. Jane Lewis<sup>30</sup> explains that the separation of sex from marriage after the 1960s and the separation of marriage from parenting since the end of the last century represents the ‘decline of the family’ from an institution in which adult participation was the norm, to one in which participation is a matter of personal choice.<sup>31</sup> Many young mothers do not welcome the presence of the baby’s fathers either for themselves or their child.<sup>32</sup> Thus, teenage motherhood encapsulates concerns about the cost of supporting lone mothers and the absence of a male role model within the family unit, whose children as a result are thought more likely to become criminal.<sup>33</sup>

Teenage mothers are perceived as immature, irresponsible, feckless and unable to care for their child adequately. Thus, control is sought within the private sphere and within the public sphere to ensure they will become good mothers and that they and their children will become good citizens and participate in society. Because men are often conspicuously absent from the lives of these young girls who become mothers and because men are supposed to dominate and control women (patriarchy), the State takes over and assumes the right to prevent them from engaging in deviant behaviour. The moral authority that was traditionally thought to lie in institutions like the family has now come to be seen as eroded. Instead, professionals have now assumed rights and responsibilities which permit them to act as powerful, benign and trustworthy purveyors of the ‘social good’ in most matters concerning the

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<sup>27</sup> S. MIDDLETON, *Hearing the Voices of Young Women: Interpreting Teenage Pregnancy Narratives Individually and Collectively*, PhD thesis, School of Health and Social Sciences, Middlesex University, June 2010, p. 25.

<sup>28</sup> ONS, *Population Trends*, London: Stationary Office, 2001.

<sup>29</sup> J. LEWIS, *The End of Marriage? Individualism and Intimate Relations*, Cheltenham: Edward Elgar, 2001.

<sup>30</sup> *Ibid.*

<sup>31</sup> N. CHARLES et al., *Families in Transition: Social Change, Family Formation and Kin Relationships*, Bristol: Policy Press, 2008, p. 26.

<sup>32</sup> F. PORTIER-LE COCQ, 2009, *op. cit.*

<sup>33</sup> C. MURRAY, *The Emerging British Underclass*, London: Institute of Economic Affairs, 1990; *Underclass + 10: Charles Murray and the British Underclass 1990-2000*, London: CIVITAS, 2001.

conduct of sexual behaviour and relationships.<sup>34</sup> For instance, health professionals follow the criteria set out in the Fraser guidelines<sup>35</sup> before providing to under 16s a service to which parents have not given consent in England and Wales or, as regards confidentiality, they apply the NHS Code of Practice on Protecting Patient Confidentiality.<sup>36</sup>

During face-to-face semi-structured interviews carried out as part of a qualitative study conducted in England and Scotland between 2001 and 2005, involving a hundred or so young pregnant women and young mothers aged between 12 and 18 at conception (of whom 60% were underage), it became obvious that young women were prejudiced against. Under the pressure of others, they constantly felt they had to prove they were neither bad girls nor bad mothers.<sup>37</sup> Teenage mothers in the UK are always assumed by politicians—and indeed most researchers—to lack self-esteem, but this may actually be a symptom of how society treats them when they fall pregnant rather than a cause of the pregnancy itself.

Contemporary novelists have also written about teenage mothers in a negative and stereotypical way:

*A little later, Julie and I go for a walk up the recreation grounds at the top of the estate [...]. When we get to the swings, we find a couple of schoolgirl mothers sitting there on a bench. Teenage pregnancy ranks as a hobby round here. These two are pretty typical: waxy with tiredness and caked in make-up, they look like cadavers with their young jumping up and down on them, full of rude life.*<sup>38</sup>

The excerpt epitomises the representation and demonisation of young mothers and their children. The locus is an estate in Yorkshire in Northern England. The girls are seen as idle, sitting in a park; they are heavily made up and seem to lead a life of leisure and pleasure; they are tired, and their offspring are out of control and unmanageable, suggesting that mothers are incapable of effective parenting.

Media portrayal of teenage mothers is also extremely negative,<sup>39</sup> encouraging the general public is made to think that they are immature, irresponsible, lazy,

<sup>34</sup> J. PHOENIX & S. OERTON, *Illicit and Illegal: Sex, Regulations and Social Control*, Cullumpton, Devon: Willan, 2005, p. 161.

<sup>35</sup> These guidelines arose from the Victoria Gillick case in 1983 who failed to prevent health professionals prescribing contraception to under-16s without parental consent. The House of Lords ruled that people under 16, who understand the service given and its implications, are competent to consent to medical treatment regardless of age.

<sup>36</sup> NHS SCOTLAND, *NHS Code of Practice on Protecting Patient Confidentiality*, Scottish Executive, 2003.

<sup>37</sup> F. PORTIER-LE COCQ, 2007, *op. cit.*

<sup>38</sup> A. PEARSON, *I Don't Know How She Does It: A Comedy about Failure, a Tragedy about Success*, London: Vintage, 2003, p. 302.

<sup>39</sup> J. JOHNSTON, 'I Didn't Want this Baby', *Daily Mail*, 23 July 2005; 'Tory Councilor Who Suggested Parents on Benefits Should Be Sterilized Is Forced to Quit', *Daily Mail*, 25 March 2008; D. AITKENHEAD, 'The Stigma of Being a Teenage Mum', *Guardian*, 17 September



uneducated, promiscuous, stupid, binge-drinking, lacking in morality and ambition, and that they deliberately get pregnant to live off benefits and in council housing. They are depicted as bad mothers who are responsible for producing a generation of criminals, and parasites, living off the British tax-payer. The media, in portraying young mothers as deviant and in need of supervision, play a distorting role which is by no means insignificant. By contrast, the stereotypes attached to the portrayal of teenage mothers in gruesome media stories did not match the reality encountered in the course of one qualitative study in England and Scotland.<sup>40</sup> Nonetheless, stereotypes remain and are used to justify the increasing social control of young mothers. Young parents and their children are thus deemed in need of social control.

### ***Social control of teenage parenthood from New Labour to the coalition (1997-2014)***

This section shows that social control over teenage parents has been exerted by successive governments, whether Labour or Liberal-Democrat and Conservative, and that this social control has taken the form of both punitive sanctions and welfarist measures.

Social control of teenage mothers operated on different levels under Tony Blair's and Gordon Brown's governments. The seminal report on *Teenage Pregnancy*<sup>41</sup> aimed to tackle social exclusion and achieve social inclusion by means of social control: youthful sexualities were to be regulated; the biological father of the child was to be forced to take on responsibility; young mothers were to be put on the labour market or sent back to school, and were to live in supervised accommodation.<sup>42</sup> Though Tony Blair's ambitions and plan were laudable, they were not always successful and could be debatable. New Labour's emphasis on interventions which stressed self-regulation, responsible citizenship, and participation through education, employment or/and training was problematic because it disregarded multiple, pre-existing levels of exclusion. What was ignored by the government was that social inequalities are at the heart of teenage sexual behaviour and decision-making. The government also dismissed teenagers' preferences to be full-time mothers.<sup>43</sup> Indeed, in some working-class communities, having a termination is more stigmatised than becoming a mother.<sup>44</sup>

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2005; P. EADY, 'Britain's Youngest Parents: 12-year-old Girl and Boy Aged 13 Have Daughter Together', *Daily Mirror*, 16 April 2014.

<sup>40</sup> F. PORTIER-LE COCQ, 2009, *op. cit.*

<sup>41</sup> SOCIAL EXCLUSION UNIT, *op. cit.*

<sup>42</sup> 'By 2003 all under eighteen teenage lone parents, who cannot live with family or partner, should be placed in supervised semi-independent housing with support, not in an independent tenancy' (*ibid.*, p. 100); Susanna GIULLARI & Mary SHAW, 'Supporting or Controlling? New Labour's Housing Strategy for Teenage Parents', *Critical Social Policy*, August 2005, vol. 25, n° 3, p. 402-417.

<sup>43</sup> H. STAPLETON, *Surviving Teenage Motherhood*, Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2010, p. 28; F. PORTIER-LE COCQ, 2009, *op. cit.*

<sup>44</sup> S. TABBERER et al., *Teenage Pregnancy and Choice, Abortion or Motherhood: Influences on the Decision*, York: York Publishing Services, 2000.

As mentioned above, regulating youthful sexualities was a privileged route to exert social control over teenage mothers. When Tony Blair became Prime Minister, a ten-year action plan was implemented to halve the rates of teenage conceptions in England by providing better sex education and contraceptive advice and access. Whilst these measures may appear to be welfarist in nature, they tend to increase the social control of young people since medical discourses play an important role in policing and regulating women's bodies and in defining 'appropriate' female behaviours<sup>45</sup>.

Social control also underpinned New Labour's housing strategy with regard to teenage parents. The Blair government implemented pilot housing schemes on a national scale.<sup>46</sup> by 2003, teen mothers no longer qualified for a council house. Mothers under 18 who could not live at their family's or partner's were to live in supported semi-independent housing<sup>47</sup> and be provided with help and advice to encourage them to stay on in education and get a job, and were supervised, allegedly to prevent the dangers of isolation. 16- and 17-year-old single mothers lived in supported semi-independent homes and benefited from support groups with staff, but also from privacy and relative independence.<sup>48</sup> This type of accommodation was appreciated by young mothers because there is no kitchen or facilities to share or negotiate. But fathers are not always welcomed on the premises and the amount of time they can spend with the mother and baby is limited. The downside was that although the mother can spend time on her own with her baby or partner, staff are constantly present and recommend that young mothers help one another and spend time together shopping, doing group work and having meals together. To live in such accommodation, mothers have to be over six months pregnant, referred by a social worker or a midwife, and young mothers can theoretically stay there for a year and a half. Some accommodation and teenage mothers' units in England are located far out of town and surrounded by a very high wire fence or very high gates and CCTV cameras on the grounds of safety.<sup>49</sup>

On being taken in hand, young mothers are advised on how to bring up their child, budget, manage everyday life, get moral support and live with other teenage

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<sup>45</sup> *Ibid.*, p. 2.

<sup>46</sup> '£10million from the Housing Corporation for bids to pilot different ways of providing supervised semi-independent housing with support'. (SOCIAL EXCLUSION UNIT, *op. cit.*, p. 103.) Willowbrook Place in Maidstone, Kent, England, for instance, is a purpose built teenage parent unit offering accommodation and housing related support to young people between 16 and 21 years old, funded by Kent County Council.

<sup>47</sup> 'Those who do not stay at home should be offered supervised semi-independent housing with support instead' (*ibid.*, p. 102).

<sup>48</sup> 'And I do think it's time to address a problem that for too long has gone unspoken, the number of children having children. For it cannot be right, for a girl of 16, to get pregnant, be given the keys to a council flat and be left on her own. From now on, all 16- and 17-year-old parents who get support from the taxpayer will be placed in a network of supervised homes. These shared homes will offer not just a roof over their heads, but a new start in life where they learn responsibility and how to raise their children properly. That's better for them, better for their babies and better for us all in the long run.' (Gordon BROWN, 'Speech to Labour Conference', 29 September 2009.)

<sup>49</sup> F. PORTIER-LE COCQ, 2009, *op. cit.*

mothers while benefiting from the possibility for their child to be looked after by nursery nurses in teenage mothers' units for instance. They are also advised on birth control and contraception to prevent another conception. For young mothers who are in a steady relationship and would like to reach a desired family size, the emphasis on the prevention of further conceptions defeats the purpose of forming a family. Thus, if a teenage mother is expecting a second child she has to leave the premises. Implicitly, living in this type of accommodation deprives the young mother of independence and autonomy and the possibility to obtain a council flat. Hence, through the implementation of semi-supported accommodation the issue of social control or support is raised.<sup>50</sup>

It was not just mothers who were subject to control. The Labour government disapproved of fathers not contributing to the well-being of their child and paying no maintenance and did not take into account the fact that some mothers resented the father of their child being involved. Thus, there was a maintenance crackdown on teen fathers, which actually began before New Labour came to power. Tessa Jowell, Public Health Minister stated that '*we need to ensure that boys are made aware that fatherhood is not a one-night stand, but a long-term responsibility*'.<sup>51</sup> The Child Support Agency reforms were geared towards ensuring that boys who fathered children were tracked down and forced to pay towards maintenance, and teenage mothers were asked to name the father. It is thought that just 15% of teenage mothers currently receive maintenance from the fathers, but mothers prioritise the relationship with their child, not the father. '*Fatherhood depends on the mother's goodwill, some like to say the arbitrary decision of the mother*'.<sup>52</sup>

New Labour also focused on the issue of parenting. In a report on poverty and life chances commissioned by the coalition government, Labour MP Frank Field recommended in December 2010 that all new parents should have parenting classes and that children, from primary school level onwards, should be taught parenting, leading to a qualification in taking care of children at GCSE level. Parenting courses would be offered as a routine and home visitors and children's centres should be targeted at low income families or those most likely to benefit,<sup>53</sup> that is to say the most disadvantaged and vulnerable parents less likely to walk through the door of a children's centre for instance. '*Parenting is more important than income and schooling to a child's life chances*'.<sup>54</sup> Reaching this aim is done through intervention which can be carried out within the home, the private sphere. Family Intervention Projects (FIPs) assist families who, for example, are in trouble for anti-social behaviour or are tracked by social services over child welfare and education concerns. They help keep children out of care and live with their family.<sup>55</sup>

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<sup>50</sup> S. GIULLARI & M. SHAW, *art. cit.*

<sup>51</sup> 'Boys Face Teen Pregnancy Crackdown', *BBC News*, 14 June 1999.

<sup>52</sup> Y. KNIBIEHLER, *Maternité: affaire privée, affaire publique*, Paris: Bayard, 2001, p. 202.

<sup>53</sup> P. OWEN & P. WINTOUR, 'New Mothers and Fathers Should Have Parenting Classes: Frank Field Report', *Guardian*, 3 December 2010.

<sup>54</sup> F. FIELD, *The Foundation Years: Preventing Poor Children Becoming Poor Adults*, London: Cabinet Office, 2010.

<sup>55</sup> HOME OFFICE, 'What Is a Family Intervention Project?', 6 January 2010; R. WILLIAMS, 'How Intervention Is Keeping Children Out of Care', *Guardian*, 26 October

With regard to tackling social exclusion, Sure Start programmes were introduced in 1999 into deprived neighbourhoods throughout England as a potential vehicle. The Sure Start Plus Programmes commenced in 2001 and were charged with reducing the social exclusion specifically associated with teenage pregnancy and young parenthood (the inclusion of young fathers was a central objective).

But the primary means to social inclusion was through paid work. Indeed, the underlying policy strategy of the Labour government to reduce child poverty was the ‘*belief in the labour market as the primary agent of social inclusion*’.<sup>56</sup> Social inclusion in the eyes of Tony Blair meant participating in paid work and work was the way out of poverty. He said that ‘*New Labour’s own construction of a “good” citizen is an active one, in which individuals have to prove themselves worthy of full social inclusion through making a positive contribution to society*’.<sup>57</sup> Yet, for teenage parents, regular, paid and secure employment is rarely an available option.

The present Conservative-Liberal Democrat coalition government also holds the view that work is the best route out of poverty. Lone parents whose youngest child is of school age, i.e. 5, are expected to work part-time and to work full time when their child reached secondary school age.<sup>58</sup> The coalition wants lone parents to keep in touch with the job market and the Jobcentres once their youngest child is a year old or they could lose 20% of their benefit if they are seen as workshy or lose Jobseeker’s Allowance for three years if they turn down a job. This policy directly contradicts the 2010 Conservative manifesto promise to ‘*mak[e] Britain more family-friendly [by] helping families spend more time together*’.<sup>59</sup>

The coalition has adopted a particularly strict approach to housing. Taking up old arguments about teenage mothers trying to cheat the welfare system, the Conservative Max Pemberton claimed in 2009 that ‘*the Holy Grail is getting access to a council flat and state benefits, which is precisely what having a baby gives you*’.<sup>60</sup> Furthermore, in an interview with the *Guardian* in March 2010, Tim Loughton, Tory Shadow Children’s Minister hinted at criminalising teenage mothers, as underage sex is illegal.<sup>61,62</sup> In July 2013, the 40 Group<sup>63</sup> suggested some

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2011; DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT, ‘Louise Casey Falls for Family Intervention Approach’, 15 December 2012.

<sup>56</sup> R. LISTER, ‘From Equality to Social Inclusion: New Labour and the Welfare State’, *Social Critical Policy*, vol. 18, n° 2, 1998, pp. 215-225.

<sup>57</sup> J. KIDGER, *art. cit.*

<sup>58</sup> F. PORTIER-LE COCQ, *art. cit.*

<sup>59</sup> CONSERVATIVE PARTY, *Invitation to Join the Government of Britain: The Conservative Manifesto 2010*, London: Conservative Party, 2010.

<sup>60</sup> M. PEMBERTON, ‘Teenage Pregnancy: The National Talking Point’, *Daily Telegraph*, 13 July 2009.

<sup>61</sup> ‘We need to send a message that it’s not actually a good idea to become a single mum at 14. It is against the law to get pregnant at 14. How many kids get prosecuted for underage sex? Virtually none. What are the consequences of breaking the law and having irresponsible underage sex? There aren’t any.’

<sup>62</sup> R. RAMESH, ‘Talking Tough on Teenage Pregnancy’, *Guardian*, 17 March 2010; J. CHAPMAN, ‘How Tories Would Criminalise Teenage Mothers: Under-16s Who Have Sex

radical welfare reforms to reduce teenage pregnancy: teenage mothers should no longer be entitled to council housing or housing benefits automatically;<sup>64</sup> the use of long active reversible contraception (LARC), such as injections, implants or intrauterine devices (IUDs) should be encouraged together with birth control advice after a termination.<sup>65</sup> Following the 2013 election, it became compulsory for single parents to seek work, child benefits were frozen and welfare cuts and penalties were introduced, specifically targeting single mothers.<sup>66</sup>

There is a disparity between the Conservative representation of young mothers being lazy and bad mothers, and Conservative aspirations—young mothers juggling work and bringing up their child, which also implies accessible and affordable childcare. Teenage mothers cannot win: if they work, they are accused of neglecting their children who ultimately will resort to criminality. If they stay at home, they are lazy scroungers. It is an intractable issue unless they find a job which fits around the child. Hence, there is a dichotomy, a clash between the expectations and the reality of parenting. As good citizens, they should be in paid work. As good mothers, they should be at home preventing their children from misbehaving. The responsibility of (lone) parents therefore includes both being in work and being an effective parent.<sup>67</sup>

Within the Conservative Party, there has even been resurgence of eugenicist arguments as a solution to teenage pregnancy. In 2008, the Conservative Councillor John Ward had to resign when he claimed that all parents on benefits, ‘*who breed for greed*’, should be sterilised after having one child.<sup>68</sup> He stated that ‘*there is an increasingly strong case for compulsory sterilisation of all those who have had a second child—or third, or whatever—while living off state benefits. There are professional spongers who breed for greed*’.<sup>69</sup> Jeremy Hunt, current Conservative minister,<sup>70</sup> argued that benefit claimants had to take responsibility for the number of children they have and that the state would no longer fund large workless families. Only 3.4% of families on long-term receipt of benefits have four children or more, but it is still believed that the working classes breed out of control.

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Should Be Prosecuted, Says Shadow Children’s Minister’, *Daily Mail*, 18 March 2010; O. JONES, *Chavs: The Demonization of the Working Class*, London: Verso, 2011, p. 80.

<sup>63</sup> The 40 Group consists of 40 Conservative MPs on the most marginal seats since the 2010 general election.

<sup>64</sup> FORTY GROUP, ‘Tackling Teenage Pregnancy’, *40 Policy Ideas from the 40*, July 2013, pp. 72-73.

<sup>65</sup> FORTY GROUP, ‘Access to Contraception’, *op. cit.*, pp. 74-75.

<sup>66</sup> F. PORTIER-LE COCQ, ‘Les aides sociales aux mères isolées en Grande-Bretagne’ in Corinne NATIVEL (ed.), *Politiques sociales et familiales en Grande-Bretagne*, Paris: Informations sociales, CNAF, n° 159, 2010, pp. 112-113.

<sup>67</sup> T. HAUX, ‘Lone Parents and the Conservatives: Anything New?’, in C. HOLDEN, M. KILEY & G. RAMIA (eds), *Analysis and Debates in Social Policy, 2011*, Bristol: Policy Press, Social Policy Review n° 23, 2011, p. 151.

<sup>68</sup> ‘Tory Councillor Who Suggested Parents on Benefits Should Be Sterilized Is Forced to Quit’, *art. cit.*

<sup>69</sup> John Ward has removed the original comments from his website blog. See footnote 100.

<sup>70</sup> He was appointed Secretary of State for Health in 2012.

The popular press has also revived such arguments, the *Daily Telegraph* noting, ‘*eugenics may be taking it too far, but certainly there is anecdotal evidence that sticking a needle in the buttocks of the uneducated is far easier and cheaper than having to provide them with a proper support system of sex education*’.<sup>71</sup> Even academics have stated that the ‘*mentally and morally unfit should be sterilised*’.<sup>72</sup> What used to be the norm—having children in teenage years—has become abnormal and the norm is now births to older mothers, as Western values privilege economic success and social status.

### **Conclusion**

*Stereotyping [...] divides the normal and the acceptable from the abnormal and the unacceptable. It then excludes or expels everything which does not fit, which is different. Stereotyping [...] sets up a symbolic frontier between the ‘normal’ and the ‘deviant’, the ‘abnormal’ and the ‘pathological’, the ‘acceptable’ and the ‘unacceptable’.*<sup>73</sup>

Teenage pregnancy and motherhood is increasingly portrayed as a social problem, although under-18 conception rates have decreased by 34% and are the lowest since 1969.<sup>74</sup> In its 2000 report, the Home Office stated that ‘*society has to protect children<sup>75</sup> from inappropriate sexual activity at too early an age when it has the potential to cause physical, emotional and psychological harm*’.<sup>76</sup> The harm discussed is the ‘*social and community level harms of teenage pregnancy, STIs and greater risks of cervical cancers. These become harms partly through the problems that they generate for the individual young people, but more because of the expense to the public purse*’.<sup>77</sup> Children being exposed to sex and sexuality that constitute a ‘danger’ or ‘threat’ can be constituted as both culpable and blameworthy and therefore in need of surveillance and regulation.<sup>78</sup> By positing some children as dangerous and blameworthy, the state displaces the family as a site of moral authority and regulation. Hence the family unit is positioned as incapable of providing that regulation.

Labour and Conservative family policies differ in that for the Conservative party the focus is on marriage and on the negative consequences of family breakdown. In the 2010 Conservative Manifesto, broken families were seen as the

<sup>71</sup> B. GORDON, ‘Sex Education vs the Contraceptive Jab’, *Daily Telegraph*, 7 February 2008.

<sup>72</sup> ‘Iconoclasts’, BBC Radio 4, 28 August 2010. Professor David Marshland is Emeritus Scholar of Sociology and Health Sciences at Brunell University, London and Professorial Research Fellow in Sociology at the University of Buckingham.

<sup>73</sup> S. HALL, ‘The Spectacle of the “Other”’, in S. HALL (ed.), *Representation, Cultural Representations and Signifying Practices*, London: Sage Publications, 1997, pp. 256-257.

<sup>74</sup> A. HADLEY, ‘The Teenage Pregnancy Strategy for England: Lessons Learned but More to Do’, paper read at Sorbonne-Paris IV, 24 January 2014.

<sup>75</sup> The term ‘children’ here applies to anyone under 18 years old.

<sup>76</sup> HOME OFFICE, *Setting the Boundaries*, London: Stationary Office, 2000, p. 69.

<sup>77</sup> SOCIAL EXCLUSION UNIT, *op. cit.*; A. PHOENIX et al., *op. cit.*.

<sup>78</sup> A. PHOENIX et al., *op. cit.*, p. 69.

main cause of broken Britain. And family breakdown is said to be leading to an increase in teenage pregnancy rates.<sup>79</sup> Yet, both parties have focused on the need to target problem families through ostensibly welfarist measures. By 2015, Cameron intends to put all 120,000 of the country's most 'troubled families' through some kind of family intervention programmes (FIPs) and helping them mostly through getting them back into work, arguing that the need is urgent as the cost to the taxpayer is more than £8bn a year. These schemes were originally introduced by Labour in 2006 to offer social, economic and behavioural support. In 2008, the then Prime Minister Gordon Brown had promised to target 110,000 problem families with disruptive young people, although his promise, made during public disquiet over knife-crime, was never fulfilled. In four years only 7,300 families were helped (e.g. attending parenting classes), part of the reason being the cost. Yet, there seems to be cross-party agreement amongst British politicians<sup>80</sup> that the solution lies in early intervention.<sup>81</sup> The 2008 report *Early Intervention: Good Parents, Great Kids, Better Citizens* for the Social Justice Centre<sup>82</sup> by MPs Graham Allen (Labour) and Iain Duncan Smith (Conservative) proposed that the State should intervene upon 0-18 year olds 'at risk' of social disadvantage; hence, when they do become parents before the age of 20, they will be 'child ready'. At the centre of David Cameron's political philosophy is the idea that a person's life chances are determined by behavioural factors rather than economic background,<sup>83</sup> which is a convenient view with respect to limiting spending on benefits. '*What matters more to a child's life chances is not the wealth of their upbringing but the warmth of their parenting*', David Cameron claimed.<sup>84</sup>

The current coalition government has failed to provide a strategy to reduce teenage pregnancies and has included the under-18 conception rate in the Public Health Outcomes Framework; reducing teenage pregnancy constitutes one of the priorities of the Sexual Health Improvement Framework.<sup>85</sup> The '*coalition government's current position is allegedly to provide a ring fence public health budget to local councils to build healthier communities and further reduce unplanned teenage pregnancies*'.<sup>86</sup> However, with budget cuts, local teenage pregnancy coordinators being axed in over a third of regions in England since 2011, and in some areas with the highest conception rates among under 18-year-olds

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<sup>79</sup> T. HAUX, *art. cit.*

<sup>80</sup> The former Labour Prime Minister Gordon Brown, the Current Conservative Prime Minister David Cameron and Liberal-Democrat Deputy Prime Minister Nick Clegg endorsed *Early Intervention*.

<sup>81</sup> 'Intervening early and as soon as possible to tackle problems emerging for children, young people and their families or with a population most at risk of developing problems. Early intervention may occur at any point in a child or young person's life'. (*Grasping the Nettle: Early Intervention for Children, Families and Communities*, London: Centre for Excellence and Outcomes in Children and Young People's Services [C4E0], 2010, p. 2.)

<sup>82</sup> Iain Duncan Smith, Conservative politician, founded the Centre for Social Justice (CSJ) in 2004, after his term as Conservative party leader. CSJ works with small charities with the aim of finding policies for tackling poverty.

<sup>83</sup> O. JONES, *op. cit.*

<sup>84</sup> D. CAMERON, 'Supporting Parents', 11 January 2010.

<sup>85</sup> DoH, *A Framework for Sexual Health Improvement in England*, March 2013.

<sup>86</sup> 'The Teenage Pregnancy Myth', BBC Radio 4, 19 March 2012.

(56 local authorities out of 150), there is a very pessimistic view from experts and workers that future teenage pregnancy rates will either stall or start increasing. In the wake of the riots in England in August 2011, British families and youth are at the heart of social control policies, especially as the current commonly held belief is that teenage parents' children are the next generation of rioters.

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# ***‘Pickets’: from the Symbolic Condemnation to the Outlawing of Trade Union Practices in Britain, 1972-1980***

**Marc LENORMAND**

*Université Montpellier 3 Paul Valéry*

‘Picketing’ is a practice by which striking workers stand in front of their workplaces to encourage fellow workers to withdraw their labour as well, or to actually prevent them from entering the workplace if they have got the numbers. It has been part of the trade union repertoire of action in Britain since the 19<sup>th</sup> century, and recognised in the law since at least the 1906 legislation which granted unions legal immunities for actions taken in furtherance of a dispute with an employer. However, it did not receive widespread attention or condemnation from commentators until the beginning of the 1970s, apart from the aftermath of the 1926 General Strike. This first episode of the General Strike already provides an insight, not into the actual union practice of picketing, but into the larger political use of the terms ‘pickets’ and ‘picketing’. Although picketing occurs in a vast majority of industrial disputes, it is put to the forefront of the media coverage and political debates whenever labour organisations are seen as challenging government policies, and possibly threatening the power of the British state. It is used by the Establishment and by the conservative media to de-legitimise union practices and justify or lay the groundwork for the anti-union backlash.

This article endeavours to demonstrate this through an analysis of what happened in the 1970s. First, the emergence in public debate of a series of terms—‘pickets’, ‘picketing’, ‘secondary picketing’—will be charted, against the background of a changing climate in industrial relations at the turn of the 1970s. Then, the way in which the terms ‘pickets’ and ‘picketing’ were key components in the construction of strikes as a social problem, and how the spread of the term ‘secondary picketing’ demonstrates way in which language can be used to change the terms of reference in a debate, will be analysed. The final section will offer thoughts about what one may call, a bit dramatically, the end of picketing, that is to say both the actual changes in trade union practices and the disappearance of the term from public discussion of industrial relations once it had served its purpose, in the new political context of the 1980s.

## ***The appearance of the ‘pickets’***

Between the 1926 General Strike and the end of the 1960s, there were few large, nationwide disputes. This had to do with the fact that the trade unions abandoned the tactic of the general strike, and that—except for the duration of the

War—the governments were happy to keep out of industrial relations. The so-called voluntarist, laissez-faire system of industrial relations meant that the state provided a general, minimal framework for negotiations, and facilitated or imposed the creation of bargaining structures only in sectors where employers or unions were too weak to set up such tools for collective regulation of wages and conditions.

This changed when, in the 1960s, the growth of GDP slowed down, while inflation started rising. Commentators started talking about a British economic decline, and there were calls for governments to do something about it. Both the Labour governments of 1964-1970 and the Conservative government of 1970-1974 were elected on a platform of economic modernisation. They adopted two sets of policies that could contribute, and indeed did contribute, to a renewal of nationwide industrial disputes directly challenging government policy. The first was the incomes policies imposed from 1966 onwards. Apart from temporary releases, incomes policies were very much a constant feature until the end of the 1970s, and workers saw the increase in their income limited while inflation was rampant. Secondly, what was seen as an excessive number of strikes and lost working days meant that a reform of industrial relations was central to the approaches taken by the governments. There was a first attempt in 1969, when Barbara Castle tried to push through the White Paper *In Place of Strife*.<sup>1</sup> This had to be abandoned in the face of TUC opposition and strikes breaking out in factories all over the country. There was a second attempt, when the Conservative-dominated Parliament passed an Industrial Relations Act in 1971.<sup>2</sup> It encountered trade union opposition, as most TUC-affiliated bodies boycotted its provisions, and was almost neutralised after the imprisonment of five dockers, the ‘Pentonville Five’, led to strikes and demonstrations in industrial centres. The incomes policy then adopted by the Conservative government was equally challenged in a series of major strikes.

This changed industrial context forms the background against which the terms ‘picketing’ and ‘pickets’ emerged as central elements of the description of industrial disputes. If one searches the archives of the *Times* of London between 1945 and 1985 and looks for the keyword ‘picketing’ in the headlines of articles, one obtains a first return in 1956, but then only occasional returns until 1971. The number of headlines including the word ‘picketing’ skyrocketed in 1972, when it reached thirty. It then went down to somewhere between two and nine between 1973 and 1978, with small peaks in 1974 during the miners’ strike and 1977 at the time of the industrial dispute at the Grunwick factory in London.<sup>3</sup> There was actually a strike at

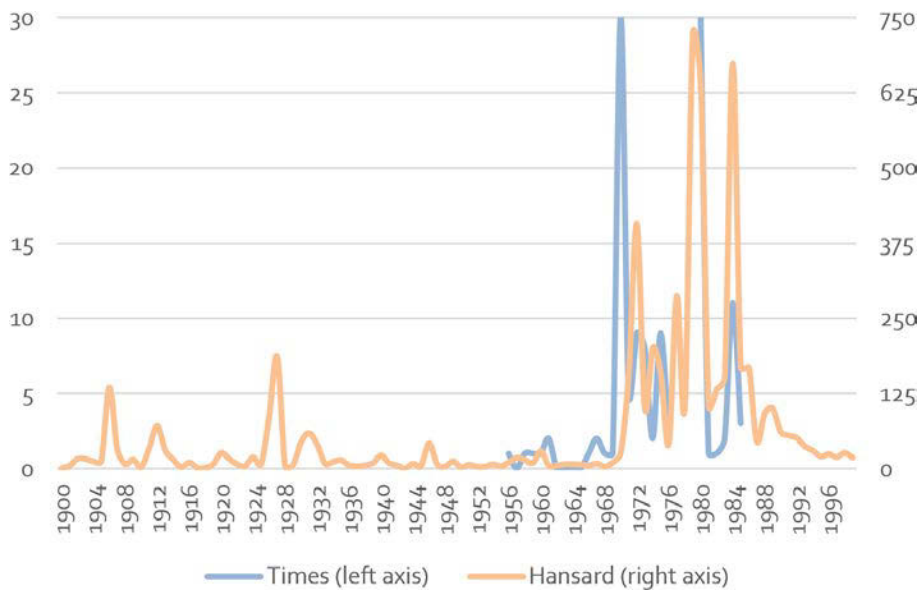
<sup>1</sup> *In Place of Strife* was an attempt by Barbara Castle, the Labour Secretary for Employment and Productivity, to move away from voluntarism and formalise the system of industrial relations. It notably proposed the creation of a Commission on Industrial Relations, giving it legal powers to facilitate improved industrial relations and regulate bargaining.

<sup>2</sup> The Industrial Relations Act set up an Industrial Relations Court, and provided for voluntary membership of a Register of Trade Unions and Employers’ Associations. On the one hand, collective agreements would be legally enforceable and employers would be obliged to recognise unions where a majority of workers wanted representation. On the other hand, various categories of strikes, including those involving inter-union disputes, would lose legal immunity.

<sup>3</sup> At the Grunwick Film Processing Laboratories in Willesden, North London, a walk-out by female Asian workers in solidarity with a dismissed colleague progressively turned into a

the company producing the *Times* in 1979, which means that there are no relevant figures for that year. References to picketing returned in 1980, with thirty headlines, most of them dealing with the Conservative government's 1980 Employment Bill. Returns for the keyword 'picketing' then go down to just one to three in the following years, except for eleven hits in 1984 during the Great Miners' Strike.

**Figure 1: Occurrences of 'picketing'**



The number of references to 'picketing' in the debates in the House of Commons, as recorded in *Hansard*, follows a similar pattern. Their number is quite stable between the beginning of the 20<sup>th</sup> century and the 1970s, with occasional, but comparatively marginal increases when industrial relations legislation was discussed as in 1906, during the strike wave before the First World War and around the 1926 General Strike. Figures are particularly low in the 1940s, 1950s and 1960s. The number of hits multiplied tenfold in the 1970s and 1980s, with four years standing out, since they represent about half of the occurrences of the keyword 'picketing': 1972, during what Dave Lyddon and Ralph Darlington have called the 'Glorious Summer' of the British labour movement;<sup>4</sup> 1979, during the strike wave commonly remembered as the 'Winter of Discontent';<sup>5</sup> 1980, when the Conservatives'

dispute about trade union recognition which led to a two-year strike between 1976 and 1978. The striking workers received widespread support in the labour movement, while the right-wing owner of the company was acclaimed in the Conservative press and party.

<sup>4</sup> R. DARLINGTON & D. LYDDON, *Glorious Summer: Class Struggle in Britain*, 1972, London: Bookmarks, 2001. Darlington and Lyddon refer through this term to the succession and occasional conjunction of strikes in railways, construction, engineering, the docks and mining over issues ranging from pay to the Industrial Relations Act.

<sup>5</sup> The term 'Winter of Discontent' is used to refer to a series of strikes in the autumn of 1978 and winter of 1978-1979 in the automobile industry, road haulage and the public sector. The

Employment Bill was discussed;<sup>6</sup> and 1984, during the Great Miners' Strike. After 1993, which is the year when the last Conservative anti-union law was debated in Parliament, the number of hits decreases and stabilises around what seems to be a minimum of 20 references a year, which mostly come from Conservative MPs raising the spectre of a return to the 1970s because of Labour party policy proposals.

This series of elements regarding the increase in the use of the term 'picketing' may be complemented by a related search for the phrase 'secondary picketing'. As opposed to 'picketing', a term which had been referred to and recognised in British law since the 19<sup>th</sup> century, the term 'secondary picketing' was not used in British law and was not used by unionists either. It was brought into the debate by Conservative politicians and businessmen in early 1979, to refer to union tactics which were not new, namely the picketing of ports, industrial parks, power stations and various workplaces which were not the striking workers' own workplaces. Until the Conservatives started calling it 'secondary picketing' in 1979, this was just pure and simple 'picketing'. Because its use is less common than that of 'picketing', looking for the keyword 'secondary picketing' in the headlines of *The Times* did not yield meaningful results, so I searched the full texts of the articles. One may note two early uses in *The Times* in 1972, but 1979 is really the year when 'secondary picketing' appeared and spread as a term in commentary on industrial relations: it was referred to twenty times in *The Times*, or to be more precise, twenty times in the months of November and December, when *The Times* resumed publication after the year-long strike which had shut the paper down entirely. The context was that of debates around the Employment Bill projected by the new Conservative government. Indeed, the term then appeared no less than 108 times in *Times* articles in 1980. The number of occurrences then decreased during the 1980s, with the exception of a peak of sixty-two in 1984 during the Great Miners' Strike.<sup>7</sup>

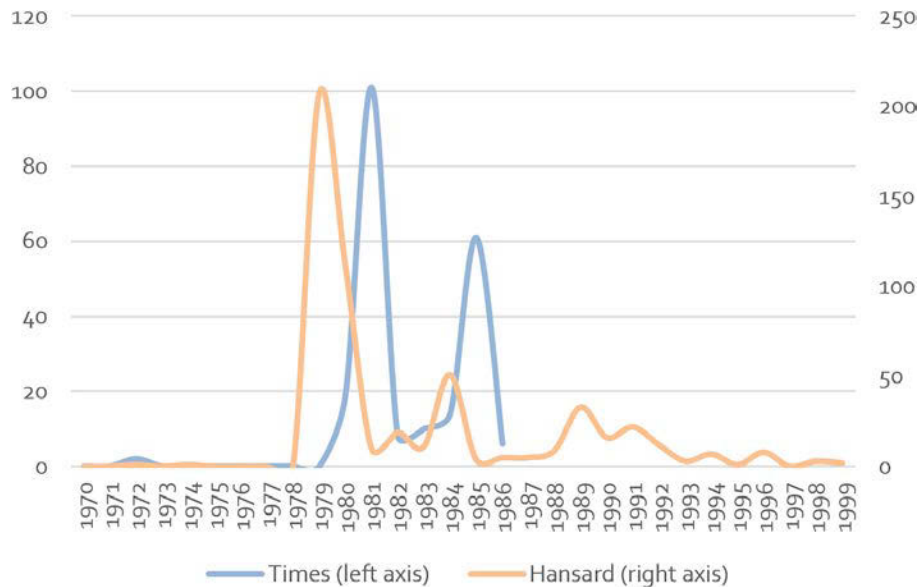
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striking workers were protesting over the 5% ceiling on wage increases imposed by the Labour government in a context of high inflation.

<sup>6</sup> This bill, and the resulting 1980 Employment Act, implemented promises made by Margaret Thatcher during the 'Winter of Discontent' and the 1979 general election campaign: it restricted the definition of lawful picketing to ban 'secondary picketing' and imposed ballots on the existence of closed shops. They now needed the support of 80% of the workers to be maintained.

<sup>7</sup> *The Times Digital Archive*, <http://gale.cengage.co.uk/times.aspx> [visited on July 1, 2012].



**Figure 2: Occurrences of ‘secondary picketing’**

This pattern is replicated in the records from the House of Commons. Apart from two references in 1927 during the debates around the post-general strike anti-union laws, the term was completely absent from all debates between 1900 and the 1970s. Even then, its appearance was only progressive, although the industrial disputes of the early decades were later seized on by Conservative commentators as illustrations of the British trade union problem. There were three references to ‘secondary picketing’ in the House in 1971, six in 1972, one in 1973, five in 1974, then none in 1975, 1976, 1977 and 1978, only to return in 1979 with 215 references, including 148 in January as the strikes in road haulage and the public sector were in full swing. Since then, ‘secondary picketing’ has been part of the description of industrial relations practices in debates in the House of Commons. 1980 was the year with the second highest number of references, since it was the year when the Conservative government legislated against ‘secondary picketing’, and the term kept being used throughout the 1980s. There was a marked decline in the use of the term after 1993, and references have been close to zero since Labour was returned to power in 1997.

So there is a form of chronology there, or rather two chronologies, because I think that the emphasis on ‘picketing’ and the introduction of ‘secondary picketing’ actually illustrate two slightly different dynamics when it comes to labelling the activity of striking workers.

### ***Picketing and the strike problem***

As was suggested earlier, the figures for the use of the term ‘picketing’ reflect quite accurately not so much the figures of strike activity—which were already high in the late 1950s and in the 1960s—but rather the moments when government

policies clashed with the interests of organised labour. This is indeed also reflected in the history of books and pamphlets devoted to the issue, the first dating back to the turn of the 20<sup>th</sup> century, as union rights were debated after the Taff Vale case<sup>8</sup> and as the Liberals were promising pro-union legislation.<sup>9</sup> The second generation of books about ‘picketing’ is the 1970s, with pamphlets such as *Picketing: The Law of Violence* by the Bow Group of Conservative MPs and *Stop and Listen: Licence for Extremists* by Aims of Industry, the right-wing business pressure group.<sup>10</sup> These pamphlets, as well as the newspaper articles they inspired, contributed to the elaboration of anti-picketing and anti-union arguments, which were then used by Conservative MPs in debates in the House of Commons. The 1970s were indeed a moment of flux and political crisis, in the sense that the industrial and economic policies of the post-war consensus were challenged within the two main parties, with a socialist transformation of the economy advocated by the Labour left. This sense of threat is also reflected in this emphasis on the term ‘picketing’, which can therefore be connected to a whole series of words which were used profusely in the press and in debates in the House during the 1972-1974 strike wave and again during the Winter of discontent, such as ‘blockade’, ‘stranglehold’ or ‘battle of Britain’.

Secondly, the use of ‘picketing’ as a central term to describe the activity of striking workers illustrates a first mechanism of demonisation and de-legitimation of striking workers. This framing process was analysed in the 1970s by scholars in the then developing field of media studies. The Glasgow University Media Group analysed the way in which industrial disputes were presented in the media, and found that the emphasis was put on the *impact* of strikes to the detriment of the *reasons for* the industrial disputes.<sup>11</sup> The use of the term ‘picketing’ does just that, as it diverts attention from the dispute between employers and employees, or between governments and organised labour, to focus solely on the action of workers, which is seen at best as a temporary nuisance, at worse as irrational wrecking of the economy. The second conclusion that media analysts drew, which was also arrived at by Marxist scholars like Richard Hyman, is that commentaries on industrial relations tend to assume harmony as the default situation, and to see industrial

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<sup>8</sup> The Taff Vale case of 1900-1901 was a pivotal anti-union case opposing the Taff Vale Railway Company to the Amalgamated Society of Railway Servants after the latter had resorted to picketing to prevent the use of non-union labour to break a strike. The courts declared the Society liable for the damages caused by the actions of its members to the Company’s property. Five years later, however, the Trade Disputes Act (1906) granted unions immunity from being sued for just such damages incurred during an industrial conflict.

<sup>9</sup> EMPLOYERS’ PARLIAMENTARY COUNCIL, *The Law Relating to Labour Unions as Regards their Legal Liabilities in Connection with Picketing, Coercion, and Intimidation; the Right to Sue and Be Sued, and the Consequent Liability of their Funds: as Laid Down by Recent Judgments*, Westminster: Employers’ Parliamentary Council, 1901; LABOUR PROTECTION ASSOCIATION, *The Law Relating to Picketing, as Laid Down by Recent Judgments*, London: Labour Protection Association, 1899; W. J. SHAXBY, *The Case against Picketing*, London: Liberty Review, 1897.

<sup>10</sup> Richard BARBER, *Picketing: The Law of Violence*, London: Bow Group, 1972; Frank BROADWAY, *Stop and Listen: Licence for Extremists*, London: Aims of Industry, 1974.

<sup>11</sup> GLASGOW UNIVERSITY MEDIA GROUP, *Bad News*, London: Routledge and Kegan Paul, 1976.

disputes as disrupting this harmony: employers and employees are assumed to share the same interests, which means that disagreements must stem either from problems of communication which prevent a peaceful solution to the dispute, or from the wickedness of militant trade unionists.<sup>12</sup> Again, the use of the term ‘picketing’ to sum up the activity of striking workers suggests that industrial disputes are all about workers blocking or aiming to block the production and distribution of goods, that maybe they enjoy losing a day’s wage out of bloody-mindedness.

Thirdly, and this is an analysis which may be derived from the sociology of Pierre Bourdieu, categories of description of society are used to order society by drawing lines between groups, usually between those who are deserving and those who are not, those whose action is legitimate and those whose action is not.<sup>13</sup> Here, the use of the term ‘pickets’ instead of ‘striking workers’ or ‘trade unionists’ in the media and in the House can be related to the conservative theme of the ‘silent majority’. A ‘striking worker’ or a ‘trade unionist’ could be anyone among the 13 million members of unions affiliated to the TUC at the end of the 1970s. A ‘picket’ or a ‘militant’ is presented as different, as animated by political motives. The emphasis on ‘picketing’ was thus used to divide the trade union movement by establishing a distinction between extremists and moderates which underlay much of the rhetoric addressed by the Conservative party to union members in the 1980s.

Fourthly, because of its abstract, legal nature, the use of the term ‘picketing’ is used to group together a whole range of trade union practices and groups of striking workers, whose claims may differ and whose tactics may actually be different: ‘picketing’ may refer to a dozen nurses standing in front of a hospital and asking people to honk or to thousands of miners blocking access to a power station. The strength of the term ‘picketing’ lies in its ability to simplify the complex reality of British industrial relations. It can therefore be seen as a key component of the construction of what Colin Hay called the ‘narration of crisis’ in his analysis of discourses about the strike wave of the winter of 1978-1979: by bringing together a whole series of events, however diverse and unrelated, under a common denominator, Conservative commentators were able to create the impression of an organised onslaught against the policies of the Labour government, and of a larger crisis of Labour’s management of the economy.<sup>14</sup>

Therefore, just as the practice of ‘picketing’ is a key tool in the repertoire of trade unions, the *emphasis* on the term ‘picketing’ indeed allowed Conservative commentators to try and label striking workers as lying out of the mainstream, as extremists, as workers whose behaviour made no sense, and as an organised group out there to wreck the economy.

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<sup>12</sup> Richard HYMAN, *Strikes*, London: Fontana, 1972.

<sup>13</sup> Pierre BOURDIEU, ‘Décrire et prescrire’, *Actes de la recherche en sciences sociales*, vol. 38, n° 1, 1981, pp. 69-73.

<sup>14</sup> Colin HAY, ‘Rethinking Crisis: Narratives of the New Right and Constructions of Crisis’, *Rethinking Marxism*, vol. 8, n° 2, 1995, pp. 60-76; ‘Narrating Crisis: The Discursive Construction of the Winter of Discontent’, *Sociology*, vol. 30, n° 2, 1996, pp. 253-277.

### *‘Secondary picketing’ and the legal offensive*

The use of the term ‘secondary picketing’ illustrates a slightly different dynamic. Until 1979, it did not form part of a shared vocabulary of industrial relations. It was not the sort of rhetorical tool which the Conservative elites reactivated every so often when the social and political order was being challenged, unlike simple ‘picketing’. It appeared, seemingly out of the blue, in newspaper articles and in debates in the House of Commons in early 1979. When one traces its origins, it appears that the term first gained widespread use, not in Britain, but in the US in the 1940s, in commentaries about the federal laws regulating industrial relations. The details of industrial relations law in the US are not relevant to this discussion, so let’s just say that from 1941, the term ‘secondary picketing’ was suddenly all over law reviews and journals in the US. Arguments revolved around whether the decision by the federal government to limit the right to picket was an infringement of free speech. The bulk of the articles in law journals tended to side with the rationale offered by proponents of limits to ‘secondary picketing’, or ‘secondary action’, as it is often called in the US.

What is likely to have happened then, is that after the Labour Government repealed the Industrial Relations Act and reaffirmed union rights, including the right to picket, with the 1974 Trade Union and Labour Relations Act, the term was imported by Conservative lawyers and politicians who were familiar with US debates about union law through groups, networks and think tanks promoting the transatlantic alliance of conservative politicians.<sup>15</sup> They imported the term as a useful tool to deploy in British debates, but without the theory, in the sense that there was no direct transfer of the whole body of work and thought by Conservative US legal scholars. Still, the term started appearing in internal documents discussing the steps to be taken by a future Conservative government to restrain the activities of trade unions.<sup>16</sup>

The man who really put ‘secondary picketing’ at the forefront of public discussion about strikes was George Gardiner MP, a former journalist who was very much on the right of the Conservative party, and was a close ally of Margaret Thatcher. On the 10<sup>th</sup> January 1979, he made public comments suggesting that an incoming Conservative government would severely restrict trade union practices, especially the closed shop and ‘secondary picketing’. His declarations were received as extreme and as breaking with the more moderate approach taken by the Conservative spokesman for Employment, James Prior. Still, they may have been a way for the Thatcherite faction of the Conservative leadership to test proposals without putting Thatcher’s standing at risk. By the day after, all newspapers were

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<sup>15</sup> Richard COCKETT, *Thinking the Unthinkable: Think-Tanks and the Economic Counter-Revolution, 1931-1983*, London: HarperCollins, 1994; A. DENHAM & M. GARNETT, *British Think Tanks and the Climate of Opinion*, London: UCL Press, 1998; Keith DIXON, *Les évangélistes du marché: Les intellectuels britanniques et le néo-libéralisme*, Paris: Raisons d’agir, 1998.

<sup>16</sup> Andrew TAYLOR, ‘The Conservative Party and the Trade Unions’ in J. MCILROY, N. FISHMAN & A. CAMPBELL (ed.), *The High Tide of British Trade Unionism: Trade Unions and Industrial Politics, 1964-1979*, Aldershot, Ashgate, 1999, pp. 151-186.

talking about Gardiner's proposals. By the 15<sup>th</sup> of January, 'secondary picketing' was at the centre of debates during the first sitting of the House after the Christmas recess. On the 17<sup>th</sup> January, Thatcher herself could announce that a new Conservative government would be tough on trade union excesses like 'secondary picketing', and the Labour government now had to respond to these proposals. As Colin Hay remarked, the Conservatives managed to impose their vision of the crisis—the unfolding events were described through the vocabulary and categories of analysis offered by the Conservatives.

When it comes to the uses of a term like 'secondary picketing', one should again start with the observation that there was then no such thing as 'secondary picketing' in British law. So using this term suddenly created a subsection within 'picketing': secondary, hence illegitimate, picketing. The Conservatives had to accept, at least for the time being, the general principle of 'picketing', which had been legal for nearly a century; their objective was to restrict its scope and therefore its efficiency. Their idea was to impose an interpretation of the law, which authorised picketing only in small numbers and in front of the striking workers' own workplace. This was a way to make sure that, apart from the moral argument, the striking workers could neither use their collective strength nor put pressure on third parties, ultimately weakening the position of trade unions.

So, although it is unlikely that there was a transfer of the whole legal argument from US law schools to the British Conservative party, the British debate about 'secondary picketing' was very much a legal debate about union law. The emergence of the notion of 'secondary picketing' was used to change the terms of the debate by casting the suspicion of illegitimacy on the practice of picketing, so as to better argue for a drastic reduction of its scope.

### *The end of picketing?*

This article has examined how a series of discursive operations laid the ground for the anti-union offensive of Conservative governments after 1979. The re-labelling of striking workers as 'pickets' helped de-legitimise their action and re-characterise it as bloody-minded and irrational, and the importation of the notion of 'secondary picketing' from US debates conferred illegitimacy on trade union practices and, once accepted as an adequate description of the picketing of other workplaces, paved the way for the severe restrictions to picketing imposed by the 1980, 1982 and 1990 Employment Acts, which progressively removed all protections from workers engaged in secondary action.

The disappearance of 'pickets' and 'picketing' from the headlines of newspapers and from debates in the House of Commons from the middle of the 1980s can be taken to suggest a variety of things. First, one may see it as reflecting an actual decrease in the number of workers going on strike and picketing workplaces. It is true that the number of strikes and strikers decreased over this period marked by recession and deindustrialisation, and that the anti-union laws did indeed have an impact on trade union practices, since they removed part of the immunities that protected unions from lawsuits for actions taken in the context of

industrial disputes. Whilst the number of industrial disputes decreased, they did not disappear. So the disappearance of ‘pickets’ and ‘picketing’ in reports and commentaries rather reflects the eclipse of what commentators had progressively created, from the 1960s onwards, as the ‘British strike problem’ or the ‘British trade union problem’. Once trade unions were neutralised by a combination of recession, repressive laws, and the realignment of the Labour Party, the threat that they represented in the eyes of Conservative commentators receded, and there was no longer any need to raise the spectre of insurrectionary pickets.

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# ***The Rage of Well-fed Lions: The Economic Foundations of UK Welfare Claimant Demonisation in the Neoliberal Era***

**John David JORDAN**  
*Manchester Metropolitan University*

## ***A word of warning***

Ernest Mandel once said that Marxist writers too often echo Marx's polemic without matching his nuance. The following paper is guilty of this. I have focused on empirical data, which I think will be of most interest to the reader. For reasons of space, this information is discussed within a bare-bones theoretical framework that is at times too simplistic to capture the full complexity of welfare-to-work policy. Nevertheless, I contend that they are solid bones, and were the analysis extended into more nuanced considerations, a significant amount of further empirical evidence could be presented to justify the thrust of the central thesis. Regarding the polemic tone of the paper, 'workfare' is no mere historical curiosity; it is a current, ongoing and expanding social policy affecting millions. It is my hope that this paper will encourage the reader to engage, react and feel moved to contribute to the debate surrounding this important economic phenomenon.

## ***Introduction***

### *Overview*

This paper explores the political and media use of labels applied to the welfare claiming unemployed in the UK between the mid-1970s and 2013. Utilising a Marxist socio-economic analysis, these labels are shown to have emerged primarily as responses to the UK's gradual reorientation towards a low-wage, partially 'workfare-dependent' service economy. Three distinct ideological periods—*necessity*, *social exclusion* and *Broken Britain*—are argued to have over-arched the gradual gestation of this economic formation, with propagandist continuums of deceit emerging in each phase in order to mask intensifying exploitation and control.

### *Workfare*

Since the mid-1970s, the UK's welfare system has steadily shifted from largely unconditional unemployment benefits towards what is generally termed 'workfare'. While workfare is a plastic and contested term, in the UK it has taken on the broad meaning of 'reciprocity'—that is, making welfare claimants perform mandatory activities in return for their dole, thus '*restoring fairness to the welfare*

*system*'.<sup>1</sup> Mandatory workfare activities vary, but generally include some combination of working for benefits, regular attendance at private workfare centres, re-training and attending case-worker interviews to provide proof of active 'job-seeking' activities. Workfare in the UK is currently administered by private companies on behalf of the government, usually under 'black box' agreements which permit individual workfare providers to design and implement their own regimes in order to fulfil payment-by-result contracts.

*The reserve army of labour and pauperism*

According to Marx,<sup>2</sup> the fundamental source of capitalist profit is the general practice of paying wage-labourers less than the value which their work produces. Keeping wages down to a minimum is one of the primary means via which the exploitation of this 'surplus labour' is maximised. Fewer workers on the labour market thus means higher average wage prices and less surplus value extraction; hence, conversely, more unemployed workers on the labour market is good for individual employers as this exerts a downward pressure on wages. However, this situation is bad for capitalism generally as a lower average income may reduce the overall demand for goods—and this, as Mandel puts it, is the 'Achilles' heel' of capitalism.<sup>3</sup> In a related process, capitalism also exerts a systemic tendency towards the creation of a 'reserve labour army' of under, or unemployed, people, often due to continuing technological innovation and increases in productivity. (Capitalist regimes may also take active measures to increase the numbers of unemployed in order to drive down inflation.) The general functions of the reserve army of labour are: to undermine the value of labour-power and so enhance profit; to act as a disciplinary warning to those in work; and to function as a 'Lazarus stratum' who are raised from economic 'death' as and when businesses require them.<sup>4</sup> The reserve army of labour, often surviving in the most desperate of circumstances, constitutes a continual testament to the irrationality, cynicism and human tragedy that underpins capitalist productivity. Defamatory labels thus emerge to poison public support for this group and to justify its continued punitive control. This helps to prevent the wider emergence of class-conscious awareness of the structural flaws of capitalism, and also, following capitalism's periodic crises, to justify the driving back of paupers into super-exploited low-wage work in order to underpin a recovery.<sup>5</sup>

*The materialist theory of ideology*

According to Marxist theory, material factors, most significantly the specific historical configuration of economic organisation surrounding production, exert real pressures that drive economic elites to adopt ideologies which justify and mask the

<sup>1</sup> Iain Duncan SMITH, 'Restoring Fairness to the Welfare System', *Conservatives.com*, 2011, p. 1.

<sup>2</sup> Karl MARX, *Capital: A Critique of Political Economy*, 1887 [first English edition of 1887, published online by *Marxists.org*, 2010].

<sup>3</sup> Ernest MANDEL, *An Introduction to Marxist Economic Theory*, London: Pathfinder, 2011, p. 69.

<sup>4</sup> Karl MARX, *op. cit.*, p. 445.

<sup>5</sup> Ernest MANDEL, *Marxist Economic Theory*, London: Merlin Press, 1971.

realities of class exploitation. Welfare claimant obloquy thus emerges because it is needed: defamatory labels are ideas, and their role is primarily reactive *to* changes in the economy, rather than being causes *of* changes. However, while labels may be obnoxious propaganda, for example ‘scrounger’ or ‘scum’, they may also be subtle misdirections, such as ‘training scheme participant’, or ‘the socially excluded’. *Purpose* matters more than *form*.

The matriculation of labels into the ideological superstructure is explained by Gerry Cohen’s concept of ‘functionally selectivity’.<sup>6</sup> Via functional selectivity—a process in some ways comparable to natural selection—ideas which most usefully service a contemporary phase of capitalist ideological requirements enjoy a much greater chance of being ‘selected’ up into the ideological architecture. This architecture may include the political, media and academic spheres, but ‘selected’ ideas may also in turn trickle down to become temporary phases of ‘common sense’ amongst sections of the general public. Labels are chosen, in other words, for their usefulness and subsequently disseminated by people who have a vested interest in masking the exploitative economic realities of capitalism.

*The workfare-dependent state, the world market and the lion’s rage*

By the 1970s, emergent globalisation, the seemingly unresolvable crises of stagflation stemming from the implosion of Keynesianism, and a significant diminution of capitalist profit and power<sup>7</sup> prompted the formation of ideological apertures in the UK’s political architecture. The colonisation of these apertures (i.e. explicatory and policy voids) by neoliberalism,<sup>8</sup> marked a significant proof of Cohen’s functional selectivity hypothesis: a previously marginal ultra-right-wing economic theory was rapidly drawn-up, via idealist capillary action, into active power and ideological legitimacy due to its usefulness in restoring power and profit to the elite.<sup>9</sup> In other words, what precipitated the nascent neoliberal counter-revolution in the UK in the mid-1970s was not a change of ideological superstructure, but a shift in the material infrastructure.

The economic territory governed by what might be cautiously labelled the ‘neoliberal order’ is a vast world-market of interconnected regimes, businesses and workers. Within this global economy, as economist G. F. Ray puts it, ‘*from the point of view of international competitiveness, it is total labour cost that counts*’.<sup>10</sup> As Jessop warns, however, the term ‘competitiveness’ places a positive spin on exploitation and should be treated with caution;<sup>11</sup> properly interpreted, what Ray

<sup>6</sup> Gerald COHEN, *Karl Marx’s Theory of History: A Defence*, Oxford: Clarendon Press, 1978.

<sup>7</sup> Bob JESSOP, ‘Towards a Schumpeterian Workfare State? Preliminary Remarks on Post-Fordist Political Economy’, *Studies in Political Economy*, vol. 40, 1993; David HARVEY, *A Brief History of Neoliberalism*, Oxford: Oxford University Press, 2007.

<sup>8</sup> David HARVEY, *The Enigma of Capital and the Crises of Capitalism*, London: Profile Books, 2011; Kenneth HOOVER, *Economics as Ideology: Keynes, Laski, Hayek, and the Creation of Contemporary Politics*, Maryland: Rowman and Littlefield, 2003.

<sup>9</sup> David HARVEY, 2007, *op. cit.*

<sup>10</sup> G. F. RAY, ‘Industrial Labour Costs, 1971-1983’, *National Institute Economic Review*, vol. 110, n° 62, 1984, p. 64.

<sup>11</sup> Bob JESSOP, *op. cit.*

actually means is that lower wages are the basis of greater profits. By the 1970s the UK was already a low-wage economy compared to most other industrialised nations<sup>12</sup>—but this situation was changing, as ‘*apart from Italy, wage costs rose the fastest in the UK to 1981*’.<sup>13</sup>

Two important elements of Marxist economic theory need to be outlined in order to make clear what happened next. Firstly, there are two primary ways a business can increase its profits: by improving the productivity of industrial manufacture (for example by utilising better machines), or by more deeply exploiting workers (for example by lowering their wages and/or intensifying their working day). Secondly, that crises tend to be overcome by employing the lowest paid workers, from whom the highest ratios of renewed exploitation can be extracted.<sup>14</sup> This generally means the intensified exploitation of women, children, poor-law claimants, foreign workers and immigrants who, due to historically embedded chauvinism, can be paid the lowest wages. Which of these two courses the UK would take in the crisis of the late-1970s was conditioned by its path-dependency on one of the primary features of late capitalism: the significant de-industrialisation and concomitant increase of the tertiary, or ‘services’, sector in the major capitalist nations.<sup>15</sup> This occurs for many reasons, one of which is cheaper foreign labour markets. Like most industrialised countries, the UK experienced this reorientation from the 1970s onwards.<sup>16</sup> Short of genetic engineering, or a vast investment in education, people cannot be reinvented and so by definition drawing a greater ratio of profit from a service economy requires the deepening of exploitation through lower wages and more disciplined working conditions. One of the most important actions of the Thatcher government, elected in 1979, was to apply the ideological grease that lubricated this transition. As Thatcher put it: ‘*[We should not] prop up yesterday’s industries, rather than encourage the creation of tomorrow’s*’.<sup>17</sup> The transition would occur, however, not through ‘encouragement’, but through the weakening of hard-won quasi-socialist safeguards embedded in the political, legal and economic architecture, allowing them to buckle, and eventually yield, to the extreme economic pressure pushing for the replacement of full-time, primarily male industrial labour with ‘flexible’ low-paid, significantly female, service work.<sup>18</sup>

Seen via the Marxist lens, the obsessive neoliberal-era academic, media and political defamation of the poorest, most vulnerable units of society—i.e. poor, female-headed households, welfare claimants, immigrants, the disabled, and ‘feral’ youth—is thus revealed not as glib ignorance or simple nastiness, but as an ideological response to a material imperative: the wealth that supports the lifestyles

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<sup>12</sup> G. F. RAY, *op. cit.*

<sup>13</sup> *Ibid.*

<sup>14</sup> Ernest MANDEL, 1971, *op. cit.*

<sup>15</sup> Goran THERBORN, *Why Some Peoples are More Unemployed than Others*, London: Verso, 1986.

<sup>16</sup> Andrew CLARK & Richard LAYARD, *UK Unemployment*, Oxford: Heinemann Educational Books, 1993.

<sup>17</sup> Margaret THATCHER, ‘Speech to Conservative Women’s Conference’, 1980, Margaret Thatcher Foundation, 2013, p. 3.

<sup>18</sup> Andre GORZ, *Critique of Economic Reason*, London: Verso, 1989.

of the neoliberal elite is fed by a continuum of exploitation underpinned by these groups. The elite feed upon them, and hate them as justification for the feeding. As Adorno puts it: *'If the lion had a consciousness, his rage at the antelope he wants to eat would be ideology'*.<sup>19</sup> The progressive intensity of this 'rage' over the past forty years grew in direct proportion to increasingly desperate and ultimately pointless elite attempts to prevent capitalism's Achilles' heel from degenerating into a permanent neoliberal disability: a vicious economic stalemate in which the intensified exploitation of the most vulnerable is no longer a quasi-temporary phase initiated to stimulate a recovery, but a permanent 'workfare state'.<sup>20</sup> This economic vacuum draws ever greater sections of the population, employed and unemployed, legal and illegal, domestic and foreign, paid and unpaid, into a nightmare of poverty and servile work, recoded glibly as necessary 'austerity' and noble 'hard-work'.

### *Rage presaged*

To create the workfare-dependent state in the UK—and so harmonise its economy with more 'competitive' global conditions of production—a fundamental change in the socio-economic structure first had to be engineered *viz* a major rolling back of welfare state provision.<sup>21</sup> This was essential because the welfare state protected the most vulnerable, and therefore valuable, social units from having to sell their labour-power as a commodity. In 1974, key architect of Thatcherism Keith Joseph made an early, ham-fisted attempt to win support for this brutal re-commodification by declaring that welfare funded, unmarried mothers from poor estates were *'producing problem children, the future unmarried mothers, delinquents, denizens of our borstals, sub-normal educational establishments, prisons, hostels for drifters'*.<sup>22</sup> Such language would, decades later, be so ideologically ingrained in national discourse that even calls for the poor to be put into concentration camps (now re-styled as 'boot-camps'),<sup>23</sup> or sterilised,<sup>24</sup> could be reported glibly in mainstream media. But in 1974 it was a career-damaging gaffe: the power of organised labour was still far too influential to permit such a naked attempt at economically motivated class-racism. It would require time, and an incrementally prosecuted ideological campaign, to manufacture widespread support for the terrifying ambitions of politicians who, in Gouldner's memorable insight, were disgusted by their own people.<sup>25</sup> As Thatcher outlined the project in 1981: *'Economics are the method; the object is to change the heart and soul'*.<sup>26</sup>

<sup>19</sup> Theodore ADORNO, *Negative Dialectics*, London: Routledge, 1990, p. 349.

<sup>20</sup> Jamie PECK, *Workfare States*, New York: Guildford Press, 2001.

<sup>21</sup> David HARVEY, 2007, *op. cit.*

<sup>22</sup> Keith JOSEPH, 'Speech at Edgbaston', 1974, Margaret Thatcher Foundation, 2013, p. 11.

<sup>23</sup> Martin BECKFORD, 'Tory Crime Tsar: Put "Shameless" Families through Two Years of Boot Camp Hell', *Daily Mail*, 16 November 2013.

<sup>24</sup> Natalie CLARKE, 'The Baby Machine', *Daily Mail*, 22 February 2010.

<sup>25</sup> Alvin GOULDNER, *The Dialectic of Technology and Ideology: The Origins, Grammar and Future of Ideology*, London: Macmillan, 1976.

<sup>26</sup> Margaret THATCHER, 'Interview for the *Sunday Times*', 1981, Margaret Thatcher Foundation, 2013, p. 8.

### *Necessity*

However, the first phase of the long, bitter journey towards national welfare dependency began not under Thatcher, but under Callaghan's Labour government. Labour came to power under Wilson in 1974 promising socialist policies—including increased welfare payments and major nationalisations.<sup>27</sup> Callaghan assumed the Prime Ministership in 1976 and, following a crisis bail-out from the IMF, promptly adopted monetarist policies and regressive changes to the welfare system.<sup>28</sup> Callaghan subsequently used his 1976 Labour Party conference address to warn that: *'we used to think that you could spend your way out of a recession, and increase employment by cutting taxes and boosting Government spending. I tell you in all candour that that option no longer exists'*.<sup>29</sup> The initial phase of neoliberal reorientation would thus not be Joseph's naked class-racism, but the ideology of 'necessity'. Thatcher gave this phase its iconic rubric—'TINA' (there is no alternative)—shortly after the Conservative Party replaced Labour in power in 1979 when she stated that *'there's no easy popularity in what we are proposing but it is fundamentally sound. Yet I believe people accept there's no real alternative'*.<sup>30</sup> Behind the scenes, Arthur Seldon, director of the neoliberal think-tank the Institute of Economic Affairs, was less circumspect, writing to neoliberal luminary Friedrich Hayek of his desire to *'ram the truth [of neoliberal economics] down the throats of unwilling swallowers'*.<sup>31</sup>

Wielding the TINA ideology, the Thatcher government deliberately engineered a recession; ostensibly to tame inflation,<sup>32</sup> but with the lucrative side-effect of producing a reserve labour army of 3.3 million people.<sup>33</sup> The government's response was not, contra Seldon, the truth, but bald deceit, with 190,000 unemployed people disappearing from official statistics almost overnight in 1983 due to a spurious change in counting method.<sup>34</sup> According to the Bank of England, by 1990 this number had risen to 750,000 people.<sup>35</sup>

With the help of an enlarged reserve labour army, rising wage costs were reversed by 1983<sup>36</sup>—but this was merely the beginning of the neoliberalisation of the UK economy. A series of brutal industrial confrontations, combined with the passing of regressive legal instruments, weakened the labour movement

<sup>27</sup> Ann TALBOT, 'The Death of James Callaghan: A Good Labour Man and the End of Reformism', 2005, [http://www.martinfrost.ws/htmlfiles/mar2008/james\\_callaghan.html](http://www.martinfrost.ws/htmlfiles/mar2008/james_callaghan.html).

<sup>28</sup> *Ibid.*

<sup>29</sup> James CALLAGHAN, 'Leader's Speech', 1979, British Political Speech Archive, 2013, p. 8.

<sup>30</sup> Margaret THATCHER, 1980, *art. cit.*, p. 2.

<sup>31</sup> Arthur SELDON, Letter to Friedrich Hayek, 1980, Margaret Thatcher Foundation, 2013, p. 1.

<sup>32</sup> Andrew CLARK & Richard LAYARD, *op. cit.*

<sup>33</sup> Kenneth HOOVER, *op. cit.*, p. 213.

<sup>34</sup> Martin GODFREY, *Global Unemployment: The New Challenge to Economic Theory*, Wheatsheaf Books, 1986, p. 23.

<sup>35</sup> Andrew CLARK & Richard LAYARD, *op. cit.*, p. 7.

<sup>36</sup> G. F. RAY, *op. cit.*, p. 64.

significantly.<sup>37</sup> Many older working class males, bred on strong unions and the expectation of decent wages, found little demand for their labour in the new economy of ‘flexible’, low-wage service work. Partly due to humiliating dole rituals<sup>38</sup> the percentage of male over 55s exiting the labour market rose to 37% by the early 1990s, from 14% in 1977—primarily by shifting to sickness benefits.<sup>39</sup> The number of full time males in the labour market overall, meanwhile, dropped by 20%.<sup>40</sup>

Already by 1986 the numbers of long-term (over one year) male unemployed in the UK had risen to around one million, from 100,000 in 1974.<sup>41</sup> While significant rises in long-term and youth unemployment constituted a major structural change throughout the industrialised nations,<sup>42</sup> the UK government was quick to adapt to the new reality, facilitating the intensified super-exploitation of the most vulnerable categories of cheap workers in order to supplant the expensive skilled male labourers now being held in cold-storage on a welfare pittance. British women, who were already ‘almost the lowest paid among [the major] industrial countries’,<sup>43</sup> subsequently saw two million, primarily female, full-time roles displaced by lower paid, more precarious part-time positions.<sup>44</sup> A major pressurisation of welfare claimants accompanied the change, with the real value of benefits dropping by 15% for the poorest 20% of the population.<sup>45</sup> Alterations to claimant procedures, meanwhile, saw desperate individuals and families lose vital benefits for minor administrative transgressions. As welfare minister John Major reported to Parliament in 1986 regarding the new dole-scheme *Restart*: ‘10,842 decisions to disallow benefit or credits [have] been made. Of these, 9,757 were as a result of a failure to attend an interview without good cause’.<sup>46</sup>

To distract public attention from deliberately manufactured mass unemployment, a high-profile government campaign was launched in 1985 which, according to the *Times*, would ‘crackdown on people claiming unemployment benefit while secretly working’ and ‘cut the jobless total, believed by ministers to be artificially high in some areas’.<sup>47</sup> As poverty rose, British neoliberal Digby Anderson—director of the right-wing *Social Affairs Unit*—encapsulated the Right’s

<sup>37</sup> David HARVEY, 2007, *op. cit.*

<sup>38</sup> Paul SPICKER, *Stigma and Social Welfare*, London: St. Martin’s Press, 1984.

<sup>39</sup> Heather TRICKEY & Robert WALKER, ‘Steps to Compulsion within British Labour Market Policies’, in Ivar LODEMEL & Heather TRICKEY (eds), *An Offer You Can’t Refuse: Workfare in International Perspective*, Bristol: Policy Press, 2000, p. 183.

<sup>40</sup> Eithne MCLAUGHLIN, ‘Flexibility and Polarisation’, in Michael WHITE, *Unemployment, Public Policy and the Changing Labour Market*, London: Policy Studies Institute, 1994, p. 14.

<sup>41</sup> *Ibid.*, p. 9.

<sup>42</sup> Andrew CLARK & Richard LAYARD, *op. cit.*

<sup>43</sup> G. F. RAY, *op. cit.*, p. 64.

<sup>44</sup> Desmond KING, *The New Right: Politics, Markets and Citizenship*, Basingstoke: MacMillan Education, p. 193.

<sup>45</sup> Chris JONES & Tony NOVAK, *Poverty, Welfare and the Disciplinary State*, London: Routledge, 1999, p. 58.

<sup>46</sup> John MAJOR, ‘Mr Major’s Written Parliamentary Answer on Benefit Claimants’, 1986, *JohnMajor.co.uk*, 2013, p. 1.

<sup>47</sup> Philip WEBSTER, ‘Move to Curb the Dole Cheats’, *Times*, 5 August 1985, p. 1.

hardening disdain and increasingly detached callousness, musing, aristocratically: ‘*Why are the poor, especially in large numbers, so boring? [...] I am not alone in finding the poor boring. Everyone does.*’<sup>48</sup>

Another crackdown was announced in 1987 targeting people ‘*out of work without good cause*’,<sup>49</sup> which, according to Labour spokesman Michael Meacher, was ‘*the first time in the history of the welfare state that families with children will be expected to survive on an income 40 per cent below the official subsistence level for a full six months*’.<sup>50</sup>

Meanwhile, under the guise of addressing the plight of the unemployed, the government re-jigged one of capitalism’s oldest terms for exploitation—‘*apprenticeship*’—to produce perhaps the most pernicious and misleading label for the super-exploited unemployed of the modern era: ‘*training scheme participant*’. Numbers of benefits claimants on such programmes rose from 8000 in 1982 to 376,000 by 1988.<sup>51</sup> In 1986 alone, in any average month 70,000 super-exploited workers were servicing UK industry under the guise of training or work experience.<sup>52</sup> By 1985, 750,000 people had been churned in and out of the Youth Training Scheme as cheap labour for businesses, with plans announced in that year to exploit 500,000 more.<sup>53</sup> Predictably, the exploitation of the young was ideologically greased by their demonisation. Social commentator Mark Godyer exemplified the trend, writing in the *Times* that ‘*many problems abound, but dwarfing all the others, particularly in the summer holidays, is vandalism and petty crime, smashed telephone kiosks, defaced lavatories, smelly bus shelters, mutilated memorials*’.<sup>54</sup> Seeming eminently socially conscientious, the idea that ‘*it is dishonest to preach the “right to a job” if we cannot realize that right for all citizens*’<sup>55</sup> masked an emerging ideology that posited disciplinary labour—regardless of wage remuneration—and not the attenuation of poverty and hopelessness as the ‘*cure*’ for ‘*the new excluded underclass*’.<sup>56</sup>

However, as rubrics for super-exploitation go, ‘*training scheme*’ is particularly time-limited by the implied promise of eventual matriculation into actual employment. By 1986 it was already clear that this was not happening, as the proportion of UK unemployed who were long-term had not shrunk, but risen to 40%, up from 20% in 1979,<sup>57</sup> while youth unemployment now topped 1 million.<sup>58</sup>

<sup>48</sup> Digby ANDERSON, ‘Poverty’s Grey Battalions’, *Times*, 5 August 1986, p. 1.

<sup>49</sup> ‘New Benefit Cuts Loom for “Voluntary” Jobless’, *Times*, 11 November 1987, p. 1.

<sup>50</sup> *Ibid.*

<sup>51</sup> Andrew CLARK & Richard LAYARD, *op. cit.*, p. 45.

<sup>52</sup> Robert MILLER, *The End of Unemployment*, Sussex: Atlas Economic Research Foundation, 1988, p. 79.

<sup>53</sup> ‘Handsworth Warning: Inner-City Problems’, *Times*, 15 October 1985, p. 1.

<sup>54</sup> Mark GODYER, ‘Giving the Jobless some Dignity’, *Times*, 7 September 1985, p. 1.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*

<sup>57</sup> Richard LAYARD, Stephen NICKELL & Richard JACKMAN, *The Unemployment Crisis*, Oxford University Press, 1994, p. 59.

<sup>58</sup> Louisa PEACOCK, ‘Youth Unemployment Breaks 1m Barrier’, *Daily Telegraph*, 16 November 2011, p. 1.



The ideological grease was burning off ‘training scheme’, threatening to reveal the machinery of exploitation beneath. A new necessity-based ideological aperture appeared—and was promptly filled by ‘welfare dependency’.

While the far-right of the Conservative Party had complained as early as 1973 that welfare rendered recipients ‘*wholly and permanently dependent on officials and politicians*’,<sup>59</sup> Conservative government minister John Moore introduced the idea of ‘welfare dependence’ to the wider UK public in 1987, following a fact-finding trip to the United States. Attacking the post-war welfare consensus, Moore argued that ‘*a welfare state worthy of the name aims [...] to widen the understanding that dependency is debilitating and that the best kind of help is that which gives people the will and ability to help themselves*’.<sup>60</sup> These words were not idly chosen; ‘helping oneself’ was code for the introduction of US-style workfare schemes that forced the unemployed to work for their benefits.<sup>61</sup>

The ideology of welfare dependency brought with it a bundle of concepts already functionally selected precisely for this purpose in the United States—where the shift towards workfare had begun in the 1960s.<sup>62</sup> Significantly, this included the notion that welfare corrupted entire neighbourhoods by destroying family values and undermining the work ethic. In 1943, arch-neoliberal theorist Wilhelm Röpke had claimed that welfare transformed claimants into docile state ‘*pets*’,<sup>63</sup> and it was a small logical step to argue that, freed from the discipline of work and self-reliance, the pets had inevitably gone feral. Charles Murray described this putatively inevitable degeneration as ‘*welfare’s law of unintended consequences*’.<sup>64</sup> In support, Digby Anderson, unable—or unprepared—to comprehend the coexistence of welfare and poverty in the UK as a palliative, not causal relationship, deployed chauvinism’s primary ideological weapon—presenting prejudice as evidence of itself—by arguing that there was ‘*many a pub or bus stop conversation to endorse Charles Murray’s American study*’.<sup>65</sup> In 1989 Murray returned the favour, arguing in the British press that the underclass ‘*disease*’ had now spread to the UK.<sup>66</sup>

Murray’s argument was by no means new, however: Joseph had spoken of a ‘*cycle of deprivation*’,<sup>67</sup> and before him, Moynihan of a ‘*tangle of pathology*’<sup>68</sup>—and

<sup>59</sup> SELSDON GROUP, ‘The Selsdon Manifesto’, 1970, Margaret Thatcher Foundation, 2013, p. 5.

<sup>60</sup> David P. DOLOWITZ, *Learning from America: Policy Transfer and the Development of the British Workfare State*, Brighton: Sussex Academic Press, 1998, p. 9.

<sup>61</sup> Jamie PECK, 2001, *op. cit.*

<sup>62</sup> *Ibid.*

<sup>63</sup> Wilhelm RÖPKE, *The Social Crisis of Our Times*, Chicago: University of Chicago Press, 1948, p. 163.

<sup>64</sup> Charles MURRAY, *Losing Ground: American Social Policy 1950-1980*, New York: Basic Books, 1984.

<sup>65</sup> Digby ANDERSON, *op. cit.*, p. 2.

<sup>66</sup> Joan BROWN, ‘The Focus on Single Mothers’ in Ruth LISTER, *Charles Murray and the Underclass: The Developing Debate*, London: IEA Health and Welfare Unit, 1996, p. 69.

<sup>67</sup> Keith JOSEPH, *loc. cit.*

<sup>68</sup> Daniel P. MOYNIHAN, *The Negro Family: The Case for National Action*, Office of Policy Planning and Research, United States Department of Labour, 1965.

there were many earlier iterations, stretching back to England's *Statute of Labourers* in 1351. The idea was so old, in fact, that James Mill had punctured its underlying tautology in 1808, noting that 'it is first making the vices of the poor account for the poor rate, and next the poor's rate account for the vices'.<sup>69</sup> Nevertheless, material realities re-selected the notion; now neatly dovetailed with neoclassical 'hysteresis' arguments that characterised welfare as precipitating the psychological degeneration of claimants, causing them to withdraw from the job market—artificially raising the price of labour and so causing employers to cut down on hiring.<sup>70</sup> Unemployment, in other words, was argued to be causing itself. As Conservative MP Ralph Howell put it in 1994: 'To offer people the chance to work and contribute a bit to the community must be better than trapping them in a depressing state of enforced idleness that leaves them less and less able to get back to work'.<sup>71</sup>

However, like many other libertarians, signally Nozick<sup>72</sup> and Gilder,<sup>73</sup> Murray recommended the near-total abrogation of welfare, musing: 'Why should I not let [a man who refuses to work] starve, considering it a form of suicide?'.<sup>74</sup> Influential anarcho-capitalist Murray Rothbard went much further, arguing that even allowing babies to starve to death was justifiable according to the 'ethics of liberty', as babies had no legitimate property claims over others.<sup>75</sup> But dead workers do not produce surplus value, and dead babies offer little leverage over their mothers, and so this position was not functionally selected by the ruling elite.

In 1986, US sociologist Lawrence Mead took over Murray's territory and, functionally selecting what was useful in it, added the notion that over-generous, unconditional welfare had corrupted the 'underclass' to such a degree that disciplinary socialisation in the form of workfare programmes was now necessary. These programmes were to be highly disciplinary, and modelled on the military where 'the clearest example of [...] standard setting occurs'.<sup>76</sup> Low-paid work was to be mandated—but compensated for with a priceless wage of citizenship and enhanced self-esteem. As Mead put it: 'The rich man who puts in long hours in an office on Wall Street is seen as morally equivalent to the welfare recipient on workfare who is made to clean the streets'.<sup>77</sup> Work, in other words, was to be transformed into its own wages. Soon Mead was on UK television promoting neo-Benthamite pauper control schemes,<sup>78</sup> while his Hannah Arendt-inspired argument that workfare underpinned 'active' citizenship began to be touted by left-leaning intellectuals as 'fair' and not necessarily contrary to socialism.<sup>79</sup> Eminent sociologist

<sup>69</sup> James MILL, *On the Overproduction and Underconsumption Fallacies*, Jefferson School of Philosophy, 1808, p. 15.

<sup>70</sup> Richard LAYARD et al., *op. cit.*

<sup>71</sup> Ralph HOWELL, *Why Not Work?*, Adam Smith Institute, 1994, p. 8.

<sup>72</sup> Robert NOZICK, *Anarchy, State, and Utopia*, Oxford: Blackwell, 1996.

<sup>73</sup> George GILDER, *Wealth and Poverty*, London: Buchan & Enright, 1982.

<sup>74</sup> Charles MURRAY, *op. cit.*, p. 197.

<sup>75</sup> Murray N. ROTHBARD, *The Ethics of Liberty*, New Jersey: Humanities Press, 1982.

<sup>76</sup> Lawrence MEAD, *Beyond Entitlement*, London: Collier Macmillan, 1986, p. 52.

<sup>77</sup> *Ibid.*, p. 237.

<sup>78</sup> 'Television Listings', *Guardian*, 5 August 1988.

<sup>79</sup> See e.g. Raymond PLANT, 'The Fairness of Workfare', *Times*, 16 August 1988.

Ralf Dahrendorf was less convinced, characterising Mead's theories as '*almost totalitarian*'.<sup>80</sup>

Regardless, Mead's ideas were needed. By the mid-1980s, despite suffering a serious '*credibility problem*',<sup>81</sup> training schemes had become a structural element of UK economic policy—not only supplying cheap labour to industry and helping to mask unemployment, but also acting as a retardant on real wage values—seen as one key to increased '*competitiveness*'.<sup>82</sup> However, with the number of UK citizens living in poverty rising dramatically between 1983 and 1986, from 9 million to 10 million,<sup>83</sup> social security minister John Major was having difficulty defending current policies, able merely to insist glibly that continuing the Conservative Party's welfare reforms was the only real answer.<sup>84</sup> But any glutton would argue the same; the difficulty was in justifying the position. Hence, sweeping aside Thatcher's neoliberal instinct that the very idea of an 'underclass' was '*socialist claptrap*',<sup>85</sup> Mead's work was functionally selected into elite political discourse. In an enthusiastic article in support of workfare entitled 'Purge of the Parasites', journalist P. Potts thus reported that '*Mrs Thatcher recently became interested in workfare after watching a television programme about it. The next morning she dispatched a note to ministers asking for their thoughts*'.<sup>86</sup> Perversely, Mead's unsympathetic notion of an intransigent, criminal, pathologically idle underclass not only shifted the blame for training scheme failures onto their victims, it also transformed those failures into justifications for their intensification. Far from being the 'godfather' of workfare, as one media sycophant would later style him,<sup>87</sup> Mead was its pimp, hooking-up the early workfare-dependent economy with an easy, proleophobic ideology: '*Low-wage work*', Mead argued, '*apparently must be mandated, just as a draft has sometimes been necessary to staff the military*'.<sup>88</sup> This, he claimed, was the only reliable means of '*dissolving*' the '*welfare class*'.<sup>89</sup>

Particularly useful to the UK regime was Mead's demonisation of single mothers. Mead attacked their '*refusal to take "dirty" jobs that they feel are beneath them*' as '*political behaviour*' designed to force society to '*adjust to them*' [Mead's emphasis].<sup>90</sup> With 578,000 single mothers surviving on supplementary benefit in 1986 (365,000 of these divorced or separated),<sup>91</sup> Mead's argument that they should not be allowed to 'blackmail' society, but instead be mandated to perform unskilled

<sup>80</sup> John KEANE, 'Decade of the Citizen', *Guardian*, 1 August 1990, p. 1.

<sup>81</sup> Peter BROCK, 'It Does Not Take a Genius', *Guardian*, 3 April 1985, p. 1.

<sup>82</sup> John WALKER & Glen DAVIES, 'The UK Economy: Analysis and Prospects', *Oxford Review of Economic Policy*, vol. 1, n° 2, 1985.

<sup>83</sup> 'Deafening Silence on Mass Poverty', *Times*, 14 November 1986, p. 1.

<sup>84</sup> *Ibid.*

<sup>85</sup> Margaret THATCHER, 'Don't Undo What I Have Done', *Guardian*, 22 April 1992, p. 2.

<sup>86</sup> P. POTTS, 'Purge of the Parasites', *Daily Express*, 3 July 1986, p. 1.

<sup>87</sup> John HUMPHRYS, 'Is Britain Witnessing a Shift in Public Mood over Benefit Dependency?', *Daily Mail*, 8 August 2013.

<sup>88</sup> Lawrence MEAD, *op. cit.*, p. 84.

<sup>89</sup> *Ibid.*, p. 139.

<sup>90</sup> *Ibid.*, p. 78.

<sup>91</sup> Joan BROWN, *art. cit.*, p. 62.

service work—which they were ‘*most easily qualified to do*’<sup>92</sup>—dovetailed neatly with both the economic imperatives of the servile economy and also the patriarchal culture which, as Beck argues, makes single parenthood the surest route to poverty for European women.<sup>93</sup>

In 1998, Margaret Thatcher revealed her contempt of single mothers, arguing that they ‘*devalue [...] our community*’,<sup>94</sup> but the opposite was true—they, and their children, were an extremely valuable potential resource, and the venal obloquy inflicted upon them throughout the 1980s should be seen in this light. Signally, government minister Rhodes Boyson condemned single mothers as responsible for ‘*probably the most evil product of our time*’—‘*uncontrolled male young*’ who perpetrated ‘*violent crime, [...] football hooliganism, mugging and inner city revolt*’.<sup>95</sup> Meanwhile, the pernicious spread of neoliberal ideology to the Labour Party was signalled in 1989 when Labour MP Frank Field declared that ‘*for the first time groups of unemployed and young single mothers don’t think the offer of rejoining mainstream Britain is worth taking. They opt consciously to stay on the outside*’.<sup>96</sup> Field’s solution was not to make work worthwhile, or to value parenting in itself, but to shift women towards workfare. This pincer-movement, between Conservative class-racism and Labour’s crocodile-tear paternalism, would prove characteristic of the pseudo-debate between right- and left-right that swept the road to national workfare dependency.

The term underclass, meanwhile, maintained not only its class-racist, but also its *actual* racist inflections.<sup>97</sup> Signally, the Independent Audit Commission produced a major report in 1987 in which director John Banham spoke of a ‘*horrific*’ situation in which ‘*a 15-year-old black is having her third child by different fathers*’, unemployment stands at 80 per cent, gangs roam the streets, drug-related crime is rife and ‘*you have to set up crèches in schools*’.<sup>98</sup> The solution, Banham suggested, was ‘*a productive partnership [with] the private sector*’. Workfare, in other words. However, Banham was not quite as independent as he seemed: he was shortly to assume leadership of the Confederation of British Industries,<sup>99</sup> a major capitalist organisation which, in 1985, had argued that government unemployment training schemes had ‘*yielded big dividends, with an enormous amount of companies [becoming] deeply and actively involved*’ and that efforts should be ‘*devoted to expanding them*’.<sup>100</sup>

Media allies of the bourgeoisie, not for the first or last time, supported the agenda, blurring class-racist comedy with reality, with the *Daily Express* asking:

<sup>92</sup> Lawrence MEAD, *op. cit.*, p. 153.

<sup>93</sup> Ulrich BECK, *Risk Society: Towards a New Modernity*, London: Sage Publications, 1992.

<sup>94</sup> ‘Thatcher Stirs Up Single Parents’, *BBC News*, 21 October 1998, p. 1.

<sup>95</sup> David HENCKE, ‘Boyson Condemns “Evil” Single Parents’, *Guardian*, 10 October 1986, p. 1.

<sup>96</sup> Frank FIELD, ‘Blame Thatcher and the Stick’, *Times*, 1989, p. 1.

<sup>97</sup> See e.g. ‘Handsworth Warning: Inner-City Problems’, *Times*, 15 October 1985.

<sup>98</sup> Nicholas WOOD, ‘London Horrors Blamed on Eight Labour Councils’, *Times*, 30 January 1987, p. 1.

<sup>99</sup> *Ibid.*

<sup>100</sup> ‘CBI Urges New Jobs Drive’, *Guardian*, 21 January 1985.

‘Can we really tolerate a system in which dole frauds alone cost £500 million a year and have become a standing joke on a Saturday night comedy TV show?’<sup>101</sup> The same paper, only a few days earlier, had described the expansion of training schemes to instil ‘discipline’ into young workers as a ‘cause for cheer for job seekers’, stating that while ‘a place on a training scheme is not as good as a job, [...] it is the next best thing’.<sup>102</sup> It is more accurate to say that, for the bourgeoisie, workfare schemes were *much better* than employing and properly remunerating people.

In 1988, the Conservative Party initiated a venal campaign of welfare claimant demonisation aimed at driving the poor into workfare and low-wage work.<sup>103</sup> Terrifying hate-language resurfaced, with the *Daily Express* announcing an imminent ‘welfare purge on single mothers’.<sup>104</sup> Little was off-limits: in a speech vowing to end the UK’s ‘scrounger culture’, Minister John Moore claimed that a pregnant ‘unmarried girl’, having miscarried and so lost her eligibility to somewhere to live, had complained to him that it was ‘silly to make her move because she was going to get pregnant anytime. “I’m working on it now” she said’.<sup>105</sup> Extracting ghastly political capital, Moore concluded that it was sad to see people ‘caught in the dependency culture, sat passive in the face of new opportunities’.<sup>106</sup>

One such ‘new opportunity’ was the Employment for Training workfare scheme, introduced in 1988 at a cost £1.4 billion and intended to provide 600,000 ‘training scheme’ placements for the long-term unemployed.<sup>107</sup> The scheme was, according to its White Paper, necessary in order to address the complex problem-set faced by the long-term unemployed, including benefit dependence and low motivation.<sup>108</sup> In the same year, control and exploitation of children was intensified as all 16- and 17-year-old benefits claimants were mandated to attend the Youth Training Scheme. According to social policy expert Professor Alan Walker, this scheme was ‘slave labour’ and had ‘a fatal accident rate of 138.2 per 100,000’.<sup>109</sup> However, with places on the scheme limited, many young people simply lost their eligibility to welfare altogether, forcing them into destitution and/or the black economy.<sup>110</sup>

<sup>101</sup> ‘It’s Time to Cut Mother State’s Apron Strings’, *Daily Express*, 27 October 1987, p. 1.

<sup>102</sup> ‘More Cheer for Job Seekers’, *Daily Express*, 16 October 1987, p. 1.

<sup>103</sup> John WESTERGAARD, *Who Gets What? The Hardening of Class Inequality in the Late Twentieth Century*, Cambridge: Polity Press, 1995; Heather TRICKEY & Robert WALKER, *art. cit.*

<sup>104</sup> Robert GIBSON, ‘Welfare Purge on Single Mothers’, *Daily Express*, 27 October 1988, p. 1.

<sup>105</sup> Nicholas ASSINDER, ‘More Vows to End “Scroungers” Culture’, *Daily Express*, 6 September 1988, p. 1.

<sup>106</sup> *Ibid.*

<sup>107</sup> HANSARD, *Training (White Paper)*, HC Deb vol. 127 cc825-38, 16 February 1988, p. 1.

<sup>108</sup> Desmond KING & Hugh WARD, ‘Working for Benefits: Rational Choice and the Rise of Work-Welfare Programmes’, *Political Studies*, vol. 40, n° 3, 1992.

<sup>109</sup> Alan WALKER, ‘Blaming the Victims’, in Ruth LISTER (ed.), *op. cit.*, p. 70.

<sup>110</sup> Heather TRICKEY & Robert WALKER, *art. cit.*

With middle income earners now being squeezed to fund cheap labour schemes for the benefit of businesses,<sup>111</sup> Chancellor Norman Fowler diverted taxpayers' ire towards benefit fraud, announcing at the 1988 Conservative Party conference that '*we are not prepared to see taxpayers' money being used to finance the fraudulent. It is a totally unnecessary imposition on those in work paying taxes and, above all, it is an insult to the genuinely unemployed in this country*'.<sup>112</sup> In reality, UK businesses had developed a significant, tax-funded, cheap-labour habit, with the supply now extending well beyond dole claimants: numbers receiving the Family Tax Credit—a supplementary benefit for low-wage workers—for example, had risen from 71,000 in its introductory year of 1971, to 199,000 in 1985, and to 317,000 by 1990.<sup>113</sup> However, Fowler was considerably less squeamish about insulting the public when it came to wage increases, complaining that they '*discourage employers from taking on more staff, and reduce opportunities for expanding*'.<sup>114</sup>

By 1989, average wage values for low-skilled workers plummeted between 10% and 25%,<sup>115</sup> while the numbers of service sector roles rose 23.8% on 1979 figures.<sup>116</sup> John Moore dismissed complaints of rising poverty, declaring '*the end of the line*' for anything but voluntary indigence.<sup>117</sup> In fact, relative poverty increased significantly through the 1980s and '*the growth of child poverty on the relative measure was particularly alarming, with a rate of 12% in 1979 rising to 27% by 1992*'.<sup>118</sup>

As predicted by Marxist economics,<sup>119</sup> this intensified exploitation of the poor contributed toward a temporary upturn in the business cycle: the so-called Lawson boom. The boom bust in 1989, with inflation rocketing to 7.5% by 1991, and unemployment rising by 500,000.<sup>120</sup> A campaign of welfare 'reform' and claimant demonisation followed, so vicious that Westergaard described it as '*the attrition of citizenship*'.<sup>121</sup> Signally, in 1992, with a whiff of Pinochet Social Security minister Peter Lilley announced: '*I've got a little list, of benefit offenders who I'll soon be rooting out, and who never would be missed*'.<sup>122</sup> Unsurprisingly, this list included

<sup>111</sup> Ralph MILIBAND, *Divided Societies: Class Struggle in Contemporary Capitalism*, Oxford University Press, 1989.

<sup>112</sup> Martin FLETCHER, 'Battle against Benefit Cheats: Conservative Party Conference', *Times*, 13 October 1988, p. 1.

<sup>113</sup> Andrew DILNOT & Julian MCRAE, *The Family Credit System and the Working Families' Tax Credit System in the United Kingdom*, Institute for Fiscal Studies, 1999, p. 2.

<sup>114</sup> Barrie DEVNEY, 'Jobless Up, but Hopes Are Rising', *Daily Express*, 19 February 1988, p. 1.

<sup>115</sup> Frances Fox PIVEN, 'Welfare Reform and the Economic and Cultural Reconstruction of Low Wage Labour Markets', *City and Society*, vol. 10, n° 1, 1998, p. 27.

<sup>116</sup> Eithne MCLAUGHLIN, *art. cit.*, p. 14.

<sup>117</sup> CENTRE FOR SOCIAL JUSTICE, *The State of the Nation Report: Economic Dependency*, 2006, p. 5.

<sup>118</sup> *Ibid.*

<sup>119</sup> Ernest MANDEL, 1971, *op. cit.*

<sup>120</sup> Andrew CLARK & Richard LAYARD, *op. cit.*, p. 55.

<sup>121</sup> John WESTERGAARD, *op. cit.*, p. 118.

<sup>122</sup> 'Your Favourite Conference Clips', *BBC News*, 2007, [http://news.bbc.co.uk/2/hi/January/programmes/the\\_daily\\_politics/6967366.stm](http://news.bbc.co.uk/2/hi/January/programmes/the_daily_politics/6967366.stm).

‘young ladies who get pregnant just to jump the housing queue’.<sup>123</sup> Dismissing the engulfing misery, Chancellor Norman Lamont took the line that ‘rising unemployment and the recession have been the price that we have had to pay to get inflation down. That price is well worth paying’.<sup>124</sup>

While inflation was again wrested down to 2% by 1994, the new threat to the now intensely globalising system was the collapse of global growth rates: down from 3.5% in the 1960s to 1.1% in the 1990s,<sup>125</sup> with the UK rate going negative in 1991.<sup>126</sup> By no coincidence, from the late 1980s the term ‘feckless’, with its core sense of inability to produce anything of value, began to migrate from descriptions of absent fathers to the general unemployed. As Kilroy-Silk signally phrased it, ‘hard-working members of the community [should not] have to tend to the needs of the lazy and feckless’.<sup>127</sup>

Despite 61 million people living below the poverty line across Europe,<sup>128</sup> life-crippling low-pay was cynically justified as positive and unavoidable by bourgeois academics: ‘if employers pay a living wage, they simply will not want to employ all the available labour’.<sup>129</sup> Politicians were little better, with now Prime Minister John Major arguing that ‘the minimum wage [makes it] more difficult for people to find work’.<sup>130</sup> The Conservative answer was more workfare, with Employment Minister Michael Portillo announcing in 1995 yet another new scheme—*Network*—in which 16-18 year old workers would be paid primarily in training and work experience.<sup>131</sup> Meanwhile, the potential cash value of transforming benefits claimants into super-exploited workers was underlined when Conservative MP Ralph Howell published, via the neoliberal think-tank the Adam Smith Institute, a thinly veiled call for workfare, arguing in the *Observer* that ‘we spend £10 billion per year supporting the unemployed. We could offer work to everyone who wants it for roughly the same money’.<sup>132</sup>

However, in the ever more interconnected world-market, the Conservative Party was now only one minor power in a vast neoliberal network. With an unprecedented global glut of potential low-wage workers, all European capitalists now faced an intensive struggle to maintain growth and global market share.<sup>133</sup> Notably, in 1995 the European Union’s Competitiveness Advisory Group warned of a significant ‘decline in the ability of the Union to exploit its productive potential to

<sup>123</sup> *Ibid.*

<sup>124</sup> HANSARD, HC 6Ser vol. 191 col 413, 16 May 1991.

<sup>125</sup> David HARVEY, 2007, *op. cit.*, p. 154.

<sup>126</sup> ‘Economy Tracker: GDP’, *BBC News*, 2013, <http://www.bbc.co.uk/news/10613201>.

<sup>127</sup> Robert KILROY-SILK, ‘Workers Who Won’t’, *Times*, 18 March 1988, p. 1.

<sup>128</sup> John DITCH & Ellen ROBERTS, *Integrated Approaches to Active Welfare and Employment Policies*, European Foundation for the Improvement of Living and Working Conditions, 2002, p. 14.

<sup>129</sup> Andrew CLARK & Richard LAYARD, *op. cit.*, p. 73.

<sup>130</sup> John MAJOR, ‘Leader’s Speech’, British Political Speech Archive, 1996, p. 5.

<sup>131</sup> J. HOLLAND, ‘Working at the Training Connection’, *Daily Express*, 16 February 1995.

<sup>132</sup> Dean NELSON, ‘The Freedom to Earn Your Benefits’, *Observer*, 18 September 1994, p. 1.

<sup>133</sup> EUROPEAN COMMISSION, *Global Europe: EU Performance in the Global Economy*, 2008.

*the full*’ due primarily to ‘*eight million permanently unemployed*’, and too low rates of females and long-term unemployed engaged in the labour market.<sup>134</sup> The solution was the expansion of exploitation beyond its contemporary, limited remit, to force individuals previously protected under sickness, single-parent or other ‘passive’ long-term unemployment status into ‘active’ labour market regimes.<sup>135</sup>

In 1997 the European Union’s Jobs Summit directed member states to activate further workfare schemes to drive, initially, 20% of this ‘passive’ group back into the labour market.<sup>136</sup> However, work-for-benefits, not actual jobs, was to be, as Bruttel and Sol put it, ‘*the underlying paradigm of the European employment strategy*’.<sup>137</sup> Member states drew-up ‘National Action Plans’ to steer this project locally<sup>138</sup> but administering them required reinvigorated steering committees armed with new ideological weapons. As Tony Blair put it, following neoliberal Labour’s sweep to power in 1997, ‘*the job of refashioning welfare and the job of refashioning government are inseparable*’.<sup>139</sup> This new governmentality would be, as Jessop had previously predicted,<sup>140</sup> a ‘workfare state’.

The Conservative party might have managed this restructuration in the UK—and later did—but they lost the 1997 election. Besides which, the old ideology of welfare dependency, although still very much part of the neoliberal rhetorical suite, was, by itself, too shallow to justify the vast economic reorientation now required of member states: despite Tony Blair claiming in 1995 that there were ‘*two Britains, one on welfare, the other paying for it*’,<sup>141</sup> in reality, by 1997 unemployment benefits accounted for only 9% of total social security spending in the UK,<sup>142</sup> and only 8% across the European Community as a whole.<sup>143</sup> The corrosive effects of neoliberalism in the UK in the early 1990s were far too extensive to hang onto this little peg; particularly the ‘exceptional’ growth of inequality which saw the richest 10% increase their income by close to 70%, and the poorest decile suffer an effective 8% decrease.<sup>144</sup> An ideological canopy of a whole new order was required. This could have taken numerous forms, but it needed, as its foundation rationale, to protect neoliberal wealth-theft: returning pilfered capital was off the table and any suggestion of such had to be denounced as pointless. This ideological void drew up, via capillary need, a natural extension of the dependency thesis: that it was not

<sup>134</sup> COMPETITIVE ADVISORY GROUP, *Enhancing European Competitiveness*, European Union, 1995, pp. 1-2.

<sup>135</sup> *Ibid.*

<sup>136</sup> Ivar LODEMEL & Heather TRICKEY, ‘A New Contract for Social Assistance’, in Ivar LODEMEL & Heather TRICKEY (eds), *op. cit.*, p. 14.

<sup>137</sup> Oliver BRUTTEL & Els SOL, ‘Work First as a European Model: Evidence from Germany and the Netherlands’, *Policy and Politics*, vol. 34, n° 1, 2006, p. 70.

<sup>138</sup> Colin GILL, Michael GOLD & Peter CRESSEY, ‘Social Europe: National Initiatives and Responses’, *Industrial Relations Journal*, vol. 30, n° 4, 1999.

<sup>139</sup> Tony BLAIR, ‘Bringing Britain Together’, British Political Speech Archive, 1997, p. 2.

<sup>140</sup> Bob JESSOP, *op. cit.*

<sup>141</sup> Tony BLAIR, ‘Leader’s Speech’, British Political Speech Archive, 1995, p. 4.

<sup>142</sup> Ivar LODEMEL & Heather TRICKEY, *art. cit.*, p. 185.

<sup>143</sup> EUROPEAN COMMISSION, *Social Protection in Europe 1997*, 1998, p. 1.

<sup>144</sup> JOSEPH ROWNTREE FOUNDATION, *Income and Wealth: The Latest Evidence*, 1998, p. 1.



welfare, but welfare *claimants* that were the problem. In fact, more than a problem, a national threat; a group—almost an ethnicity—whose pathological culture emitted a destructive moral radiation that destabilised surrounding communities, corrupted children and threatened to undermine both social order and the economy. As the *Sunday Times* had put it in an early ideological rehearsal in 1993, ‘*the growth of a hard core of long-term unemployed and the spreading culture of welfare dependency have brutalised British society well beyond its developing underclass and undermined much of what we thought made this country civilised*’.<sup>145</sup> The outgoing Major government attempted to adapt its ideology to this intensified class-racism with a disastrous ‘back to basics’ moral crusade: a jeremiad which managed to juxtapose child pornography, crime, the Yugoslavian conflict and Irish terrorism with ‘*accepting a responsibility for yourself and your family and not shuffling off on other people and the state*’.<sup>146</sup> But this was merely a desperate, local ideological mutation which rapidly self-aborted in toxic pools of hypocrisy. Behind Major’s back, at the global neoliberal level, the tumbler of ideological functional selectivity was piecing together a profoundly more effective discourse: *social exclusion*.

### ***Social exclusion***

‘Social exclusion’ has been identified by scholars such as Lodemel and Trickey,<sup>147</sup> Skeggs,<sup>148</sup> Cameron and Palan,<sup>149</sup> Byrne<sup>150</sup> and Crompton<sup>151</sup> as a key strut in the ideological architecture of neoliberalism. However, there was never one version of this idea that achieved neoliberal hegemony: continually functionally re-selected for the plasticity of its ideological infrastructure, ‘social exclusion’ should be seen, rather, as a continuum of implications which steadily adapted to material imperatives—eventually, in the UK, evolving into the ideology of ‘Broken Britain’.

The idea of social exclusion initially emerged in radical French critiques of socially corrosive economic policy.<sup>152</sup> In 1995, the United Nations’ *Social Development Summit* partially adopted this critique, stating that ‘*full and adequately and appropriately remunerated employment is an effective method of combating poverty and promoting social integration*’.<sup>153</sup> However, this, by definition, contradicted the European Union’s workfare paradigm; and with the colossal expansion of the EU’s reserve labour army to 15.7 million by 1999,<sup>154</sup> Europe’s workfare trajectory was intransigently set at the economic base. Rather, bombarded by the intense pressure of economic reality, the meaning of social exclusion itself

<sup>145</sup> ‘Darling Buds of Major’, *Sunday Times*, 2 July 1993, p. 2.

<sup>146</sup> John MAJOR, ‘Speech to Conservative Party Conference’, 1993, p. 2.

<sup>147</sup> Ivar LODEMEL & Heather TRICKEY, *art. cit.*

<sup>148</sup> Beverley SKEGGS, *Class, Self, Culture*, London: Routledge, 2004.

<sup>149</sup> Angus CAMERON & Ronen PALAN, *The Imagined Economies of Globalization*, London: Sage Publications, 2004.

<sup>150</sup> David BYRNE, *Social Exclusion*, Buckingham: Open University Press, 2005.

<sup>151</sup> Rosemary CROMPTON, *Class and Stratification*, Cambridge: Polity Press, 2008.

<sup>152</sup> Hilary SILVER, ‘Social Exclusion and Social Solidarity: Three Paradigms’, *International Labour Review*, vol. 133, n° 5, 1994.

<sup>153</sup> UNITED NATIONS, ‘Article 42’, *World Summit for Social Development Plan of Action*, 1995.

<sup>154</sup> John DITCH & Ellen ROBERTS, *op. cit.*, p. 9.

buckled, eventually fully inverting to become a justification for socially corrosive policies. As the European Commission put it, *'the aim of [social inclusion] policy is to strengthen incentives to work and to improve the adaptability and employability of the work force'*.<sup>155</sup> By emphasising *'the complex and multidimensional nature of poverty and social exclusion'*,<sup>156</sup> European Union apparatchiks began to re-image poverty, not as lack of income, but as a broadly 'psycho-social' issue—a behavioural, cultural and attitudinal matter—and the solution, therefore, not as full and adequate remuneration for work, but as *'reintegration into society through linking welfare and work'*.<sup>157</sup> Via the ideology of social exclusion, work-for-welfare was thus transformed into an apparent mechanism of 'cultural matriculation' which could re-qualify the poor as members of society happily clutching wage packets filled with self-esteem and social membership. All that remained was for national administrations to sell the idea to their populations.

Tony Blair—typically 'on message'—downloaded the new ideology into UK political discourse: *'Social exclusion is about income but it is about more. It's [...] damaging to self-esteem, more corrosive to society as a whole, more likely to be passed from generation to generation than material poverty'*.<sup>158</sup> What was only 9% of the UK benefits budget thus became, via words, something apparently massive: an *'underclass of people cut off from society's mainstream, without any sense of shared purpose'*.<sup>159</sup> With facts overcome by whimsical appeal to *'what we all know exists'*,<sup>160</sup> capital exclusion was thus rhetorically inverted to justify a significant intensification of social discipline and pauper exploitation; a major neoliberal reorganisation of the UK economy dwarfing anything that the Conservatives had managed to achieve. Such a project required an ideological justification of similar proportions: an extensive continuum of deceit, adapted cynically to varying levels of gullibility.

At the apex of this continuum the government argued that *'for people of working age, a job is the best route out of poverty'*,<sup>161</sup> and that work was the key weapon in the *'fight against poverty and social exclusion'*.<sup>162</sup> In reality, the country was being transformed into a low-wage, workfare-dependent state: a series of 'New Deal' workfare programmes were set up between 1998 and 2010, aimed at driving 'inactive' benefits claimants into the active reserve labour army. As minister Peter Hain put it, *'we must push forwards with further reform [...] focusing on the 4.5 million people of working age on out-of-work benefits'*.<sup>163</sup> In fact, only 5.6% of New

<sup>155</sup> EUROPEAN COMMISSION, *op. cit.*, 1998, p. 2.

<sup>156</sup> John DITCH & Ellen ROBERTS, *op. cit.*, p. 4.

<sup>157</sup> *Ibid.*, p. v.

<sup>158</sup> Tony BLAIR, 1997, *art. cit.*, p. 1.

<sup>159</sup> Tony BLAIR quoted in John WELSHMAN, *Underclass: A History of the Excluded 1880-2000*, London: Hambledon Continuum, 2006, p. ix.

<sup>160</sup> *Ibid.*

<sup>161</sup> DEPARTMENT FOR WORK AND PENSIONS, *UK National Action Plan on Social Exclusion 2003-2005*, 2003, p. 5.

<sup>162</sup> *Ibid.*, p. 1.

<sup>163</sup> DEPARTMENT FOR WORK AND PENSIONS, *In Work, Better Off: Next Steps to Full Employment*, 2007, p. 7.

Deal participants ever matriculated into employment.<sup>164</sup> However, this seeming total failure was actually a significant success for the capitalist class. As Marxist economist Bob Milward explains, ‘*the reserve labour army allows the total domination of capital over labour. It is the key economic force which keeps the real wage down to subsistence level*’ [Milward’s emphasis].<sup>165</sup> Meanwhile, poor working people—encouraged to see the unemployed as ‘*scroungers who won’t get a job*’<sup>166</sup> and as ‘*parasites*’ who ‘*breed for greed*’ and ‘*grow fat on your taxes*’<sup>167</sup>—were themselves being transformed into low-wage, benefit-dependent workers, with tax credit spending rising ‘*from £3.3 billion in 1997-98 to more than £20 billion by 2010-11*’<sup>168</sup>—paid for not from the corpulent coffers of firms, but from the squeezed pay-packets of middle-income earners.<sup>169</sup>

In 2008, neoliberal Labour introduced the Flexible New Deal—a major merger and expansion of previous New Deal schemes. This scheme mandated the long-term unemployed into disciplinary institutions for one year of ‘re-training’. Somewhere close to half of its 405,000 ‘clients’ were sent to service businesses with free labour for periods of ‘*four or more weeks*’ at a time,<sup>170</sup> while the rest were held in disciplinary cold-storage.<sup>171</sup> Labour’s much mooted minimum-wage legislation did not apply to these people—nor to any ‘clients’ who found temporary paid work.<sup>172</sup>

New Prime Minister Gordon Brown lionised the intensified regime by arguing that Labour was creating ‘*opportunity for all [...] matched with a new responsibility from all. Our aim is a something for something, nothing for nothing Britain. A Britain of fair chances*’.<sup>173</sup> It was a grotesque lie, intended to demonise the unemployed for failing to take advantage of unprecedented levels of opportunity. Quite contrarily, as the government’s own National Equality Panel delicately put it, it was ‘*hard [...] to sustain an argument that what we show [grossly increased, socially entrenched inequality] is the result of personal choices against a background of opportunity, however defined*’.<sup>174</sup> In fact, as the Joseph Rowntree Foundation reported, ‘*by 2008/2009 13m people were in poverty. Of these, 5.8m*

<sup>164</sup> CENTRE FOR ECONOMIC AND SOCIAL INCLUSION, *Work Programme Performance Statistics: Inclusion Analysis*, 2012, p. 1.

<sup>165</sup> Bob MILWARD, *Marxian Political Economy: Theory, History and Contemporary Relevance*, Basingstoke: Palgrave, 2000, p. 94.

<sup>166</sup> Gabriel MILLAND, ‘Tories Plan to Get Tough with Scroungers Who Won’t Work’, *Daily Express*, 8 July 2007, p. 1.

<sup>167</sup> Simon HEFFER, ‘Parasites Grow Fat on Your Taxes’, *Daily Mail*, 27 April 2004, p. 1.

<sup>168</sup> CENTRE FOR SOCIAL JUSTICE, *Signed On, Written Off: An Inquiry into Welfare Dependency in Britain*, 2013, p. 3.

<sup>169</sup> David BYRNE, 2005, *op. cit.*

<sup>170</sup> F. MCGUINNESS, *Work Experience Schemes*, House of Commons Library, 2013, p. 10.

<sup>171</sup> John David JORDAN, ‘The Anathatractive s/State: A Marxist-Semiotic Analysis of the Discourse, Ideology and Practice of Neoliberal Workfare’, *Public Journal of Semiotics*, vol. 5, n° 2, 2013.

<sup>172</sup> H. M. GOVERNMENT, *National Minimum Wage Act*, 1998.

<sup>173</sup> Gordon BROWN, ‘Labour Party Conference Leader’s Speech’, *Labour.org.uk*, 2008, p. 10.

<sup>174</sup> NATIONAL EQUALITY PANEL, *An Anatomy of Economic Equality in the UK*, H. M. Government, 2010, p. 2.

(44% of the total) were in “deep poverty” (household income at least one-third below the poverty line), the highest proportion on record.<sup>175</sup> Meanwhile, seven million UK citizens were suffering in-work poverty,<sup>176</sup> with half of all UK children who were surviving in poverty living in working families.<sup>177</sup> But with work now the marker of cultural matriculation into ‘social inclusion’, minister Peter Hain was able to fudge the reality by emphasising that ‘the rewards of work [...] go far beyond financial independence [...] because work is inherently good’,<sup>178</sup> while neoliberal apologist Simon Heffer argued that poor-work at less-than-benefit levels was ‘the price they [low-wage workers] pay for dignity, decency, self-respect’.<sup>179</sup>

However, the reality of the New Deals was difficult to reconcile with the true scope of capital exclusion—and a lie inevitably emerged of a ‘hard-core’ who were resistant to Labour’s paternalist interventions. As minister Peter Mandelson complained, ‘we are spending vast sums of money, often over and over again, on the same people through different programmes, without improving their ability to participate in the economy and society’.<sup>180</sup> Bizarrely, some of the socially excluded were characterised as so hard-core that it would be necessary, according to Tony Blair, to target them while they were still foetuses.<sup>181</sup> Oppression of the unemployed was intensified, meanwhile, as ‘the number of sanctioned jobseekers with a reduced entitlement to JSA doubled in 2010 to around 800,000’.<sup>182</sup>

A dangerous notion was forming: that some people simply could not be included. And this propaganda game was soon out of the control of Labour’s spin-doctors; in fact, it had already emerged amongst the attack-dogs of the neoliberal media who pushed the idea almost as far as it could possibly go in socially excluding the poor as an utterly alien, immoral culture who were a threat, as Phillips disturbingly put it, to the nation’s ‘social and moral health’:<sup>183</sup> ‘Britain’s feckless, thuggish, self-pitying, sponging criminal underclass’;<sup>184</sup> ‘that terrifying growing

<sup>175</sup> JOSEPH ROWNTREE FOUNDATION, *Monitoring Poverty and Social Exclusion*, 2010, p. 2.

<sup>176</sup> Rodolfo G. PALACIOS, Ana M. G. RODRIGUEZ & Ramon PENA-CASAS, ‘Earnings Inequality and In-work Poverty’, Working Papers on the Reconciliation of Work and Welfare in Europe, Edinburgh: Dissemination and Dialogue Centre, 2009, p. 20.

<sup>177</sup> Judi ATKINS, ‘Moral Argument and the Justification of Policy: New Labour’s Case for Welfare Reform’, *British Journal of Politics and International Relations*, vol. 12, n° 3, 2010, p. 10.

<sup>178</sup> DEPARTMENT FOR WORK AND PENSIONS, *Ready for Work: Full Employment in Our Generation*, 2007, p. 6.

<sup>179</sup> Simon HEFFER, *art. cit.*

<sup>180</sup> Peter MANDELSON, *Labour’s Next Steps: Tackling Social Exclusion*, London: Fabian Society, 2008, p. 8.

<sup>181</sup> Lucy WARD, ‘Unborn Babies Targeted in Crackdown on Criminality’, *Guardian*, 16 May 2007.

<sup>182</sup> JOSEPH ROWNTREE FOUNDATION, *Monitoring Poverty and Social Exclusion*, 2013, p. 1.

<sup>183</sup> Melanie PHILLIPS, ‘We Have a Choice: Face Up to this Crisis or Commit Social Suicide’, *Daily Mail*, 9 July 2007, p. 3.

<sup>184</sup> Tom UTLEY, ‘Fear the Criminal Underclass and it Will Cost You—or Worse, Me’, *Daily Telegraph*, 24 January 2004, p. 1.

*phenomenon: a feckless, amoral, workshy, benefit-dependent underclass*;<sup>185</sup> *‘scroungers who try to take a free ride on the backs of others’*;<sup>186</sup> *‘an ever-growing subculture of neglect, violence, drugs, pornography, crime and unemployment’*;<sup>187</sup> *‘scum. Sorry, but there’s no other word for it’*.<sup>188</sup> With glib hypocrisy, journalists who simpered over the fate of ‘underclass’ children simultaneously used their images and identities in exploitative photo-shoots.<sup>189</sup> Class-racist hate was celebrated: *‘Hurrah for the chav-hating holiday boss—champion of the middle-class!’*<sup>190</sup> Those workers, meanwhile, whose wage values had collapsed to close to unemployment benefit levels were encouraged not to hate the system, but to despise those already surviving on an unemployment pittance: *‘Ignore leftist hysteria—at last Britain has woken up to the grotesque irony that so many on welfare are better off than hard working families’*.<sup>191</sup> Fiction overtook reality as class-racist comedy shows and characters such as Wayne and Waynetta Slob,<sup>192</sup> Vicky Pollard,<sup>193</sup> and *Shameless*<sup>194</sup> became emblematic of *‘a daily tragedy whose victims, like Shannon Matthews, are all too real’*.<sup>195</sup> Conservative Shadow Home Secretary Chris Grayling took this blurring of fantasy and reality to quixotic heights, bruited the US fictional television drama *The Wire* as an accurate representation of the *‘urban war’*, *‘culture of violence’*, and *‘collapse of civilised life’* plaguing Britain.<sup>196</sup> At the bottom of the continuum of deceit, class-racists used the internet to spew vile *‘solutions’*, with even a mainstream journalist eventually feeling safe to muse: *‘Of course, forcibly sterilising a woman is something that cannot be countenanced in a civilised society—or can it?’*<sup>197</sup>

Following the 2008 economic crisis, neoliberal Labour’s ideology began to buckle under the weight of economic reality. Blair’s crocodile-tear appeals for social inclusion were largely abandoned, with Gordon Brown dropping the phrase altogether from his 2008 leadership speech. A new ideology was emerging: that only those who worked, and worked hard, really mattered: *‘my starting point is one-nation, rooted in a commitment to common democratic citizenship. It is*

<sup>185</sup> Amanda PLATELL, ‘Shannon’s Mother and Seven Babies by Six Men’, *Daily Mail*, 6 December 2008, p. 1.

<sup>186</sup> ‘Hit Skivers, Not Strivers’, *Daily Express*, 13 September 2010, p. 1.

<sup>187</sup> ‘Plea for the Victims of Welfare Britain’, *Daily Mail*, 6 December 2008, p. 1.

<sup>188</sup> Richard LITTLEJOHN, ‘Welcome to Britain, Land of the Rising Scum’, *Daily Mail*, 14 November 2008, p. 1.

<sup>189</sup> E.g. Chris BROOKE, ‘Families of 12 with a Difference’, *Daily Mail*, 17 October 2008; John CHAPMAN, ‘Give Us a New House Say Family on £30,000 Handouts’, *Daily Express*, 4 December 2010.

<sup>190</sup> Harry PHIBBS, *Daily Mail*, 27 January 2009, p. 1.

<sup>191</sup> Max HASTINGS, *Daily Mail*, 30 October 2010, p. 1.

<sup>192</sup> ‘Rising Toll of Waynettas’, *Daily Mail*, 14 January 2010.

<sup>193</sup> ‘Vicky Pollard Teen Given Super-Asbo’, *Sky News*, 4 May 2005.

<sup>194</sup> Allison PEARSON, ‘Shameless Britain Isn’t a Comedy: It’s a Tragedy’, *Daily Mail*, 9 April 2008.

<sup>195</sup> *Ibid.*, p. 2.

<sup>196</sup> Chris GRAYLING, ‘Labour Have Failed to Deal with Britain’s Social Challenges’, *Conservatives.com*, 2009, pp. 1-2.

<sup>197</sup> Natalie CLARKE, *art. cit.*, p. 1.

*unashamedly majoritarian, focusing on the concerns of the hard working majority*.<sup>198</sup>

### ***Broken Britain***

The Conservative Party, meanwhile, had been following its class instincts and mooring poor women as the primary grist of economic recovery: around 2006, Tory spin-doctors and their media allies began aggressively pushing the sound-bite ‘Breakdown’ or ‘Broken-down’ Britain,<sup>199</sup> with the primary connotation of broken homes—and the truth-reversing conclusion that ‘*one of the most important factors implicated in poverty and a low sense of well-being is family breakdown*’.<sup>200</sup> However, ‘Breakdown Britain’ was a clumsy phrase that implied either total hopelessness, or else a satisfactory fix in the near future—neither of which usefully justified the oncoming scale of economic transformation which would see the impoverishment and intensified disciplinary control of much of the population. The tumbler of functional selectivity spun-on until it fell, eventually, into the ideological configuration of ‘Broken Britain’.

Early in 2007, the *Times* reported David Cameron as pledging to mend ‘“Broken” Britain’,<sup>201</sup> with the word ‘broken’ in quotation marks. In July, the *Edinburgh Evening News* quoted Cameron as stating that ‘“repairing broken Britain” would combine cutting the cost to business and the taxpayer with increasing social justice’.<sup>202</sup> By mid-2007, the term was a Cameron catchphrase, with the *Evening Standard* reporting: ‘*I want to fix broken Britain, Cameron tells critics*’.<sup>203</sup> By the end of the year the term had become a media buzz-phrase in its own right, with *Daily Express* editor Martin Townsend complaining that in ‘*broken Britain*’ a ‘*Leftie-liberal agenda*’ had ‘*kicked away the building blocks*’ that created World War Two heroes.<sup>204</sup>

Early in 2008 the neoliberal elite fully captured the phrase as the *Sun* newspaper, in partnership with David Cameron, launched a major ‘Broken Britain’ campaign. Capitalising ‘Broken’, it was reported that ‘*yesterday David Cameron unveiled his plans to mend Broken Britain*’.<sup>205</sup> The new ideological paradigm was that Britain was ‘*a society at breaking point*’, and the answer, ‘*work for welfare*’ to ‘*make poverty history*’.<sup>206</sup>

<sup>198</sup> Gordon BROWN, ‘What I Believe’, *Prospect Magazine*, 23 July 2009, p. 4.

<sup>199</sup> ‘Cameron and a Haynes’ guide to Fixing Broken Down Britain’, *Daily Mail*, 21 July 2007; CENTRE FOR SOCIAL JUSTICE, *Breakdown Britain*, 2006.

<sup>200</sup> *Ibid.*, p. 29.

<sup>201</sup> Anthony BROWNE & Angus MCLEOD, ‘Tories Pledge to Help Families in “Broken” Britain’, *Times*, 17 February 2007, p. 1.

<sup>202</sup> ‘Cameron Ready to Square Up to Brown over Social Breakdown’, *Edinburgh Evening News*, 5 July 2007, p. 1.

<sup>203</sup> ‘I Want to Fix Broken Britain, Cameron Tells Critics’, *Evening Standard*, 31 July 2007, p. 1.

<sup>204</sup> Martin TOWNSEND, ‘A Word from the Editor’, *Daily Express*, 14 October 2007, p. 1.

<sup>205</sup> ‘Cam: I’ll Mend Broken Britain’, *Sun*, 30 January 2008, p. 1.

<sup>206</sup> David CAMERON, *Work for Welfare*, London: Conservative Party, 2008, p. 4.

The Broken Britain narrative retained an intensive focus on driving female heads of household into poor work—not necessarily to lift them from poverty, but because, argued Cameron, ‘*the transition from worklessness to work has beneficial effects on both parents and children alike*’.<sup>207</sup> But the new ideology was to go much further ‘*to build a welfare-to-work programme that goes so far, in scale, beyond [Labour’s] limited plans*’.<sup>208</sup>

With work-for-welfare already contributing to an increase in inequality—both of opportunity and income—so great that the National Equality Panel warned that the ‘*sheer scale*’ of it ‘*for many readers [...] will be shocking*’<sup>209</sup>—selling an intensified crackdown on the reserve labour army required a whole new level of cynical propaganda. The primary weapon in this project was the recoding of the real ‘break’ in Britain—that between rich and poor—into the fairy-tale of an urban conflict between the imagined moral dead-zones of welfare-dependent ‘*sprawling council estates*’<sup>210</sup> and an ideological realm populated by middle-class ‘*hardworking families*’.<sup>211</sup> High profile crimes were cynically exploited to widen the gap. Signally, making political capital from a famous child abduction case, David Cameron damned the poor for something they had not even done, stating that ‘*there are 5 million people on benefits in Britain. How do we stop them turning into Karen Matthews?*’. Cameron then linked this crime with ‘*an estate where decency fights a losing battle against degradation and despair. A community whose pillars are crime, unemployment and addiction. [...] Before her [Mathews] there was Baby P, a tiny boy beaten by lower-than-life thugs. Before him, there was Shaun Dykes, a suicidal teenager taunted by a gang of yobs to end his own life. Before him, there was Rhys Jones, shot dead as he cycled home from football practice. It goes on*’.<sup>212</sup> Media allies pushed the agenda: ‘*In these households and in these areas, where people fuelled by a constant flow of drugs, alcohol and pornography exist outside the norms of civilised behaviour, society most definitely is broken. [...] It can’t be restored unless welfare dependency is stopped dead in its tracks*’.<sup>213</sup> The public were nudged towards the required conclusion: ‘*EVERY candidate standing in the general election should read [...] the comments of Beryl Teasdale about the state of British society. After seeing young thug Jessica Parry jailed for attempting to rob her, 73-year-old Beryl said: “When I was her age I was working around the clock”*’.<sup>214</sup>

In 2010 a new Conservative-led coalition government came to power. They inherited a neoliberal economic reorientation in full swing. In 2011, 81% of the UK

<sup>207</sup> *Ibid.*, p. 4.

<sup>208</sup> *Ibid.*

<sup>209</sup> NATIONAL EQUALITY PANEL, *op. cit.*, p. 2.

<sup>210</sup> E.g. Peter HOSKIN, ‘Today’s Welfare State Is Making Poverty Permanent’, *Spectator*, 11 March 2010.

<sup>211</sup> Richard SEYMOUR, ‘Why “Hardworking People” Are at the Heart of Conservative Policy Making’, *Guardian*, 3 October 2013.

<sup>212</sup> David CAMERON, ‘There Are Five Million People on Benefits in Britain’, *Daily Mail*, 8 December 2008, p. 1.

<sup>213</sup> Melanie PHILLIPS, ‘Cameron’s Right about Broken Britain’, *Daily Mail*, 25 January 2010, p. 1.

<sup>214</sup> ‘Repairing Broken Britain’, *Daily Express*, 8 April 2010, p. 1.

workforce, and 92% of working women, were employed in the services sector.<sup>215</sup> The workfare-dependent sector of the economy, meanwhile, was big and hungry—and seemingly more needed than ever, with growth at 1.1%, going negative to minus 0.2% in 2012.<sup>216</sup> In 2011, the new regime launched its Work Programme—a major expansion of workfare predicted to force around 3.3 million people into disciplinary workfare centres by 2016<sup>217</sup>—the same number initially made unemployed by the early Thatcher government. With around 900 sub-contractors nationally,<sup>218</sup> the Work Programme marked a major intensification of workfare.

In his pre-launch press-release for the scheme, Conservative welfare minister Iain Duncan Smith claimed that the Work Programme constituted a ‘*radical welfare reform designed to tackle entrenched poverty and end the curse of intergenerational worklessness*’.<sup>219</sup> Blaming jobless parents for influencing their children into choosing welfare as a preferred lifestyle, Smith argued that ‘*family is the most important influence on a child’s life, so it is no surprise that with this many children growing up with parents on benefits we are facing intergenerational worklessness. [...] Our broken welfare system has reinforced this destructive cycle for generations, root and branch reform is long overdue*’.<sup>220</sup> In reality, the UK government kept no records showing that intergenerational unemployment even existed.<sup>221</sup> Rather, thirty years of deliberate and cynical labour market destabilisation, and consequent economic impoverishment, was being parasitised as evidence for the necessity of more of the same.

To boost support for workfare as an essential, even philanthropic project, the government initiated a propaganda campaign claiming that there were 120,000 seriously dysfunctional underclass families in the UK who alone cost the country £9 billion per year. They were, argued Cameron, ‘*sealed in their circumstances with a weekly welfare cheque*’, and required ‘*help to turn their lives around and heal the scars of the broken society*’.<sup>222</sup> In 2012, government advisor Louise Casey’s cod-sociological report *Listening to Troubled Families* appeared just in time to aid the fiction: choosing to describe rape and sexual abuse (in one case perpetrated by an apparently unrelated neighbour) as ‘*incest*’, Casey speciously juxtaposed her findings with discussion of these 120,000 families, tentatively insinuating that they were, as a group, the bearers of repulsively dysfunctional social mores, vitiated by welfare dependency.<sup>223</sup> Even the right-leaning *Daily Mail* however, which had

<sup>215</sup> OFFICE FOR NATIONAL STATISTICS, *170 Years of Industrial Change across England and Wales*, 2013, p. 1.

<sup>216</sup> ‘Economy Tracker: GDP’, *art. cit.*, p. 1.

<sup>217</sup> NATIONAL AUDIT OFFICE, *The Introduction of the Work Programme*, Department for Work and Pensions, 2012, p. 4.

<sup>218</sup> CENTRE FOR ECONOMIC AND SOCIAL INCLUSION, *Government Work Experience Schemes: What Are the Differences?*, 2013, p. 4.

<sup>219</sup> DEPARTMENT FOR WORK AND PENSIONS, *Reforms Will Tackle Poverty and Get Britain Working Again*, 2010, p. 1.

<sup>220</sup> ‘Thousands Grow Up on Dole’, *Daily Express*, 14 February 2011, p. 1.

<sup>221</sup> CENTRE FOR SOCIAL JUSTICE, 2013, *op. cit.*, p. 13.

<sup>222</sup> DAVID CAMERON, ‘Troubled Families Speech’, H. M. Government, 2012, p. 1.

<sup>223</sup> LOUISE CASEY, *Listening to Troubled Families*, Department for Communities and Local Government, 2012.



initially welcomed the findings, printed a partial retraction once it was realised that Casey's report was based on only 16 loosely investigated case studies.<sup>224</sup> In fact, the government's definition of 'troubled families' was based entirely on poverty, poor opportunity, deprivation and ill health, and not criminal or 'dysfunctional' behaviour.<sup>225</sup> Nevertheless, yet again deploying indigence as evidence to support more of what caused it, the government mooted placing these 'troubled families' onto a quasi-food-stamp scheme,<sup>226</sup> potentially reducing them to the most basic level of survival permitted by law—and possibly extending this scheme to another 400,000 households.<sup>227</sup>

Speaking in 2012, meanwhile, Cameron argued that '*first, we must treat the causes of poverty at their source. [...] Second, we've got to recognise that in the end, the only thing that really beats poverty, long-term, is work*'.<sup>228</sup> In reality, by 2012 13 million UK citizens lived in poverty, half in working families, with another two million artificially missing from the data because average incomes fell 8% on 2008 figures, superficially 'lifting' them out of the reckoning.<sup>229</sup> Furthermore, there were record numbers of childless, working-age people in poverty, while 4.8 million people were churned in and out of unemployment benefits—and 5 million people were working for below the minimum wage.<sup>230</sup> By Cameron's own admission, the average UK household was now £3,000 a year worse off compared to 2007.<sup>231</sup>

In its first year the Work Programme experienced a failure rate of 97%.<sup>232</sup> By 2014, this figure was unchanged.<sup>233</sup> The neoliberal regime's response was, as it had been for the previous thirty years, more of the same: a '*crackdown on migrants' benefits*';<sup>234</sup> for British youth, '*if they are still unemployed after six months, they will have to start a traineeship, take work experience or do a community work placement—and if they don't turn up, they will lose their benefits*';<sup>235</sup> for older workers: '*The long term unemployed are no longer going to get something for nothing. They'll have to put back into their community, including compulsory work*'.<sup>236</sup>

### ***Concluding comments***

From the 1970s, the West's bourgeoisie, witnessing falling profits and diminishing class power, engineered an atavistic reversion to the essential mechanism of national capitalist class control: the expansion of the domestic reserve

<sup>224</sup> 'Criminal Culture at the Heart of Feckless Families', *Daily Mail*, 16 November 2012.

<sup>225</sup> Michael KELLY, 'A Look at the "Troubled Families Figure"', *Family Action*, 2013.

<sup>226</sup> 'No-booze Smart Cards for Benefits Claimants', *Daily Mail*, 13 November 2012.

<sup>227</sup> 'Another 400,000 "High Risk" Households to Get Help', *BBC News*, 24 June 2013.

<sup>228</sup> David CAMERON, 'Speech at Bluewater', *Daily Telegraph*, 25 June 2012, p. 4.

<sup>229</sup> JOSEPH ROWNTREE FOUNDATION, 2013, *op. cit.*, p. 1.

<sup>230</sup> *Ibid.*

<sup>231</sup> David CAMERON, 'Prime Minister's Questions', House of Commons, 16 January 2014.

<sup>232</sup> CENTRE FOR ECONOMIC AND SOCIAL INCLUSION, 2012, *op. cit.*, p. 1.

<sup>233</sup> 'Work Programme Creates Just 48,000 Jobs in Three Months', *Guardian*, 21 March 2014.

<sup>234</sup> 'Crackdown on Migrant's Benefits', *Times*, 19 February 2014.

<sup>235</sup> George OSBORNE, 'Autumn Statement', H. M. Government, 2013, p. 5.

<sup>236</sup> George OSBORNE, 'Speech at Sertec', 2014, p. 8.

labour army. Exploitation of this group has led to the creation of a servile, low-paid, service economy, significantly underpinned by workfare. Three broad ideological canopies have been deployed in justification of this project: *necessity*, *social exclusion* and *Broken Britain*. Beneath these umbrella deceits, a series of sub-lies emerged: that unemployment was essential, first to re-model the economy, and/or to control inflation; that workfare was required—first to provide training and control feral ‘youth’ and blacks, and then to attack the evil of ‘welfare dependence’ and the ‘underclass’. In the 1990s, as the European Union shifted significantly towards a workfare paradigm, work became its own wages as ‘social inclusion’ replaced actual earnings for a new class of workfare helots. In the UK, neoliberal attack-dogs savaged the poor, and by the late 2000s the idea of ‘Broken Britain’ had emerged, deployed against the victims of poverty with ghastly and naked class-racism. The anger, the bile, the disgust of the neoliberal regime and its apologists is, however, too easily dismissed as ignorance, or mere chauvinism. It is, rather, the rage of the lion at the antelope: the despising of the people upon whose misery the elite feed to support their own wealth and privilege. Claims of supporting the long-term unemployed, the family, industriousness, wayward youth, British culture, law and order and the work ethic are primarily ideological reflections of a material, systemic impulse towards the super-exploitation of women, single parents, young people, paupers and immigrants amidst a miasma of poverty and disciplinary control engulfing the UK. Workfare has been a major engine driving the growth of this miasma—as similar schemes have also been in all earlier iterations of British capitalism. With the shifting of significant tax revenues from one group of working people to support the low wages of another, this overall project can be described as transforming Britain in to a workfare-dependent economy.

In 2014, numbers of in-work housing benefits claimants rose 59% to 936,964, from 586,181 in 2010.<sup>237</sup> The government’s ambition to harmonise in-work benefits with workfare has already been signalled, with welfare minister Lord Freud stating in 2012 that ‘*obviously, we are interested in [...] extending conditionality to claimants who are in relatively substantive levels of work but who are nevertheless capable of working more. A conditionality regime can play an important role in encouraging such claimants to progress towards more self-sufficiency*’.<sup>238</sup> The paradox of an unremitting expansion of the seemingly failing workfare regime is only solved when these events are viewed via the Marxist socio-economic lens: a disciplined and super-exploited workforce, and a growing reserve labour army, are the raw dinner-meat of the well-fed lions of the neoliberal jungle. Continued poverty and exploitation is, for the bourgeoisie, a tremendous success.

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<sup>238</sup> HANSARD, ‘Welfare Reform Bill, Third Reading’, House of Lords, 31 January 2012, p. 3.

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# ***La construction d'une déviance religieuse et politique : les musulmans britanniques***

Olivier ESTEVES & Romain GARBAYE

*Lille III, Paris III*

Qu'on l'appelle, en langue anglaise, *islamophobia* ou *anti-Muslim prejudice*<sup>1</sup>, le sentiment antimusulman est assez profondément ancré en Grande-Bretagne. Il n'est donc pas surprenant que certains chercheurs aient pensé à réactiver la théorie de la « panique morale » de Stanley Cohen pour rendre compte de l'hostilité vis-à-vis de ce groupe stigmatisé. George Morgan et Scott Poynting, dans un ouvrage collectif, insistent sur le caractère global et permanent de la « panique morale » autour des musulmans<sup>2</sup>, là où Stanley Cohen évoquait, dans son étude désormais classique, le caractère de volatilité de ces paniques. Les rôles d'entrepreneurs moraux (*moral entrepreneurs*) et de bouc-émissaires (*folk devils*) peuvent être assez fluctuants selon les contextes, notamment pour les premiers. Dans l'histoire, il est difficile par exemple d'assigner un rôle spécifique aux autorités publiques britanniques, nationales ou locales : les politiques multiculturelles du passé et le dialogue actuel avec les associations musulmanes dans le cadre de l'anti-terrorisme, fût-il tendu, rendent difficile de ranger l'État dans la catégorie des « entrepreneurs moraux », laquelle renvoie davantage à une partie de la sphère médiatique.

On peut également voir cette atmosphère de suspicion à l'égard d'un groupe comme une sorte de « sens commun », c'est-à-dire un sentiment largement répandu ne nécessitant pas d'explication spécifique pour être légitimé aux yeux d'une partie de l'opinion publique, et ne suscitant guère l'embarras d'être taxé de « racisme » si on l'exprime ouvertement. Edward Saïd avait déjà, en 1980-1981, évoqué cette dimension naturelle du sentiment anti-musulman, à travers le traitement médiatique américain de la révolution iranienne<sup>3</sup>. Et c'est cette même dimension qui fut reprise lorsqu'en 1997, le *Runnymede Trust* anglais publia son rapport *Islamophobia : A Challenge for Us All*, lequel contribua très activement à imposer le terme *islamophobie* dans le débat public<sup>4</sup>. Dans les pages qui suivent, nous souhaitons décrire une partie de la construction historique de ce sens commun, avant d'en analyser quelques illustrations médiatiques, en l'occurrence télévisuelles. Enfin,

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<sup>1</sup> Sur les enjeux politiques de ce choix, voir Olivier ESTEVES, *De l'invisibilité à l'islamophobie : les musulmans britanniques (1945-2010)*, Paris, Presses de Sciences-Po, 2011, pp. 239-245.

<sup>2</sup> George MORGAN & Scott POYNTING (eds), *Global Islamophobia : Muslims and Moral Panic in the West*, Farnham, Ashgate, 2012.

<sup>3</sup> Edward SAÏD, *Covering Islam : How the Media and Experts Determine How We See the Rest of the World*, Londres, Vintage, 1997 (1981).

<sup>4</sup> Gordon CONWAY (ed.), *Islamophobia : A Challenge for Us All*, Londres, Runnymede Trust, 1997, pp. 10-11.

nous traiterons de la manière dont l'antiterrorisme sous Blair et Cameron a pu, *in fine*, contribuer à la perception d'une stigmatisation de tout un groupe.

### ***Le triple péril d'un groupe perçu comme déviant, uni et en expansion***

#### *Avant l'émergence de l'islam*

Dans une étude portant, à la fin des années 1960, sur les relations entre ouvriers britanniques blancs et immigrés du nouveau Commonwealth, Peter L. Wright note le contraste patent entre l'appréciation dominante vis-à-vis des Caribéens et vis-à-vis des Pakistanais. Des premiers, il est systématiquement dit que « *la seule différence entre eux et nous, c'est la couleur* ». Des seconds par contre, on déplore « *les habitudes de vie* », « *les coutumes étranges* », « *l'hygiène différente de la nôtre* »<sup>5</sup>. Ceci atteste que les référents culturels négatifs liés à l'islam ne sont pas, jusqu'au milieu ou la fin des années 1980, exprimés en termes ouvertement antimusulmans. Comme le montrent les premiers incidents de *Paki-bashing* dans des villes du Yorkshire et du Lancashire, c'est souvent alors à travers la *nationalité* pakistanaise interprétée comme culture déviante que l'on stigmatise l'étrangeté des immigrés, rappelée dans l'étude locale menée par le journaliste Jeremy Seabrook à Blackburn :

*Il existe une sorte de spectre populaire, auquel il est toujours fait référence au singulier, et qui est un condensé des aspects les plus repoussants des immigrés de la ville. Son nom est 'Packie Stan'. Il tue des moutons et des poulets dans son arrière-cour, ses enfants urinent sur les poteaux électriques, il possède une très grande famille, et partout où il va le prix de l'immobilier s'effondre*<sup>6</sup>.

Plus de deux décennies avant que soient imposés dans le débat public, souvent de façon univoque et déterministe, des termes comme *fatwa*, *sharia* ou *jihad*, on assiste ici, dans les zones de forte immigration musulmane du sous-continent indien (Birmingham, Bradford, Blackburn par exemple), à la constitution d'une figure de repoussoir absolu permettant aux Britanniques « blancs » d'appréhender en termes rassurants leur propre identité : civilisation qui interdit la violence faite aux animaux, propreté et bienséance, sens de la modération qui décourage, si l'on vit chichement, de constituer de trop grandes familles, enfin *fair play* et détestation de l'injustice.

#### *Les Versets Sataniques*

L'association des termes *islam* et *musulman* à ces figures de repoussoirs coïnciderait avec des scandales locaux à retentissement national (par exemple

<sup>5</sup> Voir Peter L. WRIGHT, *The Coloured Worker in British Industry*, Oxford University Press, 1968, pp. 189-190.

<sup>6</sup> Cité dans Jeremy SEABROOK, *City Close-Up*, Harmondsworth, Penguin, 1971, p. 44.

l'affaire Honeyford à Bradford<sup>7</sup>, 1984-1985) et un scandale national aux ramifications et au retentissement international : l'affaire des *Versets Sataniques* (1988-1989), qui mit les musulmans britanniques sur le devant de la scène médiatique et politique pendant de longs mois. Hélas, les enjeux de cette affaire éminemment complexe sont difficilement résumables en quelques paragraphes<sup>8</sup>. Disons simplement que, par un effet d'intériorisation et de retournement du stigmatisme proche des analyses classiques d'Erving Goffman, beaucoup de musulmans britanniques prirent pleinement conscience de leur identité religieuse à ce moment-là, comme le raconte le journaliste A. Yawar : « *C'est Salman Rushdie qui, malgré lui, nous a fait comprendre qu'en tant que communauté, c'était avant tout la religion musulmane qui nous définit* »<sup>9</sup>.

Cette affaire que l'ex-président des États-Unis Jimmy Carter qualifia de « *blessure interculturelle difficile à cicatriser* » illustre entre autres l'émergence de la deuxième génération de musulmans issus du sous-continent indien, dont les difficultés principales ressemblaient à celles des deuxièmes générations de Caribéens : chômage de masse, désindustrialisation, attentes fortes par rapport à l'État providence au moment même où la décennie Thatcher venait de remettre en cause certains de ses fondements, insultes et violences racistes, discriminations, etc. On ajoutera à ces problèmes l'émergence d'un nouvel ennemi de l'intérieur, l'islam et/ou les musulmans, qui nourrit une thématique national-sécuritaire dont la force serait fonction de l'actualité internationale, de la politique étrangère britannique, ainsi que de l'effacement de l'Union Soviétique comme figure de l'ennemi.

Une autre spécificité musulmane en Grande-Bretagne prenait, et prend toujours pour beaucoup, la forme d'une déviance apparente. En effet, contrairement à une majorité de Britanniques largement sécularisés, beaucoup de musulmans considèrent que l'élément religieux est au centre de leur identité individuelle et de groupe. Certes, différents témoins locaux constatèrent que, pendant la crise des *Versets Sataniques*, les mosquées, notamment à Bradford où la mobilisation fut très forte, n'étaient pas plus remplies que d'habitude. La raison en est que cette identité religieuse doit avant tout s'appréhender comme un sentiment d'appartenance (*belonging*) à un groupe, plus que comme croyance ou que comme pratique religieuse. La force de ce sentiment irait croissant à mesure qu'une grande partie de ce groupe se sentirait stigmatisée pour son caractère archaïque, homophobe, machiste, hypocrite, violent, obscurantiste, etc.

#### *L'entrée en statistiques*

Cette ambiguïté sur le sens attribuable à « l'identité musulmane » serait largement débattue avant la mise en place d'une question religieuse – la seule à être facultative – dans le recensement à partir de 2001. Dès 1997, Leslie Francis,

<sup>7</sup> Ray Honeyford, principal du collège Drummond à Bradford, avait publié en 1984 un article critiquant les effets du multiculturalisme sur l'éducation dans la *Salisbury Review*, magazine conservateur dirigé par le philosophe Roger Scruton. Accusé de racisme, Honeyford a été démis de ses fonctions avant d'être réinstauré par la Haute Cour de justice.

<sup>8</sup> Voir Olivier ESTEVES, *op. cit.*, pp. 137-149.

<sup>9</sup> Cité dans *Q-News*, mars 1999.

travaillant pour l'*Office of National Statistics*, fit savoir qu'il était préférable d'envisager la question religieuse sous l'angle de l'affiliation (*affiliation*) plutôt que sous celle de la croyance (*belief*) ou de la pratique (*practice*)<sup>10</sup>.

Le *Muslim Council of Britain*, constitué en 1997, a fait activement campagne pour l'introduction de cette question religieuse. Celle-ci permettrait, comme le dit un tract en trois langues – anglais, urdu, bengali – largement diffusé peu avant la tenue du recensement de 2001, de faire entendre la voix de la « communauté » en vue de la mise en place d'écoles musulmanes publiques (*the type of schools we need*) et afin de s'assurer que les musulmans soient égaux aux non-musulmans dans l'accès au logement et à la santé – sans oublier que, selon le MCB, « l'identité musulmane, par opposition à l'identité raciale ou ethnique, obtiendra une reconnaissance publique plus grande »<sup>11</sup>.

Nonobstant l'enthousiasme du MCB, cette question ne faisait pas consensus parmi les premiers intéressés. Syed Aziz Pasha, président de l'Union des Organisations Musulmanes (institution créée avant le MCB), pensait que de telles statistiques n'ont pas de raison d'être (*irrelevancy*). Le Dr Zaki Badawi, très respecté fondateur du *Muslim College* de Londres, évoquait le risque d'une utilisation de ces données à des fins sécuritaires et par les services de renseignement internationaux. Enfin, on peut imaginer qu'une certaine proportion des premières générations d'immigrés pakistanais souhaitait conserver un profil bas et ne pas s'imposer de la sorte dans le débat public. À ce titre, l'attitude décrite ici peut relever du caractère apolitique des classes ouvrières décelé dans l'étude classique de Richard Hoggart<sup>12</sup>, à ceci près que les ouvriers en question s'appellent Khan plutôt que Smith.

Une atmosphère de plus en plus pesante pour les musulmans, qui prend la forme d'une sorte de *white backlash* dénonçant ces minorités exigeant toujours plus de « privilèges », a eu plusieurs conséquences négatives découlant de l'instauration de ces statistiques<sup>13</sup>. Par exemple, il existe une vraie crainte quant à l'accroissement important du nombre de musulmans, confirmé statistiquement entre 2001 et 2011 : on est passé de 1,6 millions à 2,7 millions, soit de 3 % à 4,8 % de la population totale, une hausse proportionnelle de 60 %. L'objectivation de ce groupe par la « politique des grands nombres »<sup>14</sup> alimente un puissant effet de généralisation que confirme l'usage routinier, dans le vocabulaire politique et médiatique, de « communauté » musulmane. Le plus souvent, ces chiffres sont déconnectés des statistiques ethniques, ce qui empêche de prendre conscience de la diversité ethnique

<sup>10</sup> Voir Jamil SHERIF, « A Census Chronicle : Reflections on the Campaign for a Religion Question in the 2001 Census for England and Wales », *Journal of Beliefs and Values : Studies in Religion & Education*, vol. 32, n° 1, 2011, p. 4.

<sup>11</sup> Voir Jamil SHERIF, art. cit., p. 15.

<sup>12</sup> Richard HOGGART, *The Uses of Literacy : Aspects of Working-Class Life*, Londres, Penguin Classics, 2009 (1957).

<sup>13</sup> Il ne s'agit pas du tout ici de prendre une position générale et négative sur les statistiques ethniques et religieuses en tant que telles, mais plutôt d'en percevoir certains effets pervers, dans le cas des musulmans et de la Grande-Bretagne.

<sup>14</sup> On reprend ici l'expression d'Alain DESROSIÈRES dans *La politique des grands nombres : histoire de la raison statistique*, Paris, La Découverte, 1993.

croissante du groupe musulman, entre 2001 et 2011. Enfin, la question religieuse n'inclut pas de sous-catégorie d'obédiences musulmanes distinctes. Pour information, le groupe chrétien est subdivisé en « protestants » et « catholiques », explicable par ce qui demeure l'antagonisme religieux principal dans l'histoire des îles britanniques.

### *Le prisme ethno-racial de quelques programmes télévisés*

Il est impossible ici de prétendre à l'exhaustivité. Aussi a-t-il été nécessaire de faire des choix, se limitant à des émissions télévisées, principalement de type documentaire<sup>15</sup>, diffusées depuis 2000 et qui ont connu un vrai retentissement<sup>16</sup>. Ces émissions sont de deux types : premièrement, des programmes qui posent la question de la marginalisation croissante de ce « *groupe social fantasmé* »<sup>17</sup> que sont les « petits blancs » de la société britannique. Deuxièmement, des programmes qui posent directement la question de l'intégration des musulmans en Grande-Bretagne, pour tout un faisceau de raisons. Parmi les premières, nous avons choisi *White Season* (BBC 2 2008)<sup>18</sup>, *White Tribe* (Channel 4, 2000), *Make Bradford British* (Channel 4, 2012) et *Immigration : The Inconvenient Truth* (Channel 4, 2008) ; parmi les secondes *Panorama : Muslim First, British Second* (BBC 1, 2009), *Undercover Mosque* (Channel 4, 2007), *Undercover Mosque (The Return)* (Channel 4, 2008) et *Muslims vs. Free Speech* (Channel 4, 2006).

#### *Des titres trompeurs*

Disons d'emblée qu'aucune de ces émissions n'est caricaturale dans son contenu. Toutes sont assez précisément documentées et illustrées, et veillent soigneusement à nuancer leur propos d'ensemble. Mais plusieurs titres en trompe l'œil font apparaître un manichéisme qui saura accrocher un public avide de raccourcis ethno-religieux. Exemple : *Make Bradford British*, série de deux reality-shows, parle pour lui-même, et semble confirmer l'expression populaire de *Bradistan*, souvent attachée à cette ville incarnant, depuis Honeyford et les *Versets Sataniques*, l'obscurantisme supposé des musulmans et leur mal-être post-industriel. Pourtant, l'expression fait en réalité référence, dans le cadre de l'émission, au test de citoyenneté auquel ont été soumis une centaine de Bradfordiens de toutes origines : 90 % des personnes sondées ont échoué à ce test, ce qui tend à contredire l'impression véhiculée par le seul titre de l'émission à l'aune de la réputation nationale de Bradford.

<sup>15</sup> *Make Bradford British* est davantage un *reality show*, *Muslims vs. Free Speech* un débat en public, où l'on demande à ce dernier de réagir et à la fin de voter.

<sup>16</sup> Les chiffres de l'audimat ne prennent pas hélas en compte le visionnage sur V.O.D, sur *Youtube*, ainsi que l'éventuel téléchargement illégal, certes moins important pour les documentaires que les séries.

<sup>17</sup> L'expression est d'Éric Fassin, qui la justifie en arguant que « c'est une manière d'opposer classe et race, comme si les classes populaires étaient nécessairement blanches, et comme si les sujets racialisés n'appartenaient forcément pas au peuple » (Eric FASSIN, Carine FOUTEAU, Serge GUICHARD & Aurélie WINDELS, *Roms et riverains : une politique municipale de la race*, Paris, La Fabrique, 2014, p. 58).

<sup>18</sup> De cette série de six documentaires seuls trois ont été considérés : « All White in Barking », « Last Orders » et « White Girl ».

Enfin, les titres *Muslim First, British Second* ainsi qu'*Immigration : The Inconvenient Truth* (réalisé par Rageh Omaar) sont tout aussi trompeurs dans la manière dont ils simplifient considérablement leur contenu. Les très nombreuses personnes qui n'auront jamais d'autre connaissance de ces programmes que leur titre, découverts dans la page « Télévision » des journaux ou sur internet, permettent de conclure que ces titres eux-mêmes participent activement à la construction de ce « sens commun » dont il est question dans cet article.

*Une lecture ethno-raciale du monde social*

Commentant le ressentiment des « petits blancs » qui s'exprime dans son documentaire, Rageh Omaar dit que « *cela n'est pas le racisme des 'rivières de sang', c'est une affaire d'espèces sonnantes et trébuchantes* »<sup>19</sup>, confirmant le primat économique qui domine. Même si l'on pourrait avoir l'impression qu'un tel type d'approche est aveugle à la couleur et à l'ethnicité, on comprend que là comme ailleurs (*White Season, Make Bradford British*), on oppose très souvent les intérêts des « petits blancs » dont « on ne parle jamais », ne cesse-t-on de répéter, et ceux des minorités ethniques, des immigrés, des musulmans de Bradford et d'ailleurs, etc. On omet presque toujours de faire référence à la majorité des musulmans britanniques comme à une classe ouvrière, et l'appréhension du monde social est largement conditionnée par une lecture ethno-raciale des relations entre groupes. Ainsi, dans *Make Bradford British*, on entend Audrey, patronne de pub, constater que son « *affaire a beaucoup souffert parce que les gens ne veulent plus aller dans le centre-ville* », juste après avoir fait remarquer que « *les gens sont très agacés parce que certains groupes dans la société ne veulent pas du tout vivre avec les autres* ». Les multiples raisons socio-économiques du déclin de ce centre-ville (fuite des classes moyennes dans les banlieues résidentielles, sous-investissement chronique, mauvaise gouvernance, fermeture de magasins de chaînes jugés pas assez rentables, fermetures dues à la crise [Zavvi, ex-Virgin], concurrence de Leeds à quelques kilomètres) sont escamotées par un « communautarisme » musulman décrit avec la prudence d'usage.

Ce qu'illustre en réalité la première série de programmes considérée ici, c'est la profonde crise d'identité que traversent les Britanniques, et surtout les Anglais, comme le soulignait déjà Darcus Howe dans *White Tribe* en 2000. Une partie de cette Grande-Bretagne considère que l'on fait trop de cas des minorités dans les médias, et surtout des musulmans, tandis que ces derniers considèrent, de leur côté, qu'ils font l'objet d'une stigmatisation croissante, exacerbée depuis les attentats de Londres. Le problème est que, chez les premiers, « parler des musulmans », fût-ce en termes négatifs, cela veut dire « ne pas parler d'eux-mêmes », comme le regrette une dame du public interrogée à la fin de l'émission *Muslims vs. Free Speech* : « *On en fait trop sur les sentiments musulmans, on est trop sensibles ; ce pays est chrétien... à la base... donc quand est-ce qu'on fera entendre notre point de vue ? On passe trop de temps sur le problème musulman* ». Après quoi le large public en plateau est invité à répondre à la question : « *Les musulmans menacent-ils la liberté d'expression ?* ». Une fois avoir entendu les plaidoiries opposées d'Imran Khan et

<sup>19</sup> *Daily Mail*, 11 avril 2008. La version anglaise dit : « This is not the racism of 'Rivers of Blood', it is about pounds in pockets ».



de Kenan Malik, le public répond oui à 48 %, non à 52 %. Il y a beaucoup de musulmans dans le public.

### *Les radicalismes musulmans*

On souhaiterait enfin dire un mot des deux documentaires *Undercover Mosque*, diffusés sur Channel 4 en 2008 et 2009. Ce type d'émission fournit un contexte d'ensemble à la manière dont David Cameron, une fois au pouvoir, s'est mis à revoir la politique de financement d'associations musulmanes dans le but de lutter contre la radicalisation violente des musulmans, dès le lendemain de son discours de Munich (5 février 2011)<sup>20</sup>. Comme Richard Watson l'évoque dans *Muslim First, British Second*, une partie de la difficulté consiste ici à définir ce que l'on entend par « radicalisme musulman » : de nombreux prêcheurs radicaux, stars de l'internet auprès d'un certain public, condamnent le terrorisme (souvent de façon assez molle) tout en tenant des propos violemment sexistes, homophobes, antisémites, anti-démocratiques, diffamatoires à l'égard des « infidèles » (*kaffir, kuffaar*). Ce que fait régulièrement *Undercover Mosque*, c'est dénoncer, images à l'appui, le *Janus Bifrons* de figures et d'associations musulmanes parfois incluses dans le programme *Prevent Violent Extremism*, dont il sera question un peu plus loin. De manière systématique, l'influence toxique d'un wahabbisme saoudien qui bénéficie de financements considérables est dénoncée pour le séparatisme et le violent racisme anti-*kuffaar* qu'il véhicule de façon couverte : de Birmingham au centre de Londres en passant par Derby, le constat est assez implacable, et il est surtout accablant pour un allié économique et stratégique central de la Grande-Bretagne.

Mais ce que n'évoquent pas les documentaires en question, c'est la sociologie de ces jeunes musulmans britanniques réellement ou potentiellement tentés par le *jihād* violent, pas plus qu'ils n'évoquent la politique étrangère britannique (en Irak, en Israël, en Afghanistan) comme cause fondamentale de la radicalisation de certains musulmans. Si un documentaire ne peut certes pas « tout dire », l'escamotage de ces dimensions est à regretter. Enfin, l'insistance (légitime) sur le rôle des convertis britanniques dans la radicalisation donne à penser que l'empiètement de l'islam s'apparente à une sorte d'épidémie mortifère, sévissant jusque dans les régions du pays où l'on ne s'y attendrait pas, à l'image de Plymouth, avec l'épisode du converti Nicky Reilly<sup>21</sup> résumé dans *Muslim First, British Second*. Raphael Liogier a bien montré la façon dont les fantasmes sur la menace d'une *Eurabia* insistaient souvent sur le rythme de ces conversions, pourtant beaucoup moins rapide que les conversions au néo-évangélisme et au pentecôtisme<sup>22</sup>. Enfin, l'insistance sur les délires rhétoriques de prêcheurs de haine tend à confirmer l'anormalité des jeunes radicaux musulmans nés en Grande-Bretagne. Comme le dit Marc Sageman, « nous avons tellement envie de croire que les terroristes sont

<sup>20</sup> Voir « Cameron Begins Extremism Crackdown as Cash Withheld from 'Suspect Groups' », *Guardian*, 6 février 2011.

<sup>21</sup> À Exeter, le 22 mai 2008, ce jeune converti de Plymouth a tenté de faire exploser une bombe dans un café. Il a été le seul blessé.

<sup>22</sup> Voir Raphael LIOGIER, *Le Mythe de l'islamisation : essai sur une obsession collective*, Paris, Seuil, 2012, pp. 73-80.

*différents de nous que nous sommes prêts à croire presque n'importe quoi sur eux* »<sup>23</sup>. De façon générale, malgré la prudence didactique de l'ensemble, malgré les entretiens avec des musulmans modérés, ce type de programme risque de confirmer auprès d'un large public que l'islam *en tant que tel* pose problème dans une démocratie moderne, voire que la religion est en train de menacer l'identité britannique elle-même. La conclusion à en tirer est un constat d'aporie : tout ceci n'attisera que « *l'hypersensibilité à la critique* »<sup>24</sup> d'une partie du groupe musulman, tout en confirmant aux yeux d'une partie de l'opinion publique « *qu'on passe trop de temps sur le problème musulman* ».

### ***L'antiterrorisme et la construction de « communautés suspectes » dans les politiques publiques***

Le développement de la législation anti-terroriste depuis 2000 a eu un impact négatif sur la citoyenneté des musulmans. Comme le montrent Pantazis et Pemberton<sup>25</sup>, qui eux-mêmes inscrivent leur travail dans celui de Hillyard<sup>26</sup>, les évolutions législatives des dernières décennies renforcent les pouvoirs policiers et judiciaires dans le domaine de l'anti-terrorisme, et ces pouvoirs forment la base d'un continuum de mesures qui, prises ensemble, fragilisent *de facto* les droits des populations considérées et font porter le soupçon sur elles dans leur ensemble. Ces populations ne sont pas désignées explicitement dans les textes, qui restent à portée universelle et non-discriminatoire, mais leur mise en œuvre débouche directement sur le ciblage de groupes donnés considérés comme des « communautés suspectes » (« *suspect communities* », pour reprendre la notion forgée par Hillyard à propos des effets de l'anti-terrorisme sur les Irlandais dans les années 1980), qui sont le plus souvent les musulmans, ou parfois ceux qui sont considérés de manière erronée comme tels en raison de leur apparence. Les populations issues de « minorités ethniques » (*Black and Minority Ethnic*, soit BME, dans le vocabulaire britannique actuel) non-musulmanes subissent aussi par association les effets délétères de l'anti-terrorisme.

La législation actuelle est basée sur le *Prevention of Terrorism Act* (PTA) de 1974, voté dans le contexte de la violence politique liée à la question nord-irlandaise. Cette loi a ensuite été étendue au terrorisme international et a été encore amendée en 1995 pour criminaliser la possession de ressources qui peuvent être utilisées en vue de commettre des actes de terrorisme. En 1998, le *Criminal Justice (Terrorism and Conspiracy) Act* a fait de la conspiration à commettre des actes de terrorisme à l'étranger un crime qui peut être jugé en Grande-Bretagne<sup>27</sup>. Cette

<sup>23</sup> Marc SAGEMAN, *Leaderless Jihad: Terror Networks in the Twenty-first Century*, Philadelphie, University of Pennsylvania Press, 2008, p. 62.

<sup>24</sup> Cette expression de Maxime Rodinson est à l'origine appliquée aux juifs (voir *Peuple juif ou problème juif ?*, Paris, La Découverte, 1997, p. 250).

<sup>25</sup> Christina PANTAZIS & Simon PEMBERTON, « From the 'Old' to the 'New' Suspect Community: Examining the Impacts of Recent UK Counter-terrorist Legislation », *British Journal of Criminology*, vol. 49, 2009, pp. 646-666.

<sup>26</sup> Paddy HILLYARD, *Suspect Community: People's Experience of the Prevention of Terrorism Acts in Britain*, Londres, Pluto Press, 1994.

<sup>27</sup> Christina PANTAZIS & Simon PEMBERTON, art. cit.

évolution législative a facilité la construction d'une série de communautés immigrées comme cibles des mesures sécuritaires dans les années 1990 – les communautés réfugiées d'Algérie, d'Égypte, du Pakistan, d'Arabie Saoudite ou du Cachemire, toutes musulmanes. Cette tendance est apparue encore plus clairement après les attentats contre les ambassades des États-Unis à Nairobi et Dar-es-Salaam en 1998<sup>28</sup>.

Ces lois ont formé le socle du *Terrorism Act* de 2000 qui est depuis devenu le texte central de la législation anti-terroriste. Cette loi a confirmé de manière permanente les pouvoirs du PTA de 1974, qui n'étaient que provisoires, et elle a aussi inclus une nouvelle définition large du terrorisme, désormais défini comme « toute action ou menace contre une personne, une propriété ou un système électronique conçue pour influencer les gouvernements, intimider le public ou des parties du public dans le but de promouvoir une cause politique, religieuse ou idéologique ». Cette définition est délibérément large car l'objectif de la loi est avant tout de faciliter le travail d'enquête de la police, non pas de servir de base à des poursuites criminelles<sup>29</sup>.

Parmi les mesures qui contribuent le plus directement à faire peser le soupçon sur des populations entières, on note la section 43 de la loi, qui accorde à la police la possibilité de fouiller des individus sur la base de « soupçons raisonnables » (*reasonable suspicion*). Plus encore, la section 44 et 45 leur permet d'arrêter les individus dans des zones délimitées en cas de soupçons de terrorisme. Ceci permet le ciblage de zones précises et a ainsi été beaucoup utilisé par les forces de police. La section « *schedule 7* » de la loi a aussi accordé à la police la possibilité d'opérer dans les ports et aéroports des fouilles (« *stop and search* ») sur les personnes soupçonnées de commettre ou de préparer un acte terroriste. Notons enfin la possibilité pour le *Home Secretary* d'interdire des groupes considérés comme terroristes. En 2009, 59 groupes avaient été interdits sur cette base. Les personnes liées à ces groupes, y compris dans le cadre d'activités non-violentes, peuvent aussi être inquiétées.

Depuis, une série de textes a aussi contribué à développer davantage encore ces pouvoirs. Le *Prevention of Terrorism Act* de 2005 a introduit les *control orders* qui permettent la restriction des libertés individuelles (de diverses manières, allant de l'interdiction de rencontrer certaines personnes à l'assignation à résidence) sur ordre du *Home Secretary*. Cette mesure a permis la détention à domicile à la fois d'étrangers et de Britanniques, sur simple soupçon des services secrets<sup>30</sup>. Les *control orders* ont été ensuite remplacés par d'autres mesures comparables dans le *Terrorism Prevention and Investigation Measures Act* de 2011. Par ailleurs, le *Terrorism Act* de 2006, voté après les attentats de juillet 2005, a étendu la détention avant inculpation à 28 jours dans les affaires liées au terrorisme (elle avait été fixée

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<sup>28</sup> *Ibid.*, p. 652.

<sup>29</sup> Voir Tufyal CHOUDHURY & Helen FENWICK, *The Impact of Counter-Terrorism Measures on Muslim Communities*, Londres, Equality and Human Rights Commission, Research Report n° 72, 2011.

<sup>30</sup> Voir Arun KUNDNANI, *Spooked! How Not to Prevent Violent Extremism*, Londres, Institute of Race Relations, 2009, p. 175.

à 7 jours par le *Terrorism Act* de 2000, puis progressivement allongée). Cette durée maximum a été mise en œuvre jusqu'en juillet 2011 mais n'a pas été renouvelée depuis<sup>31</sup>. La loi de 2006 a aussi criminalisé « *l'incitation au terrorisme* », l'aide à la formation et le fait de suivre une formation terroriste, permettant ainsi à la police d'intervenir avant que les détails précis d'un projet d'attentat ne soient connus.

*La stratégie antiterroriste des « quatre P » et le programme Prevent*

La stratégie anti-terroriste CONTEST, initialement lancée en 2003, inclut quatre piliers, baptisés *Prevention*, *Pursuit*, *Protection* et *Preparedness* – les « quatre P ». *Protection* et *Preparedness* couvrent respectivement la protection des sites sensibles susceptibles d'être visés par des attentats et la préparation de plans gouvernementaux de gestion des suites d'une attaque. *Pursuit* désigne la lutte policière et judiciaire contre le terrorisme : la détection et l'identification des réseaux et des individus préparant des attentats, que ce soit sur le territoire national ou à l'étranger, et l'engagement de poursuites contre eux.

*Prevent* (ou PVE, *Preventing Violent Extremism*), le pilier le plus original et le plus novateur, est un programme conçu pour réduire la tendance de certains individus à dériver vers l'extrémisme violent, de manière à endiguer la capacité de recrutement des réseaux terroristes ou à prévenir les dérives individuelles vers « l'auto-radicalisation ». Sous ce chapeau se retrouvent des tentatives gouvernementales d'intervenir dans les débats sur l'interprétation de l'islam, en encourageant des approches de la religion et des pratiques religieuses qui sont vues par les autorités comme moins susceptibles de conduire à l'extrémisme violent. Un volet fondamental de cette politique consiste à financer nombre de partenariats entre les autorités locales et ce que l'on peut appeler la société civile musulmane (soit un large éventail d'associations, d'organisations musulmanes et de mosquées) pour développer tous types de programmes et d'activités de création de « capital social », de dialogue inter-religieux et interculturel (de l'alphabétisation à des pièces de théâtre mettant en scène des dialogues entre les religions, en passant par le parascolaire, la lutte contre la drogue ou des actions sur la santé). Dans sa première mouture, les objectifs officiels de *Prevent* se décomposaient de la manière suivante :

1. S'attaquer aux désavantages et encourager les réformes – aborder les problèmes structurels en Grande-Bretagne et à l'étranger tels que les inégalités et les discriminations ;

2. Dissuader ceux qui facilitent le terrorisme et ceux qui encouragent les autres à devenir des terroristes – changer l'environnement qui permet d'encourager l'extrémisme et la violence terroriste ;

3. S'impliquer dans la bataille des idées – défier les idéologies qui, selon les extrémistes, justifient l'usage de la violence, essentiellement en aidant les musulmans qui le souhaitent à contester ces idées<sup>32</sup>.

<sup>31</sup> Tufyal CHOUDHURY & Helen FENWICK, *op. cit.*

<sup>32</sup> Cité dans Charles HUSBAND & Yunis ALAM, *Social Cohesion and Counter-terrorism : A Policy Contradiction ?*, Bristol, Policy Press, 2011, p. 69.

Les fonds gouvernementaux alloués à *Prevent* ont été officiellement consacrés à financer divers types de « communautés locales » (*local communities*) considérées comme recelant en leur sein des individus présentant des risques de radicalisation et de violence politique. Cependant, en pratique, ils ont été essentiellement attribués à des organisations musulmanes. Au début de sa mise en œuvre, la proportion de musulmans dans la population totale d'une localité était même le critère central d'attribution des fonds aux autorités locales. Les institutions municipales, des groupes professionnels comme les travailleurs sociaux ou les animateurs de jeunesse (*youth workers*) ont joué un rôle dans de nombreuses localités pour développer des projets avec une variété d'organisations musulmanes locales.

En 2009, le gouvernement a tenté d'améliorer cette version initiale du programme dans le contexte de la révision de CONTEST dans son ensemble, ce qui a débouché sur CONTEST II. Dans ce cadre, *Prevent* se retrouvait doté de 5 objectifs : défier l'idéologie qui sous-tend l'extrémisme violent et soutenir les voix « *mainstream* » ; neutraliser (*disrupt*) ceux qui promeuvent l'extrémisme violent et soutenir les institutions vulnérables ; augmenter la capacité de résistance (*resilience*) des communautés face à l'extrémisme violent ; s'attaquer aux doléances (*grievances*) exploitées par les idéologues<sup>33</sup>.

On voit se dégager dans le mélange complexe d'objectifs des deux versions une focalisation sur la capacité de résistance des « communautés » à la pénétration d'idées extrémistes violentes et une volonté de « *changer l'environnement* » (comprendre l'environnement social, culturel, religieux et idéologique) dans lequel les idéologues extrémistes sont soupçonnés de recruter. On retrouve là l'influence de plusieurs approches de politiques publiques antérieures. Il faut noter d'abord une certaine continuité avec l'approche adoptée contre la violence politique en Irlande du Nord : non seulement le *Terrorism Act* de 2000 reprend le PTA de 1974, mais le programme PVE reprend aussi la pratique du partenariat communautaire et du soutien aux actions sociales menées localement dans les communautés catholiques d'Irlande du Nord il y a une trentaine d'années, pour l'appliquer aux musulmans de l'après 2005. À cela il faut ajouter l'influence plus récente de la notion de « *new terrorism* », venue du monde universitaire et des *think tanks* américains, qui désigne le terrorisme international de l'après guerre-froide. Dans cette perspective, les revendications terroristes sont plus complexes que de simples questions territoriales ou politiques et il faut y voir un plus grand poids de sentiments identitaires et/ou religieux. Enfin, PVE dans toutes ses versions repose sur une construction de la « communauté » et de son rôle dans la prévention de troubles à l'ordre public, qui fait directement écho au concept de *community cohesion*. Ce concept a été lancé par une série de rapports après les émeutes du nord de l'Angleterre en 2001 et a été largement repris comme objectif et principe organisateur de toute une série de politiques urbaines et sociales sous les gouvernements *New Labour* de 2001 à 2010. Dans les rapports sur les émeutes de 2001, la *community cohesion* désignait à la fois un idéal, celui d'une cohésion sociale dans laquelle les individus de toutes origines culturelles ou religieuses se retrouveraient à travers les « *valeurs partagées* » d'une identité britannique reconstruite (démocratie, droits de l'Homme, tolérance, justice), et un paradigme de politique publique dans les domaines de la politique scolaire, du

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<sup>33</sup> *Ibid.*, p. 73.

développement urbain, du travail social, de l'animation de jeunesse, consistant à encourager les interactions entre individus d'origines différentes, plutôt qu'entre individus d'origines semblables. En d'autres termes, la *community cohesion*, telle qu'elle se comprenait dans le contexte de la dernière décennie en Grande-Bretagne, représentait une tentative de réviser les principes multiculturalistes qui avaient largement droit de cité dans les politiques locales lors des deux décennies précédentes, pour avancer vers une approche plus « interculturaliste »<sup>34</sup>.

Même si l'objectif affiché – aider le tissu associatif musulman à se structurer, à mener des actions sociales et culturelles, enfin à tisser un dialogue interreligieux avec d'autres communautés religieuses – semble constructif, *Prevent* a fait l'objet d'intenses polémiques, et a été rejeté par de nombreuses associations concernées<sup>35</sup>. La stratégie révisée de *Prevent* présentée par le gouvernement de coalition Conservateurs-Libéraux démocrates à son arrivée en 2011 a incorporé certaines des nombreuses critiques qui ont été formulées à son encontre. Deux aspects en particulier se dégagent, tels que synthétisés par O'Toole, Jones et Dehanas<sup>36</sup>. Il s'agit d'abord du besoin de clarifier des objectifs particulièrement embrouillés et confus, notamment de distinguer parmi les activités financées par *Prevent* celles, d'une part, qui ne concernent que la cohésion sociale de celles, d'autre part, qui concernent le repérage de dérives individuelles potentiellement criminelles. Les critiques insistent ensuite sur le besoin de ne plus cibler seulement les communautés musulmanes et l'extrémisme islamiste, mais tous les types d'extrémisme, y compris ceux qui sont potentiellement à l'œuvre dans d'autres communautés, et notamment les « communautés blanches » (*white communities*) qui peuvent être concernées par des risques de radicalisation d'extrême droite (risques de violence contre les minorités, et notamment contre les musulmans ou ceux considérés comme tels). Malgré des tentatives gouvernementales pour prendre en compte ces critiques dans une reformulation de *Prevent* en 2011, les critiques les plus fondamentales contre *Prevent*, à savoir la stigmatisation de populations entières au nom de la prévention d'actes violents commis par une infime minorité et les tentatives étatiques d'orchestrer une évolution religieuse (*religious engineering*), demeurent sans réponse.

### ***La perception des politiques anti-terroristes : « citoyenneté déclinante » et cercle vicieux « sécurité-insécurité »***

Des travaux sociologiques récents suggèrent de manière convaincante que le faisceau de suspicions que font peser les politiques évoquées ci-dessus sur les populations musulmanes (ou celles considérées comme telles, à tort ou à raison, par les agents de l'État, les médias et l'opinion publique) ont un effet négatif sur la

<sup>34</sup> Voir le chapitre 2 de Romain GARBAYE, *Émeutes vs. intégration : comparaisons franco-britanniques*, Paris, Presses de Sciences-Po, 2011.

<sup>35</sup> Voir notamment Therese O'TOOLE, Daniel Nillson DEHANAS, Tariq MODOOD & Stephen JONES, *Taking Part : Muslim Participation in Contemporary Governance*, University of Bristol, Centre for the Study of Citizenship and Ethnicity, 2013.

<sup>36</sup> Therese O'TOOLE, Stephen H. JONES & Daniel Nillson DEHANAS, *The New Prevent : Will it Work ? Can it Work ? Muslim Participation in Contemporary Governance*, University of Bristol, Centre for the Study of Ethnicity and Citizenship, Working Paper n° 2, 2011.

citoyenneté de ces populations, telle qu'elle peut être ressentie et perçue par eux. En d'autres termes, ces citoyens britanniques se sentent l'objet de soupçons en raison de leurs origines, de leur culture ou de leur religion, vivent souvent dans la crainte d'être désignés comme suspects, et de ce fait ne peuvent réaliser pleinement l'exercice de leurs droits et devoirs comme les autres citoyens britanniques.

Dans leurs analyses des réactions de jeunes adultes d'origine pakistanaise aux discours politiques et médiatiques dominants sur la sécurité et l'antiterrorisme qui sous-tendent les politiques anti-terroristes, Mythen, Walkate et Khan soulignent leur malaise et leur difficulté à s'insérer pleinement dans « *l'espace contradictoire et ambigu qu'ils occupent en relation avec leurs valeurs et leurs identités* »<sup>37</sup>. Les participants à leurs enquêtes insistent en effet sur le fait qu'ils sont généralement présentés comme une population « à risque » tout en étant en fait des citoyens respectueux de l'ordre public (« *law abiding* »), voire en fait plus susceptibles d'être victimes d'actes criminels que le reste de la population. C'est ce que Mythen, Walkate et Khan appellent « l'inversion du risque » (*risk reversal*).

Sur la base d'une étude de groupes de discussions, comparant les réactions d'enquêtés « blancs » et *Blacks and Asians* à l'extension des pouvoirs judiciaires et policiers évoqués plus haut, Lee et Lister notent quant à eux que les *Blacks and Asians* ressentent un impact plus fort que les « blancs » de ces mesures sur leurs droits et sur leur capacité à participer politiquement. Au-delà, certains manifestaient une érosion de leur sentiment d'appartenance à la société, avec dans certains cas une tendance à réfléchir en termes de « eux » et de « nous »<sup>38</sup>. Certains évoquaient le sentiment d'être devenus des « citoyens de seconde zone ». Les difficultés croissantes à s'identifier à l'identité nationale avaient un effet délétère sur la perception des droits et des devoirs des individus, produisant un cercle vicieux de « citoyenneté déclinante » (*declining citizenship*). Ce processus, cependant, est inégal et dépend de perceptions individuelles préexistantes qui jouent un rôle significatif, certains individus souhaitant résister aux tentations du scénario « eux contre nous ».

Chez les musulmans interrogés par Mythen, Walkate et Khan, une réaction fréquente consiste à se tourner vers leur identité ethnique d'origine pour y trouver consolation et refuge, dans un contexte social et politique hostile. Ceci contribue à expliquer que l'islam ait pu devenir un marqueur identitaire en réaction directe à l'hostilité de la société majoritaire (*mainstream*) après le 11 septembre et les attentats de Londres de juillet 2005. Ces résultats suggèrent ainsi que les politiques anti-terroristes qui contribuent à ce climat d'hostilité peuvent *in fine* produire le contraire de l'effet recherché.

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<sup>37</sup> Gabe MYTHEN, Sandra WALKLATE & Fatima KHAN, « 'I'm a Muslim, But I'm Not a Terrorist' : Victimisation, Risky Identities, and the Performance of Safety », *British Journal of Criminology*, vol. 49, 2009, p. 740.

<sup>38</sup> Jarvis LEE & Michael LISTER, « Disconnected Citizenship : The Impacts of Anti-terrorism Policy on Citizenship in the UK », *Political Studies*, vol. 61, n° 3, 2013, pp. 656-675.

### *Conclusion*

La construction des musulmans comme des « communautés suspectes » et le sentiment, chez nombre d'entre eux, de faire l'objet d'une stigmatisation constante dépendent tout autant d'enjeux complexes de géopolitique et de politique étrangère britannique que de politiques intérieures en matière d'intégration, de sécurité, de lutte contre les inégalités. Entre ces deux pôles, il nous faut ajouter les politiques d'immigration. Celles-ci, et la manière dont les médias en rendent compte, ont des conséquences directes sur les représentations des musulmans nés et élevés en Grande-Bretagne. Chez ces derniers, le fait d'être assimilés de manière fréquente à une présence étrangère alimente le sentiment d'une « citoyenneté déclinante ». Le défi des autorités publiques consiste donc à inspirer la confiance de personnes chez qui cette citoyenneté déclinante peut paraître imputable aux autorités elles-mêmes.

Ces contradictions sont pleinement apparentes dans la mise en œuvre du programme *Prevent*, qui tout à la fois se veut une tentative d'engager le dialogue avec des « communautés » en les présentant *de facto* comme des populations « à risque ». Ce programme, devenu depuis une dizaine d'année un enjeu majeur des relations entre l'État et les musulmans, constitue un exemple des pathologies de l'anti-terrorisme. Comme le montrent les spécialistes de la « sécuritisation de l'intégration des migrants », il contribue à ce que l'on appelle le « cycle sécurité-insécurité » en créant un potentiel de marginalisation politique, et peut-être de contestation, chez les populations avec lesquelles il vise pourtant à dialoguer<sup>39</sup>.

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<sup>39</sup> Ariane CHEBEL D'APPOLLONIA, *Frontiers of Fear : Immigration and Insecurity in the United States and Europe*, Ithaca, NY, Cornell University Press, 2013.



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# *Le concept d'« altérité » chez les immigrants siciliens en Angleterre*

**Bénédicte CHAIX**

*Docteur en études anglophones*

Quasi indissociables, migration et identité sont deux paradigmes que l'on retrouve au cœur des discussions sur l'altérité et ses représentations. Le fait migratoire ouvre en effet la voie à une myriade de réflexions interdisciplinaires qui ont toujours mis en question au cours des siècles la place de l'identité mais aussi inévitablement et inextricablement la signification de l'« autre », problématique sociale toujours éminemment actuelle. Historiques et diachroniques, les mouvements migratoires renvoient à la représentation et à l'interprétation de la présence de l'« autre » par des préconceptions plus ou moins objectives qui marquent l'imaginaire collectif. Identité et altérité expriment une polarité conceptuelle qui, comme le suggère Émile Durkheim, découle de l'interaction culturelle que l'on peut considérer comme un fait social fondamental dans la construction de l'histoire des nations, mais qui articule également la complexité de la quête identitaire, que certains appellent sur notre vieux continent la « crise de conscience européenne ».

Dans cette perspective, le champ de la sociologie demeure incontournable dans l'analyse du phénomène migratoire et permet notamment de rendre compte des multiples répercussions de la migration sur différentes structures sociales. L'interprétation des phénomènes migratoires qui s'inscrivent dans des contextes structurels, culturels ou personnels particuliers engendre inexorablement des processus de stigmatisation et exacerbe la criminalisation de l'« autre », appréhendé puis étiqueté comme « déviant ». Les expressions comportementales découlant de la rencontre avec l'« autre » sont des réponses contextuelles à des situations structurelles et ont tendance à perdurer aujourd'hui dans nos sociétés qui se veulent pourtant davantage pluriculturelles, avec des composantes identitaires dites fluides qui symbolisent la « modernité liquide », pour reprendre l'expression du sociologue Zygmunt Bauman<sup>1</sup>, mais qui présentent inéluctablement des fossés identitaires importants. Ainsi, les représentations et les constructions d'images de l'« autre » cristallisées et ancrées dans la conscience collective trouvent leurs racines dans l'interprétation subjective à la fois du « soi » et de « l'autre ». Jean-Paul Sartre, en écrivant que « *l'enfer, c'est les autres* », plaçait alors la question de la relation et de la conception d'autrui au cœur d'interrogations philosophiques profondes et toujours

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<sup>1</sup> Z. BAUMAN, *Identité*, Paris, Éditions de l'Herne, 2010.

contemporaines, qu'Abdelmalek Sayad analyse et illustre comme « *les paradoxes de l'altérité* »<sup>2</sup>.

Au cœur de ces problématiques extrêmement vastes et riches d'implications par leur caractère transdisciplinaire, qu'en est-il du concept d'altérité chez les immigrés siciliens en Angleterre ? De quelle manière cette minorité européenne conçoit-elle son altérité dans un pays où dominent des communautés extra-européennes de l'ancien Commonwealth ? Quelles étiquettes s'appliquent à la minorité sicilienne ? Quelle évolution diachronique peut-on mettre en exergue, par le biais d'une étude sur les parcours migratoires de Siciliens entre 1950 et 2000, dans la conception de l'altérité et dans la représentation de la « déviance » ? De quelle manière les mutations sociétales jouent-elles un rôle dans l'évolution de celles-ci ? Quels sont les acteurs sociaux qui influencent la construction des étiquettes, la propagation idéologique de la déviance et quels sont leurs objectifs ? Quelles sont les conséquences comportementales et identitaires de l'étiquetage ? Comment se positionne la seconde génération d'immigrés siciliens par rapport à ces catégorisations ? Autant de questions multidimensionnelles sur lesquelles nous nous penchons ici et qui expriment sans réserve la complexité du sujet.

### *L'identité*

Comme premier jalon à cette réflexion, il faut tout d'abord rappeler que l'identité – ou serait-il plus juste de dire la représentation que la société se fait de l'identité – se trouve être à la base même du processus d'étiquetage de la « déviance » et de la catégorisation de l'« altérité ». Le concept d'identité, compris ici au sens le plus vaste du terme, a toujours suscité des questionnements, à la fois pour sa complexité, qui le rend d'une certaine manière indéfinissable ou du moins non généralisable, et pour sa fonction nodale dans la perspective des rapports et échanges humains. Les multiples discussions relatives aux questions identitaires auxquelles nous nous trouvons aujourd'hui confrontés dans l'espace médiatique illustrent le caractère intemporel du sujet et le situent toujours au cœur du processus de compréhension de nos sociétés. Longtemps, le terme « identité » fut utilisé presque exclusivement dans le but de repérer et de désigner une entité par des données d'identification. Aujourd'hui, cette notion a souvent une autre acception et l'on parle d'ailleurs non seulement de l'« identité », mais bel et bien des « identités » référencées au travers d'appartenances. En effet, l'identité contient différentes composantes, avec d'une part des notions inhérentes à l'individu (l'essence de l'être lui confère une part d'individualisme) et d'autre part des notions acquises (on parle alors communément du déterminisme imposé par l'identité psychosociale<sup>3</sup> collective).

Les études effectuées sur la situation migratoire de la communauté sicilienne en Grande-Bretagne ont permis de constater que les migrants siciliens d'ancienne

<sup>2</sup> A. SAYAD, *L'immigration ou les paradoxes de l'altérité*, Paris, Bruxelles, De Boeck Université, 1991.

<sup>3</sup> Sur le sujet, voir E. M. ERIKSON, « Psychosocial Identity », *International Encyclopedia of the Social Sciences*, vol. 7, New York, Macmillan, 1968. Voir aussi J. MAISONNEUVE, *Introduction à la psychosociologie*, Paris, PUF, 1980.

génération<sup>4</sup> établissent leur identité essentiellement par rapport à leur statut (immigré/travailleur) du fait d'une migration « forcée » liée à d'incontournables *push factors*. On parle de *social identity* en référence à la catégorie labellisée par des rôles sociaux :

*Social identities are sets of meanings that an actor attributes to itself while taking the perspective of others, that is as social object [...], being [...] schemas that enable an actor to determine 'who I am/we are' in a situation, and positions in a social role structure of shared understandings and expectations*<sup>5</sup>.

On évoque aussi la *class identity* en référence à une classification de l'appartenance sociale :

*Class identity refers to the ways in which people consider themselves 'members' of different classes. As such, it constitutes one of the many ways in which people define what is salient about their lives and what differentiates them from others. 'Identity' has both a cognitive and affective component. Cognitively, identity simply defines the ways people place themselves into different systems of formal classification. Affectively, identity refers to the kinds of classifications that are subjectively salient in a person's system of meanings*<sup>6</sup>.

Pour la jeune génération de migrants siciliens, la représentation identitaire évolue et l'identité se conçoit au-delà du statut et des frontières objectives, c'est-à-dire au travers de la *personal identity* qui englobe les caractéristiques culturelles, les appartenances et les aspirations dans un contexte de projection personnelle future reflétant la migration de choix liée à de nombreux *pull factors*. L'identité, qui regroupe ainsi des facteurs à la fois individuels et collectifs<sup>7</sup>, se manifeste tel un concept non figé, contextuel et fluctuant<sup>8</sup>, que l'on qualifie aujourd'hui de « fluide », c'est-à-dire en perpétuelle évolution et sujet à des variations fondamentales dans son contenu, son intensité et son mode d'expression<sup>9</sup>, et donc d'autant plus difficile à cerner ou à gérer dans une situation minoritaire, comme c'est le cas des Siciliens en

<sup>4</sup> La dénomination d'« ancienne génération » fait référence dans cette contribution aux migrants siciliens d'après-guerre entre 1950 et 1980, en comparaison à la « nouvelle génération » qui indique les jeunes migrants siciliens entre 1980 et 2000.

<sup>5</sup> A. WENDT, « Collective Identity Formation and the International State », *American Political Science Review*, vol. 88, n° 2, 1994, pp. 384-396.

<sup>6</sup> E. OLIN-WRIGHT, *Class Counts : Comparative Studies in Class Analysis*, Cambridge, Cambridge University Press, 1997.

<sup>7</sup> E.-M. LIPIANSKY, I. TABOADA-LEONETTI & A. VASQUEZ, « Introduction à la problématique de l'identité », in C. CAMILLERI (ed.), *Stratégies identitaires*, Paris, PUF, 1990.

<sup>8</sup> J. P. WARNIER, *La mondialisation de la culture*, Paris, La Découverte, coll. « Repères », 2003, p. 9.

<sup>9</sup> R. ABDELAL, Y. M. HERRERA, A. I. JOHNSTON & T. MARTIN, « Treating Identity as a Variable : Measuring the Content, Intensity and Contestation of Identity », communication présentée à la conférence APSA, San Francisco, 2001.

Angleterre<sup>10</sup>. Les innombrables variables (qu'elles soient sociales, culturelles<sup>11</sup>, ethniques ou de classe) qui contribuent à la conceptualisation de l'identité attestent de la complexité de ses définitions et renvoient à la multiplicité de classifications de l'altérité par ces mêmes variables.

### *L'identité et l'altérité*

« *Inextricably articulated or knitted together* », c'est ainsi que Stuart Hall<sup>12</sup> définit l'identité et la différence, conception selon laquelle l'identité, et d'autant plus celle du migrant, ne peut se définir sans être inextricablement corrélée à la notion d'altérité : « *An identity is established in relation to a series of differences that have become socially recognized. These differences are essential to its being. If they did not coexist as differences, it would not exist in its distinctness and solidarity... Identity requires difference in order to be, and it converts difference into otherness in order to secure its own self-certainty* »<sup>13</sup>.

Peut-on en effet citer un seul exemple d'identité qui ait prospéré dans l'isolement, sans confrontation à l'« autre » ? C'est l'« Autre » qui fait le « Soi ». Faire référence à l'autre, définir l'altérité, revient finalement à élaborer une définition plus juste de ce que nous sommes, par comparaison à ce que nous ne sommes pas. Dans le processus de construction identitaire, les repères de la différence par le biais de la mise en exergue de l'altérité conduisent à la définition du soi et de l'identité culturelle propre<sup>14</sup> : « *L'identité se construit moins dans le rapport à soi et à l'identique que dans le rapport à l'autre et dans la différence, définie tout à la fois par l'autre et contre l'autre* »<sup>15</sup>.

En ce sens, tandis que la majorité définit sa propre identité par sa conception de l'altérité, les minorités perçoivent aussi leur altérité en fonction du jugement subjectif qui est porté sur elles par la société majoritaire. En ce sens, il est possible d'affirmer que l'auto-perception des migrants est déterminée par la société en un temps et en un lieu. Cela révèle clairement que la définition de l'identité, tout

<sup>10</sup> Les Siciliens représentent en Grande-Bretagne une communauté minoritaire de petite taille si l'on considère que la Grande-Bretagne recense en 2002 un total de plus de deux millions d'étrangers. Deuxième région italienne par ses présences outre-manche, même si les chiffres sont parfois difficiles à établir, on parle pour les Siciliens d'environ 21 500 personnes enregistrées (sur un total de 162 000 Italiens) d'après le OSSERVATORIO SULLA FORMAZIONE E SUL LAVORO DEGLI ITALIANI ALL'ESTERO, « Gli Italiani in Gran Bretagna », Farnesina Roma, Ministero degli Affari Esteri, juillet 2008.

<sup>11</sup> Voir S. ABOU, *L'identité culturelle : relations interethniques et problèmes d'acculturation*, Paris, Anthropos, 1981. Voir aussi S. HALL, « The Question of Cultural Identity », in S. HALL, D. HELD & T. MCGREW (eds), *Modernity and its Futures*, Cambridge, Polity Press/The Open University, 1992, pp. 274-316.

<sup>12</sup> S. HALL, *op. cit.*

<sup>13</sup> W. CONNOLLY, « Introduction », in J. WELDES et al. (ed.), *Cultures of Insecurity : States, Communities, and the Production of Danger*, Minneapolis, University of Minnesota Press, 1999.

<sup>14</sup> S. ABOU, *op. cit.*

<sup>15</sup> C. BROMBERGER (ed.), *L'autre et le semblable*, Paris, Presse du CNRS, 1989, cité par E. VAILLANT, *L'immigration*, Toulouse, Milan, coll. « Les Essentiels Milan », 1996, p. 54.

comme celle de l'altérité, est fondamentalement « *multidimensionnelle : objective et subjective, individuelle et collective, spatiale et temporelle* »<sup>16</sup>.

Si l'identité est inextricablement liée à l'altérité, l'expérience de l'autre se mue très vite en conflit par le changement qu'il véhicule dans la définition même de sa différence et de sa nouveauté. Or, les changements sous-jacents imposent des modifications dans le champ des repères socioculturels, ce qui présente l'autre comme une figure menaçant l'intégrité propre. Fondamentalement, l'être humain a besoin de repères – familiaux, sociaux, structurels – et la migration, qui actualise et matérialise l'altérité, remet en question ces piliers par un processus d'inclusion du soi et d'exclusion de l'autre.

### *L'altérité et la migration*

Sociologiquement et philosophiquement, identité et altérité se positionnent indéniablement au cœur de questionnements liés au thème de la migration, à son interprétation et aux conséquences de celle-ci.

Force est de constater que, dans un contexte interculturel, la formation de catégorisations criminalisantes prend racine dans la perception subjective de l'altérité<sup>17</sup>, et par conséquent dans tout paramètre factoriel entrant dans la définition de celle-ci, qu'il soit lié à l'apparence (comme par exemple la couleur, la race, l'ethnicité, le mode vestimentaire ou autre), ou bien à l'appartenance (la langue, la religion, la nationalité, les coutumes, etc.). En outre, ces catégorisations dévoilent un glissement idéologique vers les aspects sociétaux qui s'associent à l'identité « autre » et créent de nouveaux marqueurs culturels d'identification. Les codes référentiels deviennent facilement péjoratifs, sources de diabolisation et d'exclusion : « *la diversité des cultures [est] rarement apparue aux hommes pour ce qu'elle est : un phénomène naturel, résultant des rapports directs ou indirects entre les sociétés ; ils y ont plutôt vu une sorte de monstruosité ou de scandale* »<sup>18</sup>.

Les signes de la différence que soulignent et homogénéisent les catégorisations comportent la plupart du temps des connotations de la « déviance » dans la mesure où ils s'opposent à un ordre social hiérarchisé défini en un temps et un lieu comme la « norme ». Les stigmatisations de l'altérité qui dessinent une inquiétante étrangeté, pour reprendre l'expression freudienne<sup>19</sup>, imprègnent profondément la société et perdurent diachroniquement malgré les évolutions socioculturelles<sup>20</sup>. C'est ici aussi que s'esquisse toute la problématique de l'image de l'autre, entendue comme représentation mentale, que véhiculent des idéologies vieilles comme le monde telles que le racisme ou l'ethnocentrisme. D'une manière générale, au fur et à mesure que les phénomènes d'immigration deviennent toujours plus ingérables pour

<sup>16</sup> M. ZAVALLONI & L. GUERIN, *Identité sociale et conscience : introduction à l'égo-écologie*, Toulouse, Privat et Québec, Presses de l'Université de Montréal, 1984.

<sup>17</sup> Voir S. FREUD, *Essais de psychanalyse appliquée*, Paris, Gallimard, 1933.

<sup>18</sup> C. LEVI-STRAUSS, *Race et histoire*, Paris, Folio, coll. « Essais », 1987 (1952), p. 19.

<sup>19</sup> S. FREUD, *op. cit.*

<sup>20</sup> P. BOURDIEU, « L'identité et la représentation : éléments pour une réflexion critique sur l'idée de région », *Actes de la recherche en sciences sociales*, n° 35, 1980.

les États, le mythe de l'invasion apparaît comme une réponse contextuelle subjective à une situation structurelle certes objective<sup>21</sup>. Les paramètres socio-économiques influencent et motivent la construction de représentations mi-idéologiques, mi-fantasmatiques sur le migrant<sup>22</sup>. En 1958, par exemple, les affrontements de Notting Hill qui opposent de jeunes hooligans aux communautés de couleur marquent le paroxysme d'une situation de forte immigration internationale et attisent des craintes dans la population britannique. Dans ce contexte, la communauté sicilienne, petit groupuscule souvent assimilé à la communauté italienne d'une manière générale, tire notamment partie de ce que l'on nomme le facteur nombre en comparaison des communautés de Pakistanais, Indiens ou Asiatiques qui sont plus importantes et plus visibles. Par ailleurs, les jeunes Siciliens profitent de la diversion idéologique qui tend aujourd'hui à pointer du doigt les « autres » dont les appartenances religieuses sont musulmanes ou extrémistes<sup>23</sup>.

Les Siciliens échappent à cette conception de l'« autre » telle qu'elle est perçue en Grande-Bretagne ; en effet, du fait d'un héritage colonial très significatif, les « autres » sont dans l'imaginaire collectif britannique d'abord les *coloured people* provenant des territoires du *Commonwealth*. D'une part, les enquêtes officielles qui établissent régulièrement, et pourrait-on dire naturellement, des données relatives aux catégories de couleurs – *White, Blacks, Asians, others* – dévoilent une perception de l'altérité clairement basée sur l'étiquette de la couleur, qui devient pour les différentes communautés en Grande-Bretagne un authentique pôle d'identification unifiant par sa vision globalisante. D'autre part, la loi de 1971 renforce cette vision de la britannicité basée sur la géopolitique en établissant une distinction entre citoyens britanniques du Royaume-Uni et citoyens provenant de territoires coloniaux. Outre la prédominance des étiquettes liées à la couleur, le concept d'altérité s'établit aussi en Grande-Bretagne par la relation « raciale » que symbolise la succession des *Race Relations Acts* de 1965<sup>24</sup>, 1968 et 1976 qui visent

<sup>21</sup> En 1985, seuls 1,73 million d'étrangers étaient recensés en Grande-Bretagne, avec une part européenne constituée essentiellement d'Irlandais (569 000). En 1996, presque 6 % de la population du Royaume-Uni (qui comptait 56 millions de personnes) étaient composés de minorités ethniques, soit plus de 3 millions de personnes. Les plus vastes groupes ethniques présents sur le territoire sont les Indiens (27 %), Pakistanais (17 %), Antillais (15 %), ensuite on trouve les Asiatiques et les Africains. Pour la seule Grande-Bretagne, on parle en 2002 de 2,34 millions d'étrangers avec une majorité d'Irlandais et d'Indiens, puis les Asiatiques, Africains et Antillais. Ensuite on recense des minorités européennes de l'Est et environ 260 000 personnes d'autres pays européens comme l'Italie, la France, l'Allemagne. On note donc une augmentation de présences ethniques de plus 58 % en 15 ans, ce qui explique et illustre le mythe de l'invasion. INCONSISTENT STATISTICS!

<sup>22</sup> M. ORIOL, *Bilan des études sur les aspects culturels et humains des migrations internationales en Europe occidentale 1918-1979*, Strasbourg, Fondation européenne de la science, 1981.

<sup>23</sup> F. KHOSROKHAVAR, « L'universel abstrait : le politique et la construction de l'islamisme comme forme d'altérité », in M. WIEVIORKA (éd.), *Une société fragmentée ?*, Paris, La Découverte, 1996.

<sup>24</sup> En interdisant les discriminations raciales dans les lieux publics, cette loi évoque un nouvel aspect qui est celui de l'incitation à la haine raciale et vise les écrits à utilisation et diffusion publique basés sur des préjugés liés à la couleur, à la race, à l'origine ethnique ou nationale, et considérés comme menaçants, abusifs, insultants et susceptibles d'attiser des sentiments de



à légiférer les discriminations, par un antiracisme décrété juridiquement sous le terme institutionnel de *positive discrimination* (aussi appelé *reverse discrimination* ou *affirmative discrimination*) et par la désignation d'usage politiquement correct des « autres » sous le terme d'« *ethnic minorities* »<sup>25</sup>. À la différence du terme « immigrés », qui renvoie à l'idée péjorative d'un autre qui s'immisce dans la société d'accueil, l'expression « minorités ethniques » propose une représentation suggérant une appartenance à un groupe minoritaire dont la présence est stabilisée. Ce qui ne change rien à la réalité de l'immigration, mais qui la présente d'une manière différente à l'opinion publique. On peut ici souligner que même si la question de l'altérité par la couleur ou l'ethnicité ne concerne pas en premier lieu les Siciliens, communauté minoritaire de petite taille, blanche et européenne, ils se retrouvent tout de même classifiés jusqu'en 1973 comme suit :

*It should be remembered that until the early 1970s all Italians and Sicilians coming to the UK were subject to report to the Police and treated as 'Aliens'. This recording continued until 1973. Since then, there has been no further requirement to report to the local police or the Home Office*<sup>26</sup>.

On peut en conclure que différentes actions politiques britanniques, dans une perspective de politique intégrationniste à tendance multiculturaliste, ont tenté au fil des décennies de légiférer l'usage de l'image de l'« autre », ce qui aurait pu permettre de limiter son étiquetage criminalisant. Mais légiférer de cette manière sur l'« altérité », c'est aussi la montrer du doigt et des lois sur la nationalité comme celle du *jus sanguinis* renforcent paradoxalement la différenciation entre les Britanniques et les autres. La tendance multiculturaliste offrirait-elle alors un droit à la « déviance » ou ouvre-t-elle la voie à la catégorisation de la déviance par l'étiquetage ?

### ***La déviance et l'étiquetage : théories et acteurs***

C'est dans ce sillage que, découlant de catégorisations subjectives portant à une criminalisation globalisante de l'« autre », naît la notion de « déviance » et sa myriade d'étiquettes qui se posent comme indicateurs de l'altérité.

Étymologiquement formée à partir du verbe « dévier », composé du préfixe de cessation *de* et du latin *via* qui veut dire voie, route, chemin, la « déviance » désigne, selon le *Dictionnaire de sociologie*, « *les comportements (individuels ou collectifs) qui, s'écartant de la norme, créent des dysfonctionnements et donnent lieu à une sanction* »<sup>27</sup>. Par conséquent, l'adjectif « déviant(e) » est, comme l'indique le

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haine raciale. On trouve ici une des premières expressions de lutte contre l'étiquetage et sa diffusion.

<sup>25</sup> G. SIMON, « La statistique des origines : race et ethnicité dans les recensements aux États-Unis, Canada et Grande-Bretagne », *Société contemporaine*, n° 26, 1997.

<sup>26</sup> J. GOUCHER, « Activité immigrés siciliens », courrier électronique, 2 août 2003, Anglo-Italian Family History Society, [www.anglo-italianfhs.org.uk](http://www.anglo-italianfhs.org.uk).

<sup>27</sup> G. FERREOL et al. (eds), *Dictionnaire de sociologie*, Paris, Armand Colin, coll. « Cursus », 1991-1995, p.59.

dictionnaire usuel *Le Petit Robert*, « la personne dont le comportement s'écarte de la norme sociale admise ». De fait, la déviance induit un rapport dialectique entre trois éléments : l'existence de normes sociales (ces dernières dépendent d'un construit social et sont variables selon les cultures et dans le temps), la reconnaissance de la transgression par l'imposition du contrôle social<sup>28</sup> qui met en exergue l'altérité et la stigmatisation de cette altérité.

Depuis le début du XX<sup>e</sup> siècle, les sociologues tentent de cartographier les territoires d'application de la déviance et de les analyser. Tantôt appréhendée comme fait social, tantôt comme processus, différents courants de pensée se démarquent sur la question de la déviance. En premier lieu, É. Durkheim<sup>29</sup>, père fondateur de la sociologie moderne, pense la déviance comme un fait social normal qui dérive de l'interaction des cultures et qui permet de faire évoluer la société. L'évolution peut aller dans deux sens : vers la cohésion nationale, par exemple, à travers la défense des normes sociales reconnues, ou vers le changement, par l'introduction graduelle de nouvelles normes.

R. Merton<sup>30</sup>, grande figure de la sociologie américaine fonctionnaliste, conçoit la déviance du XX<sup>e</sup> siècle comme un pur produit des structures sociales où l'adaptation à cette stratification s'opère selon les individus par le conformisme ou par la déviance. Le fonctionnalisme est un courant qui privilégie l'explication des phénomènes sociaux par leurs conséquences. La déviance est donc inhérente au processus de fonctions et de rôles qui en explique la présence. Ainsi, Merton s'intéresse particulièrement aux dysfonctions sociétales et aux problématiques de la déviance entendue comme conséquence fonctionnaliste.

H. Becker, membre de l'École de Chicago<sup>31</sup> et inscrit dans le courant de l'interactionnisme symbolique, ouvre quant à lui une nouvelle voie à l'analyse de la déviance en l'associant au processus d'étiquetage social ou *labelling theory* : « Le déviant est celui à qui l'étiquette de déviant a été appliquée avec succès ; le comportement déviant est le comportement que les gens stigmatisent comme tel »<sup>32</sup>. H. Blumer<sup>33</sup> explique en effet l'interactionnisme symbolique comme un système d'interactions où les individus agissent à l'égard d'objets en fonction du sens qu'ils attribuent à ces objets. Les sens attribués dérivent de l'interaction sociale que chacun a avec autrui et sont manipulés et modifiés par un processus interprétatif utilisé par

<sup>28</sup> Voir H. WHITE, *Identity and Control : A Structural Theory of Social Action*, Princeton, Princeton University Press, 1992.

<sup>29</sup> E. DURKHEIM, *Les règles de la méthode sociologique*, Paris, Payot, coll. « Petite Bibliothèque Payot », 2009 (1894).

<sup>30</sup> Voir notamment R. MERTON, *Éléments de théorie et de méthode sociologique*, Paris, Armand Colin, 1953 ; *The Sociology of Science*, Chicago, University of Chicago Press, 1973 ; *On Social Structure and Science*, Chicago, University of Chicago Press, 1996.

<sup>31</sup> Sur l'École de Chicago, voir A. COULON, *L'École de Chicago*, Paris, PUF, coll. « Que sais-je ? », 2002 (4<sup>e</sup> éd.).

<sup>32</sup> H. S. BECKER, *Outsiders : Studies in the Sociology of Deviance*, New York, Free Press, 1963, pp. 32-33 (trad. fr. *Outsiders : études de sociologie de la déviance*, Paris, Métailié, 1985).

<sup>33</sup> H. BLUMER, « The Methodological Position of Symbolic Interactionism », in H. BLUMER, *Symbolic Interactionism*, New Jersey, Prentice Hall, 1969.

l'individu pour interagir avec ces objets rencontrés. Au-delà du cheminement interactif qui mène à la « déviance », Becker insiste sur les conséquences sociales qui découlent de la catégorisation et évoque le rôle des « entrepreneurs moraux », c'est-à-dire des acteurs idéologiques et politiques, dans la définition des normes et dans l'apposition des étiquettes de la déviance.

Si l'on reconnaît dès lors que « *la déviance est une propriété, non du comportement lui-même, mais de l'interaction entre la personne qui commet l'acte et celles qui réagissent à cet acte* »<sup>34</sup>, la nature de la déviance devient le résultat d'un jugement de la société sur un individu ou un groupe d'individus qui mène bel et bien à la marginalisation et l'archétype de la « déviance » n'est qu'une décision arbitraire qui entérine une vision des choses comme loi. Par exemple, les déviations reliées à des conceptions identitaires de type racial ou ethnique découlent des théories nationalistes qui les attisent à des fins politiques. Plus l'immigration progresse et s'installe, comme ce fut le cas en Grande-Bretagne qui recensa une augmentation de plus de 50 % de présences étrangères en 15 ans entre 1985 et 2000, plus elle interroge les modes de perception et de gestion de la différence. Les migrations de masse donnent lieu souvent, si ce n'est presque toujours, à des interprétations qui dérivent de pressions idéologiques formulées par des groupuscules qui manipulent les fantasmes autour de l'immigration par des associations hasardeuses qui se transforment en panique morale. Dès les années 1970, la crise économique et sociale en Grande-Bretagne favorise l'émergence d'une politique raciale importante avec le *National Front* d'Enoch Powell qui exploite les incertitudes (crise économique, chômage) en les reliant directement au contexte de forte immigration.

La théorie de l'étiquetage prend de la vigueur, attisée par les grandes questions sociales<sup>35</sup>. L'historien Frank Tannenbaum émet la théorie connue sous le nom de « *dramatisation of evil* » au cœur de laquelle il développe l'idée d'« épingle » dans la création de la déviance – c'est-à-dire les phases successives d'étiquetage, de désignation, d'identification-assimilation, de stéréotypisation puis d'exclusion qui contribuent à créer un individu anti-social. Dans un processus de conscientisation de l'altérité, l'individu « déviant » apparaît comme la société l'appréhende. E. Lemert considère aussi la déviance comme l'expression d'une réaction socialement organisée où une étiquette est imposée au déviant, ce qu'il appelle l'« *individuation sociopathique* »<sup>36</sup>.

Dans une perspective contextuelle où la perception de l'autre repose sur les problématiques sociales et sur la victimisation de la société d'accueil, un élément comme le chômage, par exemple, provoque inévitablement des tensions et une perception négative de l'altérité, alors criminalisée et positionnée en bouc émissaire. Certains acteurs ou divulgateurs d'idées font ainsi de l'immigration un argument idéologique solide : « *Le politique possède, dans nos sociétés modernes, l'étrange particularité de cristalliser en idéologies des valeurs, des passions, des*

<sup>34</sup> H. S. BECKER, *op. cit.*, p. 38.

<sup>35</sup> J. BEST, *Deviance : Career of a Concept*, Belmont, Wadsworth, 2004.

<sup>36</sup> E. LEMERT, *Human Deviance, Social Problems and Social Control*, Englewood Cliffs, Prentice-Hall, 1967.

*antagonismes sociaux* »<sup>37</sup>. En d'autres termes, les acteurs de pouvoir instaurent une stigmatisation diabolisante de l'« autre ». Thème électoraliste, l'immigration devient le meilleur porte-parole de la préférence nationale exploitée à satiété notamment par les partis nationalistes dont l'objectif serait d'œuvrer au renforcement de la cohésion nationale – point par ailleurs non des plus simples en Grande-Bretagne.

Rarement sujet d'investigations empiriques, le lien entre stigmaté et pouvoir semble pourtant sous-jacent dans les processus d'étiquetage et de stigmatisation : « *Stigma is entirely dependent on social, economic and political power – it takes power to stigmatize* »<sup>38</sup>. Le pouvoir est un agent « *essentiel dans la production sociale du stigmaté* »<sup>39</sup> et l'étiquetage constitue une relation de pouvoir dans laquelle le sujet est soumis au jugement du dominant (l'acteur de pouvoir) ainsi qu'à la définition que ce dernier donne de sa personne. Sous l'influence de l'acteur de pouvoir, l'« autre » devient ce que la société est amenée, par un système complexe d'influences, à penser. Gérard Noiriel nous rappelle à cet égard, en empruntant opportunément une expression bien connue de François Guizot, le rôle des intellectuels de pouvoir qui cherchent à « *gouverner par le maniement des esprits* »<sup>40</sup>.

Becker évoque aussi l'acteur médiatique et son rôle déterminant dans ce que l'on nomme la « désignation négative ». L'utilisation des stéréotypes par les systèmes d'information et de communication – comme c'est le cas de la macro-criminalité organisée ou du mode de vie (*dolce vita*) pour les références à la réalité sicilienne – est stratégique et manipulatrice par les amalgames et les préjugés caricaturaux qu'ils véhiculent : c'est ce que l'on appelle plus couramment la communication biaisée.

On peut alors s'interroger sur la place réelle des « entrepreneurs moraux » et autres intellectuels de pouvoir, sources d'information des médias, mais aussi sur leur influence effective et sur leurs motivations. Leur capacité à émettre des images et à diffuser des messages de persuasion soutenus par une rhétorique efficace est l'une des principales modalités de leur emprise. Sans pouvoir établir de responsabilité directe dans les décisions politiques, les sociétés de pensées et le champ médiatique manipulent la communication et la gestion de la perception de l'« autre ». Pour donner un exemple parlant et actuel, on peut citer la réponse de Barack Obama à une attaque d'un journaliste évoquant l'opinion publique négative envers une action menée par son gouvernement : « *ils [...] pensent [ainsi] parce que des gens comme vous le leur disent* ».

<sup>37</sup> J.-M. BERTUCCI, « Sentiment ethnique et idée nationale en Europe », in S. GUTH & P. TACUSSEL (eds), *Une sociologie des identités est-elle possible ?*, Actes du Colloque « Sociologies IV », organisé les 10, 11, 12 mai 1990 à Montpellier, vol. 3, Paris, L'Harmattan, coll. « Mutations et complexité », 1994, p. 57.

<sup>38</sup> B. G. LINK & J. C. PHELAN, « Conceptualizing Stigma », *Annual Review of Sociology*, n° 27, 2001, p. 375.

<sup>39</sup> *Ibid.*

<sup>40</sup> G. NOIRIEL, *Dire la vérité au pouvoir : les intellectuels en question*, Marseille, Agone, coll. « Éléments », 2010, pp. 226-227.

Enfin, E. Goffman<sup>41</sup>, également membre de l'École de Chicago, permet de comprendre plus en profondeur ce mécanisme complexe de la déviance sociale. En insistant sur l'idée de stigmatisation qui dérive de l'étiquetage de la déviance, il donne un rôle prépondérant aux interactions sociales aussi bien dans la construction que dans le renforcement du stigmate ; il utilise la métaphore théâtrale pour définir les interactions sociales avec la scène de la vie, le décor socioculturel de la vie, les acteurs de la représentation et les coulisses où la réalité ne correspond pas forcément à la représentation des stigmates. Goffman classe ces derniers dans deux catégories différentes : les stigmates visibles et invisibles. Les premiers caractérisent les attributs physiques et les traits de personnalité directement apparents lors de l'interaction sociale, les seconds regroupent toutes les facettes de l'individu difficilement décelables lors d'un simple contact visuel. Selon lui, le phénomène de stigmatisation est le résultat d'un jugement subjectif des uns sur les « autres » appréhendés comme « déviants » car ne se conformant pas aux normes induites par la société. Il relate ainsi la nécessité de développer des stratégies de gestion de la stigmatisation comme réponses comportementales à l'étiquetage, points que nous développons au fil de l'étude empirique qui suit.

### ***Des étiquettes qui « collent à la peau » : le cas des Siciliens en Angleterre***

Qu'en est-il donc des étiquettes de la déviance et de leur évolution diachronique chez les Siciliens en Angleterre ? Différents marqueurs identitaires apparaissent dans l'étiquetage de l'altérité chez groupe, toutefois minoritaire en Angleterre, et tandis que certains stéréotypes s'estompent avec le temps, d'autres traversent les générations.

La nature du processus de labellisation consistant à mettre une étiquette sur les différences d'un même groupe est un phénomène social dans la mesure où sont créés des regroupements à partir d'un étiquetage de traits identitaires qui varie en fonction du temps, de l'espace et des sujets. Il est vrai que selon l'époque ou le lieu de cet étiquetage, il peut engendrer une dévalorisation mais aussi parfois une valorisation. Ce qui est approuvé à un moment et en un lieu donnés n'est en effet pas acquis ; cela reste conventionnel et variable. En ce sens, l'usage du mot « label » ou « étiquette » interroge l'objectivité de la désignation de la déviance. Il est donc préférable de rester prudent au gré de nos lectures car ces conceptualisations que l'on peut définir comme défectueuses<sup>42</sup> et non scientifiques omettent de voir le stigmate comme une conséquence de l'étiquetage interprétatif.

#### *L'étiquette géographique*

Parmi une multitude d'images qui font écho à la Sicile, l'étiquette géographique se dessine en premier lieu. Elle se rattache à des préconceptions sur la Sicile qui renvoient souvent à des réalités sur l'Italie dans une perspective

<sup>41</sup> E. GOFFMAN, *Stigmates : les usages sociaux des handicaps*, Paris, Minuit, 1975 (1963).

<sup>42</sup> P. VIENNE, « Stigmatisation et inversion du stigmate dans les écoles de "la dernière chance" », in E. CALLU, J. P. JURMAND & A. VULBEAU (eds), *La place des jeunes dans la cité 2 : espaces de rue, espaces de parole*, Paris, L'Harmattan, 2005, pp. 129-143.

globalisante. L'étiquette géographique amorce la question de frontière, concrètement ou abstraitement liée à « l'autre », dans la séparation que l'on établit ou par l'inclusion que l'on reconnaît. La Sicile est assimilée à la localisation du « Sud » en général qui s'oppose dialectiquement au « Nord » et aux références sous-jacentes qui s'y rattachent. Mais en réalité, l'étiquette géographique de la Sicile vire davantage vers la stigmatisation à l'échelle italienne qu'en dehors des frontières. Les migrants siciliens confirment majoritairement l'idée qu'ils se sentent « autres » dans le Nord de l'Italie. Des émissions contemporaines comme *Made in Sud* ou *Giass* corroborent cette tendance, avec la première qui tourne en dérision les stéréotypes qui se rattachent au Sud et la seconde qui oppose Nord, Sud et Centre dans un grand classement national.

D'un Sud pauvre, primaire, agricole, sous-développé, où la position géographique se fait la trame d'une infériorité sociale<sup>43</sup>, la représentation du Sud évolue toutefois et s'adapte au contexte régional, national et international. En effet, avec la mondialisation croissante de la migration en Europe, la « criminalisation » géographique s'est déplacée ces dernières années sur les zones internationales qui engendrent une immigration illégale ou extrémiste à laquelle font allusion les discussions contemporaines. Dans tous les cas, la provenance géographique s'associe au processus de stigmatisation. On peut parler de l'altérité géographique. Nombre de formes de l'identité et de l'altérité mobilisent plus ou moins explicitement des catégories ou des repères spatiaux. Par exemple, le sauvage, le barbare, l'immigré ou l'étranger, tous sont liés à un autre espace, un « ailleurs » qui participe à leur stigmatisation. L'espace intervient ainsi matériellement et symboliquement dans la construction sociale de l'altérité et dans les processus de stigmatisation et de domination qui lui sont consubstantiels.

*Les étiquettes sociétales : de la mafia à la dolce vita...*

À mi-chemin entre caractéristiques péjoratives et traits culturels avérés, les étiquettes sociétales sur la Sicile sont l'apanage d'acteurs de pouvoir qui exploitent ces aspects sociétaux.

C'est ainsi que, du film *Il Padrino* de F. F. Coppola en 1972, qui diffuse au monde entier un portrait de la mafia sicilienne, au scandale de corruption *tangentopoli* mis au jour par les enquêtes judiciaires menées dans les années 1990 sous le nom de *Mani pulite*, qui heurte fortement l'opinion publique par les assassinats des juges anti-mafia Giovanni Falcone et Paolo Borsellino, les événements rapportés par les médias et les interprétations cinématographiques contribuent à façonner l'étiquette généralisante de la Sicile comme symbole d'une macro-criminalité endémique. Faits divers qui défraient la chronique internationale ou œuvres cinématographiques dont la stratégie publicitaire vise des objectifs économiques, tous fixent le socle d'une étiquette culturelle généralisante dont il est très difficile pour les Siciliens de se distancier. Alors que certains tentent de mettre cette étiquette « à la porte », elle revient toujours « au galop » et suscite même

<sup>43</sup> A. REA, « Le racisme européen ou la fabrication du 'sous-blanc' », in A. REA (ed.), *Immigration et racisme en Europe*, Bruxelles, Éditions Complexe, 1998.

paradoxalement la curiosité du grand public. De la criminalisation à la fascination<sup>44</sup>, l'étiquette sociétale vacille entre déviance et charisme et ouvre la voie à la déstigmatisation sociétale.

Un autre aspect que la société d'accueil attribue aux Italiens d'une manière plus générale et qui touche indirectement mais inévitablement les Siciliens, nous renvoie à une conception du style de vie italien, communément appelée la *dolce vita*, mise en valeur encore une fois par le monde du cinéma avec le film éponyme de F. Fellini en 1959, fresque néoréaliste des mœurs et coutumes de la capitale italienne au gré de pérégrinations et de questionnements philosophiques sur la légèreté des personnalités mais aussi sur la précarité de la vie. Cette étiquette réduit littéralement la Sicile à une représentation d'une île méditerranéenne ensoleillée où les mentalités et le style de vie deviennent des arguments de stigmatisation par l'évocation d'une possible réticence au travail. La conception du stigmaté implique « *a relationship between an attribute and a stereotype to produce a definition of stigma as a mark (attribute) that links a person to undesirable characteristics (stereotypes)* »<sup>45</sup>. On discerne donc clairement le lien entre stéréotypisation, étiquetage et stigmatisation.

L'exemple de la *dolce vita* montre que certains traits culturels mis en évidence par la sphère médiatique ou par les produits culturels (films, livres, musiques, activités sportives) deviennent des instruments qui génèrent des stéréotypes culturels sur la population d'origine italienne/sicilienne. Ils jouent un rôle de ciment idéologique dans l'imaginaire collectif. Télévision et publicité permettent de véhiculer les références culturelles sur lesquelles se fondent les stéréotypes et de gagner les esprits. La stéréotypisation définie comme représentation mentale, préconception qui fait référence à des caractéristiques, des traits ou comportements culturels, traverse les générations. Il y a donc une tendance généralisante et globalisante diachronique dans le processus d'étiquetage du stigmaté.

Il est intéressant de souligner ici que de nombreux acteurs tirent profit à des fins purement commerciales l'utilisation de ces étiquettes culturelles, par exemple dans l'appellation de leurs sociétés ou restaurants en Grande-Bretagne – ce qui fait écho à l'attraction charismatique évoquée précédemment. En effet, « *l'acte social d'étiqueter une personne comme déviant tend à altérer l'auto-conception de la personne stigmatisée par incorporation de cette identification* »<sup>46</sup>.

#### *L'étiquette linguistique*

Au-delà de la géographie appréhendée comme repère de déviance concrète et au-delà des étiquettes socioculturelles qui renvoient à l'appartenance, l'étiquette linguistique évoque la notion de frontière abstraite : « *L'humanité cesse aux frontières de la tribu, du groupe linguistique* »<sup>47</sup>.

<sup>44</sup> C. A. B. WARREN, « Destigmatization of Identity : from Deviant to Charismatic », *Qualitative Sociology*, n° 3, 1980, pp. 59-72.

<sup>45</sup> B. G. LINK & J. C. PHELAN, *art. cit.*, pp. 363-385.

<sup>46</sup> L. E. WELLS, « Theories of Deviance and the Self-Concept », *Social Psychology (ex-Sociometry)*, n° 41, 1978, pp. 189-204.

<sup>47</sup> C. LEVI-STRAUSS, *op. cit.*, p. 20.

La langue est un des marqueurs principaux de l'appartenance et de l'identité. En ce sens, elle représente le symbole de l'altérité qui peut être interprétée comme aspect déviant : « *le fait d'employer une langue à la place d'une autre revêt une symbolique et peut être considéré comme un 'signe' – en terme de sémiotique – grâce auquel une personne exprime sa volonté de réaffirmer son appartenance culturelle et identitaire* »<sup>48</sup>. En effet, les langues sont investies d'une légitimité culturelle et identitaire<sup>49</sup> et le conflit linguistique devient conflit culturel où la langue de l'autre induit des tergiversations identitaires.

De l'ancienne à la nouvelle vague de migrants siciliens, la référence linguistique ne revêt ni la même signification ni la même importance. 90 % des anciens migrants siciliens considèrent que la langue a représenté un problème et un obstacle majeur dans le processus d'adaptation. La langue, premier obstacle pour l'immigré, est aussi le premier facteur de discrimination, car les usages linguistiques et l'accent sont les marqueurs d'une identité « autre » qui provoque l'étiquetage « déviant ». Dans certains cas cependant, l'immigré peut se faire acteur de son « altérité » en instrumentalisant la langue comme moyen de différenciation positive dans certains domaines professionnels.

Une évolution diachronique s'observe avec une nette diminution du rapport conflictuel à la langue chez les jeunes migrants, dérivant notamment de l'enseignement des langues à l'école qui fait que tous les jeunes, à l'opposé des anciens migrants, ont une connaissance au moins de base de l'anglais. Par ailleurs, l'utilisation toujours plus diffuse de termes anglophones dans la terminologie italienne et la démocratisation croissante des échanges culturels permettent un accès facilité aux langues étrangères et favorisent la sensibilité linguistique des jeunes, ce qui confère à la langue un caractère instrumental. Malgré ces changements sociétaux, 75 % des jeunes reconnaissent encore que les lacunes linguistiques peuvent devenir un facteur de discrimination.

Ainsi, l'identité aujourd'hui ne se réduit pas simplement à l'identité de passeport ou de sang ; c'est aussi l'identité de langue. Utiliser la langue de l'« autre » signifie désormais pour les migrants franchir des frontières symboliques vers une autre réalité et maîtriser la langue de l'« autre » veut dire maîtriser la représentation de sa propre différence.

*Les étiquettes culturelles : mamma, famiglia et pasta...*

D'autres étiquettes concernent des aspects culturels qui font référence à l'identité des Siciliens et sont la cible d'une stigmatisation réductrice qui oscille entre négativité et positivité.

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<sup>48</sup> « [I] fatto di usare una lingua anziché un'altra assume un valore simbolico e può essere considerato come un 'segno' – in senso semiologico – mediante il quale una persona esprime la sua volontà di riaffermare la propria appartenenza culturale o nazionale » (A. PIZZORUSSO, *Minoranze e maggioranze*, Torino, Einaudi, 1993, p. 195).

<sup>49</sup> J. R. LADMIRAL, « La communication interculturelle : une affaire franco-allemande », in S. GUTH & P. TACUSSEL (eds), *op. cit.*



C'est notamment le cas de l'organisation et de la hiérarchisation familiale qui présentent une conception traditionnelle du mariage où les rôles sociaux témoignent du schéma traditionnel sicilien – les hommes travaillent et 80 % des femmes restent au foyer. Au terme de leur parcours migratoire, 80 % des anciens sont toujours mariés contre 10 % de divorcés et encore 10 % qui vivent maritalement. C'est l'image bien connue de la « *famiglia* » à la sicilienne avec des stéréotypes, comme la présence de la « *mamma* » ou la définition de la « *famiglia* » conçue comme groupe d'appartenance élargi, qui contribue à apposer l'étiquette familiale avec les associations systématiques « négativées » et « péjoratives » qui s'y prêtent. Encore une fois, nombreux sont les restaurateurs en Angleterre qui utilisent ces dénominations mises en parallèle avec les traits culturels pour attirer ou susciter l'attention.

Dans la vision moderne de la famille, l'étiquette familiale disparaît car les jeunes s'opposent massivement à l'organisation familiale fondée sur le mariage et également à la conception traditionnelle du matriarcat domestique. Ce changement comportemental se traduit par une évolution représentative des jeunes Siciliens en Angleterre qui remettent en cause les clichés traditionnels. Seul un quart des jeunes est marié alors que la moitié d'entre eux reste célibataire et le quart restant vit maritalement. Cette différence flagrante qui s'affiche ainsi entre ancienne et nouvelle génération est la preuve d'un changement significatif dans les us et coutumes siciliens et permet d'effacer cette étiquette. Cette ouverture des stratégies matrimoniales est un signe à la fois de désintégration des fondements du système anthropologique familial traditionnel chez les jeunes immigrés Siciliens en Angleterre et en même temps d'un mode d'intégration aux normes locales.

D'autres étiquettes traditionnelles à vision plus contemporaine sous-entendent la différence, comme par exemple l'aspect culinaire ou le mode vestimentaire qui entrent dans l'inconscient sociétal par leur visibilité. Ces aspects symboliques d'une culture *autre* sont apprivoisés, exploités, copiés, recherchés parce qu'ils véhiculent le côté positif de l'italianité. *Pasta, Vino, Campari, Dolce & Gabbana, Italian style*, etc. ne sont ici que des exemples d'une différence appréhendée sous un angle sociétal positif. La différence au sens péjoratif du terme devient un atout dans la description culturelle – atout que n'auront jamais connu les anciens migrants.

Au-delà de l'interprétation sociétale de la différence et de l'étiquetage de la déviance, on parle davantage aujourd'hui de racisme culturel pour désigner l'isomorphisme qui relie la culture et le groupe<sup>50</sup>, la culture apparaissant comme héréditaire au sens biologique. Dans cette perspective, le groupe est dit « culturel » et les facteurs de discrimination s'affichent comme appartenant au domaine du culturel (la langue, la tenue vestimentaire, l'attitude, le comportement, etc.). On peut donc affirmer que la culture tient la fonction de prisme qui suscite l'interprétation de la différence comme déviance simplement parce que « autre ». Là repose tout le problème de la notion « d'identité culturelle »<sup>51</sup> qui génère des catégorisations

<sup>50</sup> T. MODOOD, *Not Easy Being British : Colour, Culture and Citizenship*, Stoke-on-Trent, Runnymede Trust, 1992.

<sup>51</sup> A. VASQUEZ, « Identités culturelles : mythes et limites », *Sociologie du Sud-Est*, n° 55-58, 1988, pp. 221-239.

exprimées par l'étiquetage envers un groupe sur la base de différences de culture conçues comme déviances.

***Les conséquences de l'étiquetage :  
entre isolement et ouverture identitaire...***

Il est inévitable de s'interroger sur les conséquences sociétales et culturelles qui découlent de l'imposition des étiquettes.

*Du repli communautaire au cadre multiculturel...*

Il est clair que la notion d'« *alien* », qui remonte au début du XX<sup>e</sup> siècle avec le *Aliens Act 1903*, comporte une signification très forte dans la différenciation entre les Britanniques et les « autres ». Une des conséquences premières de la désignation catégorisante est celle du repli communautaire très présent dans l'ancienne génération. Par repli communautaire, il faut comprendre toutes sortes de regroupement à différentes échelles :

*Dans les études consacrées aux migrations européennes, la notion de communauté est prise dans un sens très large. Elle s'applique aussi bien à des minorités nationales ou ethniques qu'à des regroupements d'immigrés sur la base de liens de parenté et de village, et également à des groupes proches par leur origine géographique, religieuse, linguistique, raciale*<sup>52</sup>.

Chez les Siciliens en Angleterre, outre le fait que 55 % des Siciliens d'ancienne génération évoluent à proprement dire en communauté, il faut aussi considérer le *nucleus* familial endogame comme une mini-communauté (75 % de mariages chez les anciens Siciliens sont endogames). Perçue comme espace intermédiaire<sup>53</sup> de solidarité et de sécurité, la communauté inhibe-t-elle ou exacerbe-t-elle les étiquettes ?

En Grande-Bretagne, les communautés, quelles qu'elles soient, reflètent la politique communautariste qui, à première vue, œuvre en faveur des droits des groupes minoritaires et du maintien des valeurs culturelles identificatrices. On peut qualifier la stratégie intégratoire britannique de « pluriculturalisme intégrationniste à tendance communautariste » qui traduit la nécessité de gérer le contexte multiculturel. Les Siciliens d'ancienne génération ont évolué dans ce cadre qu'illustre en 1966 Roy Jenkins, le Home Secretary:

*Intégration est peut-être un mot périmé. Je ne la conçois pas comme signifiant l'abandon par les migrants de leurs caractéristiques propres et de leur culture. Je ne pense pas que nous ayons besoin dans ce pays d'un 'melting pot' qui ferait passer tout le monde dans le*

<sup>52</sup> M. ORIOL, *op. cit.*, pp. 129-130.

<sup>53</sup> D. DESJEUX & S. TAPONIER, *Le sens de l'autre : stratégies, réseaux et cultures en situation interculturelle*, Paris, L'Harmattan, 1991.

*même moule comme une reproduction en série du stéréotype de l'Anglais, qui serait déplacée. Je définirais plutôt l'intégration, non comme un processus d'assimilation et de nivellement, mais comme une égalité des chances, accompagnée de diversité culturelle dans une atmosphère de tolérance mutuelle*<sup>54</sup>.

Au cœur du Royaume-Uni où le concept de « britannicité » demeure très complexe (dimension géographique et territoriale, dimension historique et dimension raciale) et provient de faits historiques et du rapport à la question de l'inclusion<sup>55</sup>, la reconnaissance de la diversité<sup>56</sup> s'exprime par une considération toute particulière accordée aux *race relations* et aux *ethnic minorities*, qui fait de la Grande-Bretagne le dernier modèle d'organisation communautaire<sup>57</sup>.

Nonobstant des décennies d'efforts et de législations visant à atteindre un idéal de multiculturalisme communautariste, il serait utopique de continuer à penser que les communautés ne contribuent pas à promouvoir « *l'enfermement culturel et identitaire de l'individu* »<sup>58</sup> que symbolisent ces ghettos culturels. De nombreux exemples en Europe ont clairement démontré que l'inclusion culturelle au sein du groupe identificateur est source d'exclusion de la société d'accueil. Dans la lutte à l'étiquetage et à la distorsion des images, le regroupement culturel tend paradoxalement à isoler et à éloigner surtout de la réalité locale. On peut même aller plus loin en disant qu'il empêche d'évoluer vers une « hybridation culturelle »<sup>59</sup> : « *Ce repli entraînerait une 'déréalisation', c'est-à-dire une tentative d'annuler globalement, autant qu'il se peut, la société d'accueil toute entière* »<sup>60</sup>.

90 % des Siciliens sont en effet très liés à leur groupe de référence, preuve d'une exacerbation de l'appartenance et de l'identification. La communauté serait donc le socle d'une stratégie identitaire qui permet de redéfinir son identité dans la société d'accueil en restant fidèle au groupe d'appartenance. En d'autres termes, ces réseaux permettent de se valoriser dans la société d'accueil et de procéder à une « *distanciation par rapport à la réalité de l'immigration avec son lot de précarité et*

<sup>54</sup> Cité in D. LAPEYRONNIE (ed.), *Immigrés en Europe : politiques locales d'intégration*, Paris, La Documentation française, 1992, p. 9.

<sup>55</sup> Sur ce sujet, voir A. MARR, « Welcome to New England », *Daily Telegraph*, 15 septembre 2000 ; J. CARTWRIGHT, « What Does it Mean to Be English ? », *Observer Review*, 30 janvier 2000 ; Y. ALIBHAI-BROWN, « Why Does Questioning the Nature of Britishness Raise so Much Fury ? », *The Independent*, 18 octobre 2000.

<sup>56</sup> G. SIMON, *art. cit.*

<sup>57</sup> U. WINDISCH, *Immigration : quelle intégration ? Quels droits politiques ?*, rapport pour la Commission Fédérale des étrangers à l'intention du Conseil Fédéral, Lausanne, L'Age d'Homme, 2000, p. 20.

<sup>58</sup> M. MARTINIELLO, *Sortir des ghettos culturels*, Paris, Presses de la Fondation Nationale des Sciences Politiques, coll. « La Bibliothèque du Citoyen », 1997, p. 29.

<sup>59</sup> A. CRAVO, *Les Portugais en France et leur mouvement associatif, 1901-1986*, Paris, CIEMI, L'Harmattan, coll. « Migrations et changements », 1995.

<sup>60</sup> M. CHALOM, « Trajet migratoire et alphabétisation : les processus de socialisation », in M. LAVALLÉE, F. OUELLET & F. LAROSE (eds), *Identité, culture et changement social*, Actes du troisième colloque de l'ARIC (Association pour la Recherche Interculturelle), Paris, L'Harmattan, coll. « Espaces interculturels », 1991, p. 281.

*d'insécurité* »<sup>61</sup>. Alors que la communauté a pour but de cimenter les immigrés afin d'éviter une fragmentation identitaire et culturelle, elle conduit parfois à une « italianisation » surdimensionnée menant toujours et inexorablement à leur catégorisation. Le repli communautaire accentue donc la propension de la société à vouloir classer, cataloguer, étiqueter les personnes en fonction de leurs appartenances, que la communauté entretient et rend visibles.<sup>62</sup>

Dans une Grande-Bretagne qui expose un versant multiethnique, symbole de l'europanisation et de l'internationalisation des vagues d'immigration, les jeunes migrants siciliens sont peu concernés par la problématique communautaire car ils évoluent davantage dans un cadre multiculturel avec une préférence nette pour Londres. Dans la représentation des jeunes Siciliens, la particularité de la Grande-Bretagne en Europe repose sur sa diversité, tout d'abord nationale (côté multi-identitaire avec les représentations anglaises, galloises, écossaises et irlandaises qui forment le Royaume-Uni), puis ethnique et raciale (l'immigration du Commonwealth a fait de la Grande-Bretagne un espace multiculturel depuis les années 1950 et a laissé apparaître la dimension raciale que l'on retrouve dans la définition identitaire), et enfin économique et sociale que permet le système méritocratique et le libéralisme. Cette société mosaïque, ce « kaléidoscope » qui reflète la multiethnicité, séduit les jeunes migrants siciliens qui aspirent à une forme de vie sociale faite de mixité et de diversité sans catégorisation ni étiquetage stigmatisant. Révélateur de cette attraction sociétale et culturelle se trouve être le fort pourcentage de jeunes Siciliens qui, outre leur identification sicilienne et/ou italienne, se considèrent à 96 % *cittadini del mondo*, citoyens du monde : « *Quando qualcuno gli chiese da dove venisse, egli rispose : 'sono un cittadino del mondo'* »<sup>63</sup>. Par ailleurs, le dynamisme et le libéralisme économique confèrent aujourd'hui à l'Angleterre l'image d'une société hybride<sup>64</sup> où être étranger (que ce soit sous l'aspect étranger/*stranger* ou étranger/*alien*) n'a rien d'étrange ou d'aliénant.

Dans ce contexte, qu'en est-il donc au final de la perception qu'ont les immigrés siciliens de leur propre identité ? Comme conséquence directe d'une évolution monoculturelle et d'un étiquetage socioculturel, 90 % des Siciliens

<sup>61</sup> R. FIBBI, « Stratégies identitaires et participation sociale : les racines locales des immigrés », in P. SENARCLENS (ed.), *Les migrations internationales*, cours général public 1992-1993, Lausanne, Fayot et Librairie de l'université, 1993, p. 97.

<sup>62</sup> Considérant la politique communautariste britannique comme l'emblème d'une société fondamentalement consciente de son multiculturalisme, nous pourrions ouvrir de longs et vastes débats en la matière, pour savoir notamment si l'absence d'un véritable ciment identitaire en Grande-Bretagne, qui permettrait de motiver un authentique et profond sentiment de britannicité, n'ouvre pas une brèche dans l'exacerbation d'appartenances, non seulement régionales, mais aussi multiethniques et multiculturelles, que l'institutionnalisation communautaire a toujours tenté de canaliser faute de trouver un socle unitaire commun. Analyser le repli communautaire, ses origines, ses conséquences, c'est aussi surtout relativiser les dangers d'une essentialisation des cultures, de l'enfermement des individus dans leur communauté qui peut glisser vers un intégrisme communautariste, réel « pain béni » dans les processus d'étiquetage et de stigmatisation de l'altérité.

<sup>63</sup> M. NUSSBAUM, « Educare cittadini del mondo », in M. NUSSBAUM, G. E. RUSCONI & M. VIROLI, *Piccole patrie, grande mondo*, Milano, Reser, 1995, p. 21.

<sup>64</sup> P. WERBNER & T. MODOOD (eds), *Debating Cultural Hybridity : Multicultural Identities and the Politics of Anti-racism*, Londres, Zed Books, 1997.

émigrés entre 1950 et 1980 se définissent uniquement siciliens ou italiens et seuls 10 % se disent « italo-britanniques » et/ou « européens ». Nous pouvons a priori être interpellés par la continuité dans le temps de l'auto-perception avec 80 % des jeunes Siciliens émigrés entre 1980 et 2000 qui se sentent toujours en premier lieu siciliens. A posteriori cependant, on peut souligner une évolution identitaire chez les jeunes qui converge vers la multiculturalité, avec les autres 20 % de jeunes répondants qui se définissent citoyens du monde sans aucune référence à l'identité nation. Cet aspect est renforcé par les 95 % des jeunes répondants qui se sentent aussi en deuxième temps citoyens du monde, défiant étiquetage et stigmatisation alors que les anciens Siciliens se limitent à l'italianité.

*Les voies d'intégration comme réponses à l'étiquetage*

À la définition identitaire qui se voulait dans le passé intrinsèquement monoculturelle, succède une définition pluriculturelle de l'identité qui est aussi une conséquence directe d'un cadre de vie multiculturel où différentes voies d'intégration s'ouvrent comme défis aux étiquettes. Que ce soit l'ascension sociale qui permet d'atteindre une stabilisation du rôle social, l'union mixte qui permet de mettre un pied au cœur de la société britannique et d'atténuer sa condition d'« autre » ou l'utilisation de la langue comme instrument de communication interculturelle, toutes les formes et expressions d'intégration se présentent comme conséquences sociétales de l'étiquetage, de la catégorisation et de l'assignation identitaire : « *L'intégration apparaît comme une démarche de participation critique à la nouvelle société* »<sup>65</sup>.

**L'évolution professionnelle pour défier la catégorisation.** Pour les anciens migrants siciliens, la « culture de la pauvreté » comme contexte de départ représente un des aspects principaux de la migration où l'aspect professionnel joue un rôle primordial dans le processus d'intégration de l'immigré et dans la canalisation du phénomène d'étiquetage. La place de l'intégration professionnelle ne revêt pas la même importance pour les jeunes migrants siciliens, la migration étant de l'ordre du choix de vie lié à des nécessités stratégiques et de recherche d'opportunités professionnelles. Mais, dans une perspective transgénérationnelle, l'insertion professionnelle symbolise pour le migrant de pauvreté ou de choix l'inclusion dans la société britannique et la participation à la vie socioéconomique du pays. Le sociologue Robert Castel considère la sphère professionnelle comme un instrument d'inscription dans la structure sociale qui peut permettre une distanciation des étiquettes mais aussi une distanciation ethnique à l'échelle spatiale limitant le phénomène de « ghettoïsation »<sup>66</sup>.

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<sup>65</sup> C. RANDOING, « Les lettres d'immigrés à l'Eco : une double appartenance difficile à exprimer dans les années 50 », in A. BECHELLONI, M. DREYFUS & P. MILZA (eds), *L'intégration italienne en France : un siècle de présence italienne dans trois régions françaises (1880-1980)*, Bruxelles, Éditions Complexe, coll. « Questions du XX<sup>e</sup> siècle », 1995, p. 172.

<sup>66</sup> R. CASTEL, *Les métamorphoses de la question sociale : une chronique du salariat*, Paris, Fayard, 1995.

**L'union mixte pour l'intégration de la diversité.** Dans un monde désormais confronté au défi du cosmopolitisme conjugal, la structure des couples entre comme composante et/ou facteur de l'intégration défiant l'imposition des étiquettes. L'union mixte, qui peut s'assimiler philosophiquement à la quête de l'« autre », reflète la recherche de complémentarité dans la diversité par l'une des stratégies interculturelles prédominantes. On peut considérer le couple mixte comme l'éminent symbole d'intégration sociale et d'assimilation des normes sociétales et culturelles. Il faut comprendre que le mariage mixte est le moyen de faire évoluer la labellisation du perpétuel immigré et demeure une des voies principales permettant d'éviter la catégorisation et de sortir d'un schéma d'assujettissement. Tandis que dans le passé, le mariage mixte incarnait la possibilité de se sentir à moitié britannique par une possibilité d'évolution socioculturelle, la mixité est aujourd'hui une évidence dans le panorama européen et demeure, dans un contexte d'europanisation croissante, un défi au racisme, à l'ethnocentrisme et à la discrimination, au nom de la diversité et de l'harmonisation avec « l'autre ».

**La langue de l'autre, symbole d'une réalité plurielle.** L'utilisation de la langue d'accueil coïncide avec l'idée d'intégration et avec la notion de réalité plurielle. La langue, comme mode de communication interculturelle, apparaît aussi essentielle dans le processus d'invisibilisation des immigrés. Au cœur des problématiques liées à l'internationalisation de nos sociétés, les langues sont devenues indispensables. Tabou pour l'ancienne vague de migrants siciliens, le plurilinguisme devient une évidence pour les jeunes migrants, contribuant à l'évolution des représentations de l'« autre » qui vient d'ailleurs.

*Le bilan des secondes générations : du rôle de l'école  
à l'influence du choix matrimonial, vers un biculturalisme ?*

Enfin, il est intéressant de souligner l'expérience d'« altérité » chez les secondes générations de migrants afin d'analyser les conséquences transgénérationnelles de l'imposition des étiquettes.

Malgré la tentative de garrotter l'étiquetage stigmatisant par l'un des instruments plus importants du processus d'inscription au cœur de la société, l'école, il ressort qu'encore 40 % des secondes générations ont ressenti leur altérité par le biais de marqueurs physiques, culturels et linguistiques et environ 50 % déclarent que la société souligne leur altérité par le biais de comportements criminalisants ou par l'imposition d'étiquettes stigmatisantes. On ne doit malheureusement pas se laisser leurrer par l'idéologie assimilatrice – que symbolise fortement la tradition du costume – des écoles britanniques dont l'objectif est de niveler les statuts apparents (or les statuts transparaissent bien au dehors du costume). L'école est en effet le lieu des discriminations qui commencent par la ségrégation économique qu'établit l'accès à école privée ou publique.

Dans le temps, l'évolution transgénérationnelle que l'on constate s'exprime au travers des modes de vie personnelle avec une apparition assez forte du concubinage, qui reste encore en Sicile un comportement social « déviant » – ce qui marque une adaptation à la vie locale et également une rupture d'avec les représentations familiales siciliennes par la mixité. Ce qui représente la déviance en

Sicile devient marque d'adaptation aux normes locales, démontrant que les conceptions d'« altérité » et de « déviance » dépendent du lieu et de l'époque dans lesquels elles s'inscrivent, mais aussi du genre – ce phénomène social concerne davantage les hommes de seconde génération, laissant les femmes toujours enfermées dans les schémas traditionnels. Et paradoxalement, par leur adaptation aux normes d'accueil, les secondes générations deviennent à leur tour « déviants » en Sicile.

C'est là toute la problématique du biculturalisme : 70 % des secondes générations ont le sentiment d'avoir deux cultures, avec le risque d'être étiquetés comme « l'Italien » en Angleterre et « l'Anglais » en Sicile. Le côté paradoxal de cette évolution tient au fait que l'individu peut être associé aux stéréotypes de chacun des deux pays, le mettant dans une situation de recherche identitaire perpétuelle et confirmant la définition de l'identité comme étant « *la somme des appartenances* » qui forment des « *identités difficiles* »<sup>67</sup>.

Une différence dans la conception de l'individu « autre » s'établit aussi en fonction du choix matrimonial des parents qui a une influence transgénérationnelle. Ainsi, les sondages révèlent que les conjoints des secondes générations de Siciliens perçoivent leurs partenaires comme britanniques s'ils sont issus de couples mixtes, tandis que dans le cas contraire, les secondes générations sont considérées soit comme italo-britanniques soit comme britanniques avec des origines italiennes. Dans cette même perspective, les amis britanniques des secondes générations considèrent ceux issus d'un mariage mixte comme britanniques, tandis que ceux issus d'un mariage endogame sont encore considérés par 40 % des amis britanniques comme italiens. On constate donc que les choix d'évolution communautaire et matrimoniaux influencent transgénérationnellement le rapport à la britannicité et à l'identité.

Ainsi, si la notion proprement dite d'« immigré » au sens criminalisant du terme ne passe pas la barrière de la seconde génération, il n'en demeure pas moins l'auréole de la différence. En effet, 95 % des conjoints de secondes générations avouent que l'étiquette « *l'italiano* » a souvent été utilisée par les amis pour plaisanter, montrant que ce côté « autre » résiste dans le temps et dans l'espace. Par ailleurs, si les secondes générations se sentent chez eux en Grande-Bretagne, nous pouvons citer deux types de conséquences de l'étiquetage persistant sur les secondes générations de Siciliens. D'une part, l'extrême comportemental de dissimulation des origines peut aller de pair avec la volonté de modification juridique d'identité : 15 % d'entre eux ont effectivement déjà pensé changer de nationalité dans un objectif stratégique d'intégration. D'autre part, on retrouve aussi chez les secondes générations un fort pourcentage de sentiments identitaires exacerbés, avec près de 60 % qui déclarent que le fait d'être fils d'immigré sicilien à l'étranger a renforcé leur sens d'identité italienne.

On comprend que l'identité d'aujourd'hui est évidemment tributaire du vécu d'hier et du patrimoine identitaire légué dans un cadre transgénérationnel.

<sup>67</sup> A. GROSSER, *Les identités difficiles*, Paris, Presses de la Fondation Nationale des Sciences Politiques, coll. « La Bibliothèque du Citoyen », 1996.

Questionnements et tergiversations identitaires découlent du sentiment de différence exacerbé par l'étiquetage, par le regard des autres ou par l'auto-évaluation. Dans le contexte d'europanisation actuelle, les étiquettes ont toujours « la vie dure » et entretiennent le sentiment « d'altérité » pour la moitié des secondes générations.

### *Conclusions et pistes de réflexions amorcées*

En conclusion, il apparaît que le phénomène d'étiquetage est déterminé par un système tentaculaire d'influences qui exploite, à des fins multiples, les représentations de l'identité et de l'altérité et engendre des réactions sociales. Déjà, dans *Réflexions sur la question juive* (1946), l'interprétation sartrienne avait anticipé la conceptualisation de la « détermination par autrui » de l'étiquetage qu'officialisera la sociologie américaine vingt ans plus tard. La théorie de l'étiquetage et la perspective de la « déviance » prennent naturellement de la vigueur à travers les grandes questions sociétales, comme la croissance de flux migratoires internationaux ou la recrudescence de tensions qui animent l'ère contemporaine et qui ont pris une place centrale dans le débat public de la plupart des pays européens.

Loin d'être simplement linéaire, notre analyse présente, entre théories et données expérimentales qui opèrent des va-et-vient d'une époque à l'autre, le rapport inextricable et intemporel qui lie stéréotypisation, étiquetage, catégorisation, discrimination et acteurs de pouvoir. Répertorier les étiquettes, définir les acteurs « stigmatisateurs » et comprendre leurs objectifs, analyser les conséquences de l'imposition des étiquettes, tout cela veut dire s'interroger sur les représentations de l'« identité » et sur les notions controversées, fluctuantes, polymorphes qui définissent l'« altérité » en un temps et en un lieu et dont l'imaginaire collectif conserve l'empreinte au-delà des générations.

Notre analyse offre une plongée au cœur des conséquences souvent irréversibles de l'étiquetage, qui enferme dans un cercle infernal le sujet étiqueté, suscitant notamment un repli et une exacerbation identitaires qu'illustre la notion propre au champ de la sociologie de « corridor de la déviance ». Combattre la stigmatisation « *repose sur notre capacité à comprendre les processus du stigmaté, les facteurs qui produisent et entretiennent ces processus* »<sup>68</sup> afin d'œuvrer vers l'institution de procédés intégratoires.

Ainsi, au cœur des confrontations identitaires, quelle place reste-t-il aujourd'hui pour l'appartenance européenne ? L'invocation d'une définition supranationale comme citoyens de l'Europe permet-elle l'effacement des étiquettes ? La persistance des marques stigmatisantes de différence démontre que l'Europe, dans un contexte où les appartenances régionales et nationales reviennent sur le devant la scène politico-sociale, n'a pas encore réussi à unir ses représentants dans la différence et à faire en sorte qu'ils s'identifient à elle.

L'Europe est pour le moment un jardin paradoxal où les identités progressent vers une nature hybride. Elle représente la naissance d'identités ambiguës,

<sup>68</sup> B. G. LINK, L. H. YANG, J. C. PHELAN & P. Y. COLLINS, « Measuring Mental Illness Stigma », *Schizophrenia Bulletin*, n° 30, 2004, pp. 511-541.



ambivalentes et ambilocales qui symbolisent l'épanouissement identitaire pluriculturel, marque d'une Europe certes multiculturelle mais, pour reprendre l'expression de Michel Wieviorka, encore décidément fragmentée<sup>69</sup>.

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<sup>69</sup> M. WIEVIORKA (ed.), *op. cit.*

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# Don't Mention the 'P' Word! Labelling the Deviant: The Case of Contemporary Paganism in Britain

Rose-Marie Farwell

*Université Blaise Pascal, Clermont-Ferrand*

A significant difference between France and Britain today is the role given to religion in public life. The Church of England is still established, the Queen, as its nominal head, refers explicitly to Christianity in her role as head of state, and bishops still sit in the House of Lords. However, Britain is one of the most religiously diverse societies in Europe, and this has been fully taken on board by the faith friendly policies of successive governments, notably those of Tony Blair. Prince Charles has variously declared that he would see himself as '*defender of faiths*' or '*defender of faith*' rather than as simply 'defender of *the* faith',<sup>1</sup> and even the Church of England, with for example former Archbishop George Carey's idea of '*hospitable establishment*',<sup>2</sup> has come to see its role as defending faith in general, rather than purely the Anglican tradition, itself well used to accommodating dissenting factions. If religion is often seen as a subset of minority ethnic culture, faith communities have been encouraged as 'stakeholders' in society and part of its social capital, also attracting public funding. Since 2012, Baroness Warsi, a Muslim, has been minister for faith and communities, and '*works with religious and community leaders to promote faith, religious tolerance and stronger communities within the UK*'.<sup>3</sup>

However, this situation has not gone without criticism. If faith is favoured officially, the nation also has its militant secularists and high profile atheists like the Oxford scientist Richard Dawkins, whose foundation has sponsored controversial advertising campaigns in the hope of weakening the hold of religion(s) over society. Official support for religion may also seem out of kilter with wider changes in beliefs and attitudes: the results of the recent 2011 census show an increase in 83% since 2001 of those claiming not to have a religion, supported by MORI opinion polls and British Social Attitudes surveys, the latter showing that 50% of the population (as opposed to 31% in 1983), and nearly two thirds (64%) of the 18-24

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<sup>1</sup> 'What Religion Do the Prince and the Duchess Practice?', [princeofwales.gov.uk](http://princeofwales.gov.uk) [accessed 5 August 2011]; Andrew PIERCE, 'Prince Charles to Be Known as Defender of Faith', *Daily Telegraph*, 13 November 2008, <http://www.telegraph.co.uk/news/uknews/theroyalfamily/3454271/Prince-Charles-to-be-known-as-Defender-of-Faith.html> [accessed 25 January 2014].

<sup>2</sup> George CAREY, 'Holding Together: Church and Nation in the Twenty-first Century', speech on St George's Day, Lambeth Palace, London, 23 April 2002.

<sup>3</sup> <https://www.gov.uk/government/ministers/senior-minister-of-state-and-minister-for-faith-and-communities> [accessed 10 January 2014].

age band, do not belong to a particular religion.<sup>4</sup> These surveys concomitantly show a dramatic fall in the number of self-declared Christians by more than 4 million (from 72% to about 54%) between 2001 and 2011. The Church of England seems particularly hard hit, reduced from 40% of the population in 1983 to 20% in 2010.

However, it can be noted that minority Christian groups—Charismatics, Pentecostals, New Churches—seem to be flourishing outside the Church of England, especially in ethnic minority communities. Indeed the converse trend emerging from the census, and contradicting the weakening of religious influence, is the rise in non-Christian religious affiliation, notably with a 75% rise in the number of Muslims, to form the second largest religious community in Britain, and the rise of lesser known religions—in the ‘other (write in)’ category on the 2011 census form—up 60% on the 2001 figures. In this latter category we find Pagans,<sup>5</sup> almost doubling their numbers over the decade from 42,000 to nearly 80,000 (if all the various paths and traditions are included<sup>6</sup>) and bearing out predictions of their emergence as one of the fastest growing religious movements in the country. The real numbers are probably much higher, as some Pagans resist attempts to include them in government statistics. This situation has created uneasiness in some quarters. Practising Christians may feel on the defensive, and have protested against the ‘marginalisation’ of Christianity, fearing the loss of its privileged status, reflected in government policies of treating all religions equally. Nominal or residual Christians may have accepted the official value given to religion when this denoted a vague Christian ethos and a cultural grounding in a broad church associated with commemorative events, national cohesion and rites of passage, but may object to public bodies ‘pandering’ to Pagans and Muslims, amongst others. The non-religious majority may either adopt a ‘live and let live’ standpoint of tolerance, or indeed indifference, or view all religions with disapproval and prefer a more secular approach.

With reference to the situation concerning religion in Britain, this article attempts to examine, in the light of recent legislation and public policy, how mainstream society perceives Paganism either as a deviant or as an increasingly accepted religious choice, and how and why some groups continue to stigmatise Pagans, evoking how the media both maintain the pejorative connotations of Paganism and contribute to a more informed view. It refers to research I carried out in the Pagan milieu between 2007-2010 using quantitative and qualitative methods, including questionnaires, interviews, and an investigation of Pagan activity online, along with a study of how the wider sociocultural context may be favorable ground for its development, and the reactions this may provoke.<sup>7</sup>

<sup>4</sup> *Religion: Losing Faith?*, BSA report n° 28, 2010, [http://ir2.flife.de/data/natcen-social-research/igb\\_html/index.php?bericht\\_id=1000001](http://ir2.flife.de/data/natcen-social-research/igb_html/index.php?bericht_id=1000001) [accessed 6 February 2014].

<sup>5</sup> In keeping with the convention in English of capitalising religions and their followers, I have used a capital ‘P’ to designate the modern religion/practice, following general usage, and to distinguish this from other uses of the term. Likewise for ‘Witch’ and ‘Druid’ etc.

<sup>6</sup> Specifically Pagan: 56,620; categories assimilated with Paganism: Animism: 541; Druid: 4,189; Heathen: 1,958; Occult: 502; Pantheism: 2,216; Reconstructionist: 251; Shamanism: 650; Thelemite: 184; Wicca: 11,766; Witchcraft: 1,276.

<sup>7</sup> Rose-Marie FARWELL, *Le Néopaganisme en Angleterre à l’époque contemporaine*, unpublished doctoral thesis, Paris IV-La Sorbonne, November 2011. My research

### ***Modern British Paganism***

Modern Paganism developed as a religious movement over the second half of the 20<sup>th</sup> century. If many Pagans consider it to be more a way of life or a form of spirituality, others fully adhere to the idea of Paganism as a religion. They are encouraged in this by official recognition of religious bodies and beliefs, and a positive value given to religion by public policy. It may therefore be a strategic choice to present Paganism as a religion in order to obtain protection from discrimination and claim various rights.

Modern Paganism is notoriously difficult to define despite an enormous amount of discussion and debate on online forums and at Pagan conferences and gatherings. One frequently hears expressions like ‘*if you put six Pagans together, you get seven different definitions of Paganism*’, or ‘*there are as many Paganisms as there are Pagans*’. The term *neo-Pagan* may seem more appropriate, as these religions seem to be modern adaptations rather than faithful reconstructions of ancient traditions, but the prefix is not commonly used in Britain. Generally, Pagans draw inspiration from pre-Christian religions, and especially from the ancient British past: ancestral shamanic practices, magical and mystery traditions, druidry and Celtic spirituality, and the Anglo-Saxon and Norse religions that have become known as Heathenry. They may also claim kinship with ethnic nature-based and essentially animistic religions still practiced elsewhere, such as Native American traditions.

‘Paganism’ is both an umbrella term that subsumes a variety of separate paths and specific branches (Wicca and Witchcraft, Druidry, Religio Romana, etc.) that recognise themselves as Pagan, and an identification in its own right, which has become increasingly the case, as the individual concocts his/her own spirituality from a variety of sources, based on eclectic borrowing and highly personalised syncretisms, tending to obliterate strict denominational breakdowns. In order to be as inclusive as possible, it is considered preferable that the term ‘Pagan’ remains vague and loosely defined, and attempts to coin a single definition that includes all those who consider themselves to be Pagan systematically come unstuck, as organisations like the Pagan Federation, that seek to be representative, have repeatedly discovered. Paganism may therefore seem a very postmodern take on religion. However, the difficulty in corresponding to traditional ideas of what a religion is, does and has, can handicap its acceptance as a religion, and provide an excuse for those who, for whatever reasons, do not want it to benefit from the rights or advantages held out by such recognition.

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concentrated on England, with the fieldwork centered on Dorset and adjoining areas of Somerset, Wiltshire and Hampshire (that I called ‘Wessex’ for convenience), although many considerations apply more generally to Pagans in the UK as a whole.

*What's in a name?  
'Pagan' as a deviant identity*

The term 'Pagan' arose from within a Christian context to designate the non-Christian, the unbeliever. There was no single term to denote the various pre-Christian religions of the ancient world before 'Pagan' was coined to ban and indeed persecute other religions throughout the Roman Empire, although they were at that time the religions of the majority. Over the following centuries it came to designate the uncivilised other, or those beyond the pale morally and spiritually, as seen from within the norms of Christian society. So, it was essentially a deviant identity imposed from without, and, as such, inherently derogatory.

If dictionaries have evolved over recent years to include an awareness of contemporary Paganism alongside the traditional definitions of 'non Christian' or 'having no religion',<sup>8</sup> Pagans may object to what they see as a disparaging hierarchical presentation, with the definition they consider to be most appropriate relegated to a secondary status, and no distinction made between past and present usage.<sup>9</sup>

The *Merriam-Webster* definition, for example, reads as follows, relegating contemporary Pagans to the separate entry under 'Neo-Pagan',<sup>10</sup> in third position after a definition that most modern Pagans would consider erroneous or pejorative today, although it may have been current usage in the past: '*one who has little or no religion and who delights in sensual pleasures and material goods: an irreligious or hedonistic person*'.

The *Oxford Online Dictionary*, on the other hand, gives a more positive, updated definition: '*A member of a modern religious movement which seeks to incorporate beliefs or practices from outside the main world religions, especially nature worship*', but this comes in third place, following the more traditional definitions.<sup>11</sup>

In short, we can generally observe that the definitions are contradictory, and confusion persists. Lindsay, a young Pagan woman, told me that her doctor, filling in a form for the maternity clinic, had asked her what religion she was, and when she said 'Pagan', he put down 'none'.<sup>12</sup>

<sup>8</sup> For example, the online dictionary <http://www.yourdictionary.com> also includes under 'pagan': 'a person who worships nature or the earth, specif., one who practices a form of worship in imitation of any of various religions that historically preceded Christianity.'

<sup>9</sup> Such objections have sometimes taken the form of petitions like the following: 'People against offensive pagan definitions. [...] This petition is for the editors of Merriam-Webster, Dictionary.com, Cambridge, Yahoo reference and all dictionaries/thesauruses/etc. that contain derogatory definitions for pagan, witch, heathen or other non-Christian religious terms...' (<http://www.petitiononline.com/PAOPD/petition.html> [accessed on 3 August 2009].)

<sup>10</sup> [www.merriam-webster.com/dictionary/pagan](http://www.merriam-webster.com/dictionary/pagan) [accessed on 14 August 2013].

<sup>11</sup> [oxforddictionaries.com/definition/english/pagan](http://oxforddictionaries.com/definition/english/pagan) [accessed on 14 August 2013].

<sup>12</sup> Interview with the author, 8 August 2008.



A similar situation may arise with ‘heathen’, the old English cognate from the Germanic root word. The official processing of answers to the religious affiliation question from the 2001 census relegated ‘Heathens’ to the ‘no religious belief’ category, much to their indignation, as Heathen now indicates Pagan religion in the Anglo-Saxon/Germanic or Scandinavian tradition. This was resolved for the 2011 census.

In fact modern Paganism has often been defined by what it isn’t as much as by what it is. But this negative definition—what it hasn’t or isn’t—can be perceived by Pagans as a positive attribute: not an Abrahamic religion, no single male god, no dogma or doctrine, no authoritative prophet, no commandments, no proselytising, no conception of a single universal truth as the monopoly of any one religion, no centralised authority, or institutions. It considers itself rather as the antithesis of an establishment religion. As such, it has had a counter-cultural appeal, on the edge of mainstream society, embodying anti-authoritarian, anti-patriarchal and anarchistic tendencies. In the past, many Pagans were generally happy to be considered—and to consider themselves—as practicing a ‘deviant’ religion if the standard was held to be mainstream Christianity. They were often, however, in respectable occupations, well-integrated into mainstream society, and didn’t attract attention to themselves in other ways.

However, over recent decades as Christian dominance in society has waned, so too has the anti-Christian stance of contemporary Pagans, except when they find themselves under attack from Christians, especially evangelical groups. There is now more emphasis by practitioners on the positive qualities of Paganism, projecting it as a force for the good with a strong ethic of individual responsibility, rather than the libertarian sexuality and hedonism imagined by outsiders and, as we have seen, still present in some dictionary definitions. As the milieu gains in confidence, and in a wider context of religious pluralism, Pagans have come to see themselves as practicing an alternative, rather than a deviant form of religion, and have tried to become more acceptable to mainstream society.

In fact contemporary Pagans are reclaiming the name by returning to its etymological origins, rejecting the negative connotations accrued during what they see as the centuries of persecution and prejudice. This is one of the ways in which they can repossess an identity traditionally associated with stigmatisation.

‘Pagan’, like the French cognate ‘*païen*’, comes from the latin ‘*paganus*’, designating ‘country dweller, rustic’. An alternative etymology gives ‘civilian’ as opposed to ‘*militēs Christi*’. In this sense the term is again considered appropriate, as Pagans see themselves in ideological opposition to the idea of a soldier of Christ. A highly popular interpretation of the term designates the older religion of the locality, rooted in the land, as opposed to an alien, universalising faith brought in from outside.

We can point out that the same reclaiming is being done for ‘Witch’,<sup>13</sup> evidently one of the more problematic appellations within modern Paganism, with ‘Witchcraft’ designating one of its more apparently deviant branches. Wicca emerged in the 1950s, as the religion of modern Witchcraft that still is the main pillar of contemporary Paganism. It might seem that, given the historic and traditional connotations of witchcraft, modern Pagan attempts to reclaim the term ‘Witch’ are fraught with difficulty, but the name has by now acquired a life of its own in Pagan circles. The term ‘Wicca’ is often used to designate the religion in a less ambiguous way and therefore seems more acceptable, but as we shall see later, this is not always successful.

### *How far in fact do Pagans identify with the name?*

Practitioners may deal with the ambiguity arising from the ‘loaded’ nature of the name ‘Pagan’ (and other associated terms like ‘heathen’ and ‘Witch’) in a variety of ways.

At one end of the spectrum we find those who are self-consciously *proclaiming* a Pagan identity. For example, Oak, a former Pagan Federation coordinator for Wessex, told me he objected to the toning down of the word ‘Pagan’. In his words: ‘*If you’re a Pagan you should say so, you’ve got a legal right to be a Pagan*’.<sup>14</sup> There are also those who *relish* the counter-cultural provocation of the term: these may include anarchists, radical feminists, ‘eco-warriors’ and those who have adopted a marginal or antagonistic stance in relation to mainstream society and the values of patriarchal or consumer culture.

On the other side we find those who identify explicitly with Pagan ideas, beliefs and practices while reluctant to be labelled as such. Marian Green, one time member of the Pagan Federation council and former editor of *Pagan Dawn* magazine, told me she personally doesn’t call herself a Pagan per se: ‘*I don’t accept rules from anybody, and I don’t define myself... Labels are usually applied by other people who want to control you*’.<sup>15</sup> Tony Jameson, a founder-member of the Dolmen Grove, one of the biggest Pagan groups in England, told me he considers it to be a ‘*name coined by our enemies to marginalise us*’.<sup>16</sup> Again, Frank, of the Stonehenge Druids, asked: ‘*Why should we connect ourselves to that tradition, and bring about an illusion that we’re somehow connected with devil worship or necromancy or sorcery? We’re not*’.<sup>17</sup>

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<sup>13</sup> The preferred origin is the old English *wicca* (masculine) and *wicce* (feminine) that designated those who practiced sorcery, divination and magic. *Weik* from the Indo-European could mean holy, or craft, craftiness, sorcery, or alternatively to bend/shape, or indeed the origin could be *weid*: to see or to know. The association with *wit* meaning wise (wisecraft/wisewoman) is also frequently asserted by modern Witches.

<sup>14</sup> Interview with the author, 7 April 2009.

<sup>15</sup> Interview with the author, 28 March 2009.

<sup>16</sup> Interview with the author, 2 April 2009.

<sup>17</sup> Interview with the author, 3 May 2008.

Some may recognise themselves as Pagans but, aware of the negative connotations, don't openly use the word for *tactical* reasons, or depending on circumstances. 'Don't mention the P word!' is a frequent, if sometimes ironic, admonishment. 'Witch' is obviously worse, and some Pagans prefer 'Druid' for this reason.<sup>18</sup> Finally, it is a reluctantly avowed identity for those who accept the *fait accompli*: they identify with the signified while disliking the signifier. They accept what modern Paganism (or Witchcraft or Druidry) have come to represent, while recognising the terms are problematic, but haven't found anything better to replace them with. Other possibilities are too limiting and less inclusive of all the various belief structures that come under the Pagan umbrella.<sup>19</sup> But many of those concerned consider that Pagans have advanced far enough along the 'rocky road to recognition' to turn back now, the battle seemingly more than half won.

'Pagan' and associated terms were therefore deviant identities, assumed more or less willingly, for which contemporary practitioners have attempted to establish a more positive image. In a context where faith is officially valued and other religions have benefited from official recognition, Pagans have become keen to obtain the same rights. For the purpose of the 2011 census, there were appeals like the following:

*Stand up and be counted... The greater our numbers, the more leverage we have with all the government departments and public bodies. The larger we are, the less they can ignore us; the more they have to heed us. We want to take our rightful place in this multi-cultural and diverse community. It is time for us to be heard. This is just the start of the campaign.*<sup>20</sup>

### ***Official recognition and acceptance of Paganism in mainstream society***

It may be a lengthy process for a term to lose certain connotations and acquire new ones, but as attitudes and representations evolve with changing values and preoccupations in the general sociocultural context, we can wonder to what extent Paganism is still considered as a deviant religion, or, on the contrary, undergoing some degree of normalisation.

We have mentioned that recent years have witnessed a battle for Pagans to become more acceptable and therefore accepted. In particular, Pagans have tried

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<sup>18</sup> To quote Darrell, a member of the Dolmen Grove: 'I only use Druid because it's got a bit more respectability to it, but I don't have a name, I take energy from all different beliefs, but we call ourselves druids because people respect druids. If I go round shouting I'm a Witch people think I'm stupid, but if I say I'm a Druid they think it's alright'. (Interview with the author, 6 June 2007.) Names are assumed or switched on a sliding scale according to context.

<sup>19</sup> 'Alternative spirituality' is felt to be too vague and 'New Agey'. 'Pagan' trips off the tongue far more easily than 'follower of an earth based spirituality'. 'Indigenous spirituality' is problematic, and the 'Old Religion', a term favoured by many Pagans, is confusing in a British context where it can be taken to imply Roman Catholicism.

<sup>20</sup> 'Census 2011', *Pagan Dawn*, n° 17, Samhain/Yule 2010, p 7.

hard to dissociate themselves from associations with devil worship in the wake of the so-called ‘Satanic panic’ a few decades ago.<sup>21</sup> A lingering doubt remained, however, in the public imagination based on the mistaken association of Paganism with Satanism, which can still flare up from time to time. Reactions of fear, hostility or derision still exist and are whipped up by the popular press: the idea of Pagans as a menace to society is reinforced by their often secretive nature which is of course a response to these very reactions. But this vicious circle is increasingly broken by changes in perceptions, resulting from Pagans’ own proactive approach, increasing openness and efforts to be seen in a more positive light, attempts at representation with the existence of the Pagan Federation and PEBBLE (Public Bodies Liaison Committee for British Paganism), and systematically countering disinformation and acts of discrimination, in the light of recent legislation covering religious discrimination, incitement to religious hatred, and human rights. We could mention for example, article 9 of the 1998 *Human Rights Act*, based in turn on the European Convention of Human Rights, and the *Employment Equality (Religion or Belief) Regulations Act* of December 2003, which was introduced to complete the 1975 law against racial or sexual discrimination in the workplace, adding direct or indirect discrimination of a religious nature. The second part of the 2006 Equality Act also penalised religious discrimination in the provision of goods and services. ‘*Incitement to Religious Hatred*’ became an offence on 1 October 2007, following the *Racial and Religious Hatred Act* of 2006. The *Equality Act* of 2010 integrated legislation across all the ‘*protected characteristics*’ including religion or belief.

This (and other) legislation has been used to successfully fight cases of discrimination against Pagans. In the Holden versus the Royal Mail test case, Douglas Holden, a member of the Odinist Fellowship (Heathen) won and obtained compensation for unfair dismissal on religious grounds, in Manchester, March 2006.<sup>22</sup> In May 2013, a 16-year-old was given a 3 month referral order by Colchester Youth Court for repeatedly harassing a MacDonald’s employee because of her Pagan religion. He was found guilty of ‘*religiously aggravated harassment*’ under section 32 of the 1998 Crime and Disorder Act. The youth claimed he hadn’t realised that Paganism was a religion, and his defence counsel also claimed she had to make enquiries to ascertain that Paganism is a recognised religion as far as the legislation is concerned. In December 2013, Pagan Witch Karen Holland won her case for unfair dismissal, on the grounds of sex and religious discrimination, at Watford Employment tribunal. She accused her (Sikh) employers of sacking her after discovering her Pagan religion, although they are appealing the decision.<sup>23</sup> (An

<sup>21</sup> A rash of Satanic ritual abuse accusations in the US in the late 1980s, fomented by evangelical Christian groups, were followed by allegations in the UK in places as far apart as Kent, Nottingham, and the Orkneys. However, police enquiries and independent investigations expressed reservations and an official government enquiry in 1994 concluded that the allegations were groundless. See J. S. LA FONTAINE, *The Extent and Nature of Organized and Ritual Abuse: Research Findings*, London: Her Majesty’s Stationery Office, 1994.

<sup>22</sup> See NATIONAL SECULAR SOCIETY, ‘The Extraordinary Case of the Pagan and the Multicultural Prayer Room’, 26 May 2006, <http://www.secularism.org.uk/theextraordinarycaseofthepagan.html>.

<sup>23</sup> HOLLAND v ANGEL SUPERMARKET Ltd & ANOR (2013) Employment Tribunal 3301005-2013, 20 September 2013. See [www.employmentlawsolicitors.info/witch-sacked-](http://www.employmentlawsolicitors.info/witch-sacked-)

earlier case in 2007, brought by a Wiccan Brighton teaching assistant who claimed unfair dismissal because of her religion, was settled out of court.<sup>24</sup>) Such test cases have created a legal precedent and show that the legal protection given to other faiths also applies to Pagans, while demonstrating the importance for Paganism of being effectively recognised as a religion.<sup>25</sup>

Indeed there does seem to have been greater recognition of Paganism by public bodies over the past decade or so. To take just a few examples: Paganism was recognised as a religion by the Prison Service in 2001, followed by the provision for Pagan chaplains in prisons and hospitals. From August 2006, Pagans have been allowed to take the 'Pagan oath' in courts of law. In 2007 an openly Pagan couple were given the right to adopt children,<sup>26</sup> and Pagans in Public Service was set up to represent Pagan civil servants. The Police Pagan Association was recognised by the Home Office in May 2010 as part of its diversity staff support policy, and The Druid Network was recognised as a religious charity by the Charity Commission in October 2010.<sup>27</sup> Closer collaboration with quangos and organisations like English Heritage and the National Trust (over access to 'sacred' sites such as Stonehenge and Avebury) has led such bodies to see Pagans in a more positive light. More informally, Pagans frequently participate in interfaith and community events, and an annual 'Pagan Pride Parade' takes place in London, asserting a refusal to accept stigmatisation.

Although progress is somewhat piecemeal, with different public bodies proceeding in a seemingly hermetic fashion, successful acts of recognition do create precedents that are then cited in other cases and contexts, and allow Pagans to claim that their religion(s) is/are officially recognised. However, this cannot always be taken for granted: if the granting of charitable status to The Druid Network led to the assumption that this would make it easier for other Pagan organisations to obtain such status, it was subsequently refused to the Pagan Federation in 2012 on the grounds that its beliefs were too loosely defined to constitute a religion. There is, however, no official, generally accepted definition of religion applicable across the board in British public life. Moreover, problems of representativeness and the lack of clearly designated spokespeople are sometimes given as an excuse not to include Pagan organisations on bodies like the Standing Advisory Councils on Religious

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for-attending-ceremony-wins-employment-tribunal-unfair-dismissal-claim and  
[www.lawandreligionuk.com/2013/12/16/religious-discrimination-in-employment-wiccan-unfairly-dismissed](http://www.lawandreligionuk.com/2013/12/16/religious-discrimination-in-employment-wiccan-unfairly-dismissed).

<sup>24</sup> The case was widely reported in the media: 'Teaching Assistant Claims She Was Sacked for Being a Witch', *Argus*, 20 March 2007; 'White Witch "Sacked for Days Off"', *BBC News*, 23 March 2007; 'Sacked because I Am a Witch', *Sun*, 21 March 2007; 'Pagan Teaching Assistant Brings Tribunal Claim for Unfair Dismissal', *Personnel Today*, 26 March 2007; 'Sacked Witch "Told Pupils She Could Teach Them Spells"', *Guardian*, 22 March 2007.

<sup>25</sup> Although, technically, a deeply held belief (not necessarily in the context of a religion) is sufficient to merit protection from discrimination under the Equality legislation.

<sup>26</sup> *Pagan Dawn*, Samhain-Winter 2007.

<sup>27</sup> Over a four year period of negotiations, The Druid Network endeavored to comply with the Charity Commission's idea of what constitutes a religion, but the latter also re-examined this in order to allow more flexibility in its definition.

Education (SACREs) in schools. In the words of Chris Crowley, of the Pagan Federation:

*The US is ahead of the UK on recognition because it has a constitution, and we have a 'fudge and mudge' government. The US Pagans have been able to assert their rights under the constitution. In contrast, when we try to achieve something, we find ourselves without redress to a constitution but arguing our case over and over again against sticky, resistant, inertia that does not wish to change and often actively wishes to preserve the status quo. It is a bureaucracy where one government department can recognise the tremendous work we do in prisons while, at the same time, another pretends we are not a religion.*<sup>28</sup>

### ***The extent of perceived or actual discrimination today***

To place the issues of recognition of and discrimination against Pagans in a wider academic context, we can refer to a study that the University of Derby, under the direction of Paul Weller, was commissioned by the Home Office to carry out between 1999 and 2001 (indeed the first major government funded study of religious discrimination).<sup>29</sup> They reported that Pagans and people belonging to 'New Religious Movements' complained of open hostility and discrimination, and of being labelled as 'child abusers' and 'cults', by the media in particular. The report specifies: "stereotyping as occultists or Satanists", "posters taken down", "car tyres slashed by Christians", "anti-pagan propaganda", "meetings disrupted", "child abuse allegations".<sup>30</sup>

At that time it was not in fact illegal to discriminate against people for religious reasons. When members of ethnic minority communities were concerned, religion could sometimes be subsumed under race, so the aspect of 'intersectionality' was often pertinent, in ways that were not possible for white Pagans, also raising questions of 'invisibility' of this latter group.

In the autumn of 2010, Professor Weller was again commissioned by the Equality and Human Rights Commission to undertake a review of research on religious discrimination in Britain over the decade 2000-2010, to explore how and whether the coming into force of new equality legislation relating to religion or belief from 2003, and the *Incitement to Racial or Religious Hatred Act* of 2006, had made a difference. Results suggest that discrimination on the basis of religion or belief persists, although some reduction was found in reported unfair treatment in education, employment and criminal justice.<sup>31</sup> The survey specifically mentions that

<sup>28</sup> *Pagan Dawn*, n° 178, Spring 2011, p. 25.

<sup>29</sup> WELLER, FELDMAN & PURDAM, 'Religious Discrimination in England and Wales', *Home Office Research Study n° 220*, published by the Research, Development and Statistics Directorate, February 2001, pp. vi-vii.

<sup>30</sup> *Ibid.*, p. 94.

<sup>31</sup> EQUALITY AND HUMAN RIGHTS COMMISSION, 'Religion and Belief, Discrimination and Equality in England and Wales: Theory, Policy and Practice, 2000-2010',

Pagans, along with Muslims and members of NRMs (New Religious Movements) still report the most frequent unfair treatment. These legal changes have however contributed to policy development and institutional change in the public sector as unfair treatment is now generally reported to be more to do with individuals' attitudes and behaviours (including in employment situations) than with organisations' policies and practices. This was borne out by my own research findings. The report also points out that while quantitative evidence relating to religious discrimination in Britain is generally patchy, there is even less of it in relation to these religious groups, and more research therefore remains to be done.<sup>32</sup>

From the questionnaire I distributed to Pagans at camps and gatherings in Dorset and Somerset,<sup>33</sup> only a minority claimed to have had problems because of their religion, whether socially (10%), with family members (11.8%), at school or the workplace (12.4%), or with outsiders, albeit a slightly higher percentage (at 14.8%). Many respondents stated they had not really suffered from discrimination or harassment as such, but had been on the receiving end of sarcastic remarks or forms of teasing, which may be uncomfortable for the thin-skinned, although others take it in their stride.<sup>34</sup> As 'Drac' stated in an interview:

*Drac: In my last job everyone knew I was a witch.*

*Were they interested in that and wanted to talk to you about it?*

*Drac: They weren't really. Mostly I'd just get the piss taken. Not in a malicious way, but part of the British culture is good-natured mickey taking. It's very much part of the humour, you know, having a laugh at each other's quirks, and so I take it as that.*<sup>35</sup>

The answers in the category *not really* to the question 'Have you ever had any problems because you're a Pagan?' fell generally halfway between the clear 'yes' and the clear 'no'. However, some people remarked that they hadn't had any problems simply because people didn't necessarily know they were Pagan: belonging generally to the white majority, and in the absence of any external signs

2011, [http://www.equalityhumanrights.com/uploaded\\_files/research/research\\_report\\_73\\_religious\\_discrimination.pdf](http://www.equalityhumanrights.com/uploaded_files/research/research_report_73_religious_discrimination.pdf).

<sup>32</sup> See [http://www.equalityhumanrights.com/uploaded\\_files/research/research\\_report\\_73\\_religious\\_discrimination.pdf](http://www.equalityhumanrights.com/uploaded_files/research/research_report_73_religious_discrimination.pdf), p. 72; 'Religion and Belief, Discrimination and Equality in England and Wales: A Decade of Continuity and Change', 8 January 2010, [http://www.religionandsociety.org.uk/research\\_findings/featured\\_findings/religious\\_discrimination\\_in\\_britain\\_what\\_difference\\_does\\_a\\_decade\\_make](http://www.religionandsociety.org.uk/research_findings/featured_findings/religious_discrimination_in_britain_what_difference_does_a_decade_make). This is part of a wider religion and society interdisciplinary research (see project website: [www.derby.ac.uk/religion-and-society](http://www.derby.ac.uk/religion-and-society)).

<sup>33</sup> Distributed in 2007-2008, of which 179 were returned.

<sup>34</sup> *Have you ever had any problems because you're a Pagan?*

Socially	yes: 10%	no: 56%	not really: 26%
At work/school	yes: 12.4%	no: 48%	not really: 29.5%
In your family	yes: 11.8%	no: 49.7%	not really: 29.5%
With outsiders	yes: 14.8%	no: 41.4%	not really: 33.7%

<sup>35</sup> Interview with the author, 3 June 2007.

they don't stand out from the general population, other than when wearing robes for ceremonial occasions.

It would therefore be legitimate to ask how far Pagans *are* open about their religious beliefs and practices. From the questionnaire, 64% claimed to be open about their Pagan beliefs and practices. Only 5% were not, and 27% said they were to some extent, according to circumstances, adding comments like: '*Very selective about whom I tell. Kids go to Church of England schools and there are some very bigoted and unsympathetic people there*'.

### ***Factors shaping or maintaining the deviant label***

Concerning the nature of problems facing Pagans in the open practise of their religion, in my research area, incidents typically involved Christian protest at Pagan activities. This degenerated occasionally into actual harassment or even aggressive behaviour. Such incidents were, however, rare. In 2006, a small group of militants belonging to Catholic Youth 2000, invited to Glastonbury for an 'alternative Halloween', harassed Pagan shopkeepers. The police were called in to protect the latter, arresting one youth and cautioning two others.<sup>36</sup> Likewise, Christian Soldiers, an activist evangelical group in Bridport (Dorset) announced to the local press that it would hold protests outside the pub where Pagan meetings take place,<sup>37</sup> and police again had to be called in to restore order when a group from the Christian Fellowship disrupted a 'Psychic Fayre' there in February 2009. In such cases, the police intervened to uphold the rights of the parties attacked, and those seen to be causing a breach of the peace were their Christian adversaries. In fact, the young people concerned in the Glastonbury incident had come from outside the area, (essentially from the United States), and the local Catholic priest condemned their behaviour, apologising to the Pagan community and even offering his resignation. Relations between the prominent Pagan community and other faith groups in Glastonbury generally tend to be good, and this was therefore an isolated event.

Various other incidents further afield have included Evangelical protests outside the Witchfest events held in Croydon, or the Museum of Witchcraft in Boscastle, Cornwall, or attempts to ban events like the Eastbourne Lammas festival in 2001 and 2007.<sup>38</sup> We could also mention such publications as the *Rise of Paganism* by Baptist minister Jonathan Skinner, diabolising paganism as ungodly, dangerous and a back door to the occult, and thence to Satanism. His views were

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<sup>36</sup> The incident was relayed by the press as in the following examples: 'Pagans Are A-salt-ed', *Sun*, 17 May 2007, <http://www.thesun.co.uk/article/0,,2-2006510299,00.html>; Thair SHAIKH, 'Catholic Marchers Turn On Glastonbury Pagans', *Guardian*, 4 November 2006, <http://www.guardian.co.uk/religion/Story/0,,1939477,00.html> [accessed 22 May 2010].

<sup>37</sup> See the report in *Bridport News*, a local newspaper: [http://www.bridportnews.co.uk/news/9098022.Bridport\\_Christian\\_soldiers\\_in\\_vigil\\_to\\_combat\\_paganism](http://www.bridportnews.co.uk/news/9098022.Bridport_Christian_soldiers_in_vigil_to_combat_paganism) [accessed August 2012]. However, despite the publicity this received, no actual protest materialised, and it was probably better publicity for the Pagans than for the Christians concerned.

<sup>38</sup> See the account by Jerry BIRD, organiser of the festival, 'The Witches of Eastbourne', in *Landscape of Memory*, Sutton Mallet: Green Magic, 2009, pp. 67-76.



also aired in his weekly column in the *Western Daily Press*<sup>39</sup> (but to which Pagans were given a right of reply<sup>40</sup>). In the introduction he claims:

*Citizens of the Western world are revisiting paganism and in phenomenal numbers. [...] Today we are seeing the essential religion of the devil re-establishing itself in the Western world, albeit currently, in a gentle and subtle way. We are witnessing the rise of the phoenix. [...] In the Bible, paganism is always seen as a main enemy of true religion.*<sup>41</sup>

In such cases, although Christian groups seek to label Pagans as deviant, this deviance is in relation to the biblical interpretations and traditions of the Abrahamic religions (denouncing polytheism, idolatry, witchcraft etc.) and not in the eyes of the law. Indeed, such reactions by Christians find themselves at odds with the generally prevailing philosophy of ‘live and let live’, in an increasingly secular, relativist and pluralistic context against which religious bigotry would seem to be considered the more ‘deviant’ position. Pagans’ public relations skills have also given them the advantage in some such cases, proclaiming that events picketed or criticised by Christians were actually raising funds for widely supported mainstream charities, (the Royal National Lifeboat Institution in the case of the Lammas Fair, and a local hospital for the Bridport Pagan Moot). As far as the Church of England is concerned, the situation is not uniform. Individual members and clergy may well show a tolerant attitude towards Pagans, typical of the liberal, middle-of-the-road open-mindedness it generally shows to those of other faiths or none, whereas others usually of more conservative or fundamentalist persuasion may be more hostile and strive to ensure that Paganism remains a deviant identity. Pagans have moreover sometimes complained that Christians reaching out to them in interfaith initiatives are less interested in genuine dialogue or understanding than in conversion opportunities.

<sup>39</sup> Jonathan SKINNER, ‘Indoctrination of Our Nation’, *Western Daily Press*, 20 June 2007, [www.westerndailypress.co.uk/new/util/content.jsp?id=17611935](http://www.westerndailypress.co.uk/new/util/content.jsp?id=17611935).

<sup>40</sup> Julia DAY, ‘Harming None Is What We Believe’, *Western Daily Press*, 23 June 2007, [www.westerndailypress.co.uk/displayNode.jsp?nodeId=145809&command=dis](http://www.westerndailypress.co.uk/displayNode.jsp?nodeId=145809&command=dis).

<sup>41</sup> Jonathan SKINNER, *The Rise of Paganism*, Darlington: Evangelical Press, 2006. Amongst similar publications, written as attacks on Paganism, we could mention: *Paganism and the Occult: A Manifesto for Christian Action* by Kevin LOGAN, which claims that ‘Paganism is the abyss into which man falls when he lets go of God...’ (Richmond: Reachout Trust, 1988, p. 9). Logan was involved in fomenting the Satanic Ritual Abuse panic, and accused of having invented evidence. The book is still in circulation. Another in the same style is *Wicca: Satan’s Little White Lie*, by the American William SCHNOEBELEN (Ontario: Chick Publications, 1990). The cover states ‘Bill Schnoebelen thought Wicca was a harmless nature-worshipping religion. But [...] he found that Wicca is nothing more than one of Satan’s most clever recruiting tools, designed to lead many into actual Satan worship.’ Schnoebelen was discredited on being found to have invented his experiences, but I found the book on sale in the *Harbour Lights* Christian bookshop opposite the Witchcraft Museum in Boscastle, in 2009.

### *How the press shapes perceptions of Paganism*

It can be seen that a higher profile for Pagans and acts of public recognition inevitably provoke expressions of protest and hostile reactions from some quarters, instrumentalised by (especially right-wing) national newspapers. The BBC, for example, was heavily criticised for its ‘excessive’ and in the words of *Telegraph* journalist Damian Thompson<sup>42</sup> ‘utterly fawning coverage’ of Pagan groups at Halloween in 2010.<sup>43</sup> The *Daily Mail*, especially, launches a major attack each time Paganism is set to benefit from new legislation or decisions by official bodies, even if it is only one example among others of religions concerned. One example typical of this newspaper is the article by Zoe Brennan, published on 12 November 2010, under the headline: ‘*Religious status for druids. The police trained to respect witches. Pagans are on the march, but are they harmless eccentrics or a dangerous cult?*’ Spread over two pages, the article was accompanied by a large colour photograph, showing a naked woman, kneeling in the center of a pentagram, holding a ritual knife between her breasts. This photo has in fact absolutely nothing to do with modern English Pagans, but was taken from the 1972 American horror film *Blood Sabbath*. Of course, the source is nowhere mentioned, and readers are led to suppose it depicts a real contemporary Pagan Witch. Incidentally, it was already used by the *Mail on Sunday* to illustrate an article in 2004, ‘Blair Witch Project: Labour Spends One Million Pounds Giving Pagans and Druids a Say on Government Policy’, in criticism of David Blunkett’s Faith Communities Unit, established in 2003 to check that legislation doesn’t conflict with minority religions. The article complains that ‘*at a time when people are concerned about crime, immigration and other issues, [...] it’s amazing that the Home Office officials are involved with witches and druids [...]. Witches and druids are demanding equal treatment with other religions*’. This provides the opportunity for the *Mail* to wield its battleaxe against the perceived waste of public resources and excesses of multiculturalism and the ‘politically correct’, demonstrating that the Whitehall pundits and policy makers have yet again gone to ludicrous extremes. Whereas the legislation concerned all religious groups, Pagans are singled out. We are given the impression that Pagans are a militant and vociferous minority, which they generally are not.<sup>44</sup>

<sup>42</sup> Also, incidentally, editor of the *Catholic Herald*.

<sup>43</sup> ‘Pagans Celebrate Halloween as Part of the Country’s Newest Religion’, *BBC News*, 30 October 2010, <http://www.wirednews.us/news.php/103699-Pagans-celebrate-Halloween-as-part-of-the-country-s-newest-religion> [accessed on 20 November 2010].

<sup>44</sup> Jason Pitzl-Waters, whose (American) *Wild Hunt* blog regularly follows reporting on Pagans in the media, has repeatedly launched alarm calls concerning biased reporting in the *Daily Mail* and called for a Pagan blackout of the paper. This alarm was raised a notch on learning that the *Mail* had become the most visited newspaper site in the world (according to figures by the tracking service comScore, showing that *Mail Online* reached 45.3m people in December 2011). He raises the question: ‘If the *Mail Online* is now the most popular Internet paper in the world, how does that affect how people see modern Paganism? I posit that it reinforces the opinion that Pagans are strange outsiders who make unreasonable demands on government, undermine society, aren’t to be taken seriously, and are a symptom of societal collapse’. (Jason PITZL-WATERS, ‘What Does the Daily Mail’s Internet Success Mean for Pagans?’, *Wild Hunt*, 6 February 2012, <http://wildhunt.org/?s=what+does+the+daily+mail%27s+internet+success+mean+for+pagans%3F> [accessed on 10 January 2014].) The

In response to the legislation allowing the creation of Pagan prison chaplains (along with those of other minority religions), the *Sunday Express*, to take an example from another paper, also singles out Paganism in its article ‘Outrage as Violent Criminals Get Witchcraft Lessons’.<sup>45</sup> The paper evokes Ian Brady, the notorious Moors murderer, serving a life term for his sadistic killings of children in the 1960s, as being able to benefit from this service, quoting a Prisons Service spokesman to the effect that ‘*Paganism is a recognised faith and a prisoner is entitled to see a representative of that faith*’. However, this would seem to be a deliberately misleading tactic on the part of the paper to whip up public outrage: Brady is apparently not a Pagan and had not asked to see a Pagan chaplain. Moreover, the press in general, not content just to berate the Prison Service for pandering to Pagans, also ran articles about the rise in the number of Pagan prisoners without exploring the whys and wherefores of this (or comparing with other religions or pointing out that the number of prisoners had in any case risen, as had the numbers of Pagans in Britain), implicitly suggesting an association between Paganism and delinquency. Likewise the recognition of the Police Pagan Association fed media fantasy. Here even the *Times* ran an article under the heading: ‘Police Win the Right to Celebrate Pagan Rites and Naked Dancing... Off the Beat’, encouraging their readers’ imaginations to run riot irrespective of what Pagans generally do (or don’t do) in reality.

As a final example, we could mention Christina Odone’s treatment in the *Telegraph* of the Cornish Local Education Authority’s decision that Pagan religions could figure among those studied on the Religious Education curriculum. The title ‘It’s Beyond Belief to Teach Witchcraft’ was in itself misleading, as there was no question of teaching witchcraft, but teaching about a range of beliefs which could (but did not have to) include Pagan ones. Her concluding remark: ‘*How long before the end of term is marked by a black mass, with only health and safety preventing a human sacrifice?*’ shows another attempt to sustain tired stereotypes via the implied conflation of Paganism with Satanism despite general recognition of the fallacious nature of this.<sup>46</sup>

In fact, the right wing press, hostile to what it sees as kow-towing to minority religions, finds an easy scapegoat in Paganism. As most Pagans belong to the white majority, by concentrating its attack on Paganism it can avoid charges of racism, and given their generally pacific nature, run little risk of violent reprisals, using sensationalism as a common sales-boosting device. The deviant status of Paganism is therefore largely maintained by a certain press with its own agenda, although with different motivations.

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present article is indebted to the *Wild Hunt* blog for the quality of its reporting on Pagan-related issues in the media.

<sup>45</sup> *Sunday Express*, 25 May 2005.

<sup>46</sup> Christina Odone, ‘It’s Beyond Belief to Teach Witchcraft’, *Daily Telegraph*, 16 April 2012, <http://www.telegraph.co.uk/news/religion/9206178/Its-beyond-belief-to-teach-witchcraft.html>.

On the one hand, as in the case of Christina Odone, and Melanie Philips in the *Daily Mail*,<sup>47</sup> the journalist objects to a removal of the privileges of Christianity as the majority religion, rejecting equality with minority religions and cults. Favouring such religions is interpreted as an attempt to weaken Christianity. Here Paganism is targeted due to its historically deviant position in relation to Christianity, and to the range of negative connotations that it has traditionally been given not only as contrary to Christianity, but also irreligious and immoral.

On the other hand, journalists with a more secular bias object that too much weight is given to religion in general (or religions whichever they may be), and Paganism is chosen to exemplify the irrational extremes to which this is taken. If some journalists and Christian groups take Pagans very seriously as a threat to Christian society and traditional values, the problem for Pagans facing government bodies, and the secular-leaning media and general public, is to be taken seriously at all. In various instances, Pagan faiths may be assimilated to ‘joke religions’. It can be remembered that over 390,000 people declared themselves as Jedi Knights in the 2001 census, covering perhaps a range of motivations, from montypythonesque mockery to cynical protest at the weight given to religion in British society, and prompting a questioning as to the idea of what constitutes a religion.<sup>48</sup> But the handful of cases in which apparently sincere ‘Jedi’ followers have claimed their legal rights have been used by the press as a catalyst of public exasperation,<sup>49</sup> and Paganism has also been placed in this category by the media (following the lead of some public bodies). The *Times*, for example, reporting on an ONS statement on the future of population censuses, uncritically relays its conflation of spoof religious identities with the genuine one of Pagan witchcraft:

*Prank responses to questions that are perceived to be too intrusive have also knocked confidence in the current system. In 2001—the first time a voluntary question was asked about faith—almost 400,000 people took inspiration from the Star Wars films to claim that their religion was ‘Jedi’. This was in addition to about 7,000 people who said that they were witches.*<sup>50</sup>

Similarly, on another subject, Tamara Cohen in the *Daily Mail* reported that ‘law change could lead to Jedi and Pagan weddings: Tories fear inclusion of humanism in gay marriage bill could allow other sects the same powers’, adding

<sup>47</sup> Author of vehemently anti-Pagan articles like: ‘Druids as an Official Religion? Stones of Praise Here We Come’, *Daily Mail*, 4 October 2010.

<sup>48</sup> In the wake of other ‘made up’ religions such as the Church of the Flying Spaghetti Monster.

<sup>49</sup> Chris Jarvis, member of the Star Wars inspired Church of Jedi (founded in 2008 by Daniel Jones) refused to remove his hood in a Southend Job Centre on the grounds that it was a religious obligation, and was asked to leave. The director wrote to apologise when Jarvis threatened to sue him for religious discrimination (March 2010). A similar incident occurred in a Tesco supermarket in Bangor in September 2009, again followed by apologies. These stories inevitably attracted extensive media attention.

<sup>50</sup> Chris GOURLAY, ‘Witches and Jedis Put Hex on UK Census’, *Times*, 14 February 2010.

that the ‘*amendment would allow “ridiculous” sects to marry couples*’ and pointing out that a similar law in Scotland has enabled Pagan weddings since 2005.<sup>51</sup>

However the *Guardian* columnist Tanya Gold, reacting to the ONS statement above on the future of population censuses, does attempt to distinguish Pagan witchcraft from fake religious identities, taking the opportunity to investigate the former. She concedes: ‘*I feel an urge to defend the witches. Of all the silly religions—and I think that all religions are silly—I believe that witchcraft is the least dangerous and the most benign. It is also the least understood*’.<sup>52</sup>

It should be noted that, although the *titles* of articles tend to be sensationalist, the *content* is frequently relatively objective. For example, for an article in the *Sunday Sun* entitled ‘Fact and Fiction of Paganism’,<sup>53</sup> with the interrogative subtitle ‘Now there are calls for Paganism to be put on the school curriculum. Should we be worried?’, the journalist’s general conclusion (unlike that of Christina Odone, cited above) was in fact ‘no’.

In addition, there has been an increasing number of positive or neutral articles over recent years with a more normalising effect. The *Guardian* for example, published a highly positive article entitled ‘Everyone’s a Pagan Now’ and subtitled ‘*From morris dancers in mirror shades to green activists getting in touch with their spiritual side, Paganism is going mainstream. Cole Moreton reports on a new national faith*’.<sup>54</sup> This resulted in the journalist attending a Pagan Federation reception, at which he was awarded their prize for journalism. In the words of the Pagan Federation president: ‘*This kind of positive article would have been unthinkable forty years ago, but now there is a much greater understanding and recognition of Paganism*’.<sup>55</sup> The *Guardian* also ran a 6-part series on Paganism in its ‘How to Believe’ section, over the summer of 2013, by Liz Williams, herself a Pagan Witch. Even the *Daily Mail*, reporting in December 2013 on the Pagan Witch Karen Holland winning her case for unfair dismissal, deals neutrally with the case, and goes on to provide an objective presentation of Wicca.

Overall, the treatment of Pagans in the press reflects the editorial bias of the paper, and/or opinions of the individual journalists concerned, and opposite effects may therefore be achieved, generally varying from paper to paper. If some help maintain an idea of oddity at best and deviance at worst, there has been a move towards a greater acceptance of Paganism even though Pagan activities are not completely ‘normalised’ as such. They remain ‘different’, but difference is increasingly accepted in a society which officially celebrates diversity.

<sup>51</sup> Tamara COHEN, ‘Law Change “Could Lead to Jedi and Pagan Weddings”’, *Daily Mail*, 15 May 2013, <http://www.dailymail.co.uk/news/article-2324674/Law-change-lead-Jedi-Pagan-weddings-Tories-fear-inclusion-humanism-gay-marriage-allow-sects-powers.html#ixzz2gsd74Pov>.

<sup>52</sup> Tanya GOLD, ‘Witchcraft Is the Most Benign of All the Silly Religions. Please Don’t Lump Witches In with Jedi’, *Guardian*, 16 February 2010, <http://www.theguardian.com/commentisfree/2010/feb/16/witchcraft-most-benign-silly-religion>.

<sup>53</sup> Michael KELLY, *Sunday Sun*, 19 December 2010.

<sup>54</sup> *Guardian*, 22 June 2009.

<sup>55</sup> *Pagan Dawn*, n° 178, p. 6.

In fact the very number of articles and reports published over the last few years has also provided publicity and has moved Paganism into the public view. Regardless of the journalists' expressions of indignation, the message they generally get across could just as easily be that Paganism *has* in fact become an officially recognised religion, and that Pagans' rights *are* protected by law. This, along with the alarmist tactic of inflating numbers for the 'fastest growing religion in England', may actually give Pagans more confidence and encourage them and their sympathisers to stand up to those who seek to denigrate them, while making the public aware that there are indeed legal penalties for acts of discrimination against them, assuming thereby a dissuasive force.

It remains true, however, that in the absence of official spokespeople, some of the most negative publicity is the product of Pagans themselves, or those who pass as such: colourful characters, so-called 'media tarts', big egos and publicity seekers allow themselves to be courted by a sensation-seeking press, and to the chagrin of the silent majority of Pagans, can undo a lot of the positive work done by others and give the opposite impression. This is evidently true for other religious groups as well, Muslims and Christians in particular, where 'moderate' sections may feel let down by more extremist factions that are more vociferous and attract more media attention.

### *Reactions to anti-Pagan articles*

Despite the absence of a statutory 'right of reply' to press articles, it is true that the internet and online versions of the press have democratised debate. Pagans have been quick to avail themselves of the opportunity thus afforded to express their views. In response to such articles, although many of the comments are obviously posted by Pagans or their sympathisers, it is also interesting that apparent non-Pagans intervene in their defence. Such debates are obviously only noticed, however, by those motivated to follow them online, and vary greatly in quality.

Looking at the comments following hostile articles on the online versions of newspapers, the journalists don't seem to get away with their derogatory treatment of Pagans. The *Mail* article cited above, 'Pagans Are on the March—But Are They Harmless Eccentrics or a Dangerous Cult?', attracted 168 comments, generally in defence of Paganism and critical of Christianity and to a lesser extent, Islam. They state that Paganism is no worse than other religions, which are here considered to have done at least as much harm in the world over the course of their history. In fact, negative comments on Paganism by Christians tend to backfire against them. For example, when a spokesman for the Christian Institute asks: '*What have pagans ever done? Historically, they produce unstable, violent societies—is that what we want?*', he provokes a quantity of replies listing the misdeeds of Christianity over the centuries.<sup>56</sup> The same thing is clear for the comments in response to the *Telegraph*

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<sup>56</sup> <http://www.dailymail.co.uk/femail/article-1328968/Pagans-march--harmless-eccentrics-dangerous-cult.html> [accessed 7 February 2011].

article,<sup>57</sup> many of which are critical of the prejudiced attitude expressed against Paganism:

*#1: I'm an atheist, but even I can see that Paganism is a far more harmless, inclusive and positive belief system than traditional religions.*

*#2: Strange rituals, Nazi connections. If it was worse the Pagans would be Catholics.*

The article by Christina Odone in the *Telegraph* attracted 1364 comments,<sup>58</sup> the quasi totality of which berated the journalist for her prejudiced attitude and factual inaccuracies. The position of the majority is to firmly resist any special treatment for Christianity on the rationalist grounds that all religions are equally unreasonable. Again, Paganism is compared favorably with Christianity and the tables are effectively turned. In the light of recent scandals involving, to be fair, essentially the Catholic Church, it would seem that past associations of Pagans with satanic ritual abuse of children (revealed to have been unfounded) have been eclipsed by Christian ministers repeatedly being found guilty of real child abuse and high level cover ups, despite the moral strictures of Christianity, thereby ensuring a loss of credibility. Pro-Pagan comments may therefore be used as a stick to beat Christians with.

*telegraphreader72: Cristina, I have considerably more time for Paganism, which at least acknowledges the right of Christians to believe what they will, than I do for any faith which claims to be the one and true path. If you want Paganism banned from the classroom, we should ban all religions from the classroom. Yes, I include yours in this.*

*diannebrown: Yeah, Odone's brand of nonsense is so much better than these new-fangled brands of nonsense. Except for the fact that neopagans and druids and wiccans don't have a history of raping children and sheltering the rapists and refusing to involve the criminal justice [sic] in investigating the crimes. The pagans didn't abuse women in the Magdalene laundries, or take babies away from their mothers in Spain. The pagans don't tell women to stay with abusive husbands, or insist that women—and young girls—die rather than seek medically necessary abortions. The pagans aren't responsible for millions of AIDS deaths in Africa due to an irrational opposition to contraception. And the pagans aren't clinging to a fortune while pretending to care about the poor...*

<sup>57</sup> <http://blogs.telegraph.co.uk/news/damianthompson/100061559/the-bbc-sucks-up-to-p> [accessed 6 November 2010].

<sup>58</sup> Christina Odone, 'It's Beyond Belief to Teach Witchcraft', *art. cit.*

***So what in fact are the public's perceptions  
of Pagans and Paganism?***

In order to form a more direct impression of how members of the general public view Pagans, I decided to go out on the streets and ask them. Obviously the size of my sample limits any claims to wider scientific validity, but it enabled me to 'take the temperature' so to speak.

This questionnaire was administered orally as a street survey in 4 different towns in Dorset, the county on which my research was centered.<sup>59</sup> 142 people were questioned as to their degree of familiarity with the word 'Pagan' and asked what they spontaneously associated with it (without prompting or pre-defined categories). 63% recognised the term, and a further 20% said they were vaguely familiar with it. 31% associated it with pre-Christian religion, linked to nature, or were aware that it can designate a contemporary spirituality. However, a certain confusion persists owing to the residual influence of its traditional connotations (and as we've seen, contradictory definitions). 9% thought it was a lack of religion, referring to unbelievers, or that it is a practice or a form of spirituality but specifically not a religion. However, only 3.5% associated it with Satanism. Some immediately associated it with Satanism only to discredit this idea as a media invention, for example:

*I was brought up to believe they did satanic rituals but I know now this isn't true: you get a false impression from horror films and things.*

*People think bad things, but they're probably not true.*

They were then asked to rate their appreciation of Pagans/Paganism on a scale between 0: very negative and 5: very positive. The average appreciation was 2.58/5, showing a median position, with an incremental leaning towards the positive. 16.2% gave 0, and 12% gave 5. Only 31.6% stated a clearly negative appreciation between 0 and 2, whereas almost 50% were between 3 and 5 (and 14.1% at 2.5).

Concerning 'Witch' and 'Witchcraft', all the usual clichés and stereotypes emerged (spells, magic, cauldrons, pointy hats, black cats, etc.), but only 1.4% mentioned the devil. However, the fact that only 4.2% mentioned its association with Paganism or an alternative religion, and 1.4% mentioned nature or nature spirituality, shows a very limited awareness of Witchcraft as a modern Pagan religion. Only one person spontaneously associated it with Wicca. If Witches and Witchcraft were more negatively perceived than Pagans/Paganism, this was however only marginally the case, with an average appreciation of 2.29/5, which is much less negative than one could have imagined. A more glamorous, feminist or positive image of witches in popular culture (alongside the traditionally negative one) may have made its mark.

For the question: '*Have you heard of "Wicca"? What do you associate with it?*', 40.8% said 'yes', they had heard of it, and a further 10.5% said 'vaguely'.

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<sup>59</sup> Bournemouth, Weymouth, Shaftesbury and Dorchester, July-August 2009.



However, this turned out to be a *misunderstanding* of the term, as 15.5% associated it with *The Wicker Man*,<sup>60</sup> the cult horror film about human sacrifice in a fictional Pagan community, confusing the homophones Wicca and wicker. But amongst those who had some idea of Wicca as a modern Pagan religion, their perceptions weren't particularly positive either: '*weird thirteen-year-olds trying to be cool*', '*a sort of sect*'. They weren't required to rate their appreciation of the term, but judging from their associations, Wicca is not necessarily a more socially acceptable substitute for witchcraft, as most Wiccans suppose!

The terms 'Druids' and 'Druidry' had a slightly more favorable reception than 'Pagan', and more favourable than 'Witch', which tends to confirm the impressions of Pagans who call themselves Druids in the belief that the name is more acceptable to the public. But again, the difference is marginal. The average appreciation was 2.68/5, with 32% falling between 0 and 2, and 52% between 3 and 5. There was a certain notion that it is some sort of religion. 15% mentioned ancient beliefs, 11% specifically mentioned Pagan beliefs, and 3% an alternative spirituality. 4.7% linked it with Witchcraft, even if one person asserted its difference. However, its contemporary identity as a spirituality of nature or the sacred land remains little known.

Pagan respondents to the questionnaire distributed at Pagan camps and conferences were asked to give reasons explaining why they felt that attitudes towards them were positive, negative or indifferent, and, in fact, contradictory reasons were put forward to explain inverse positions, which can essentially be summarised as follows.

Satanic stereotypes persist and help create a negative view of Paganism, or satanic stereotypes have largely faded away and yielded to a more positive image. The public have much greater access to objective or favorable information about Paganism and therefore have a more positive view of this, or indeed the opposite: the public is ignorant because of the lack of such information and therefore retains its prejudices. In the same way, the media is seen to disseminate information that is increasingly objective, or it is seen as increasingly negatively biased. There is a positive image because the English are tolerant and accepting of anti-conformist attitudes and appreciate eccentricity, or on the other hand a negative image because the English can't accept difference and treat Paganism with ridicule or hostility. Paganism faces a positive attitude because of greater official recognition, or it suffers from prejudice because it is not recognised as a proper religion.

In fact all of this may be true—it would seem to be a question of degree and emphasis which depends largely on individual experience and the subjective perceptions of a situation which is constantly evolving but not in a uniform manner. What is perceived by some as the positive value of tolerance may rather be mere apathetic indifference. However, in response to the question '*What changes have you noticed (relating to Paganism in Britain) over the last ten years?*' there was in fact a general consensus amongst Pagans that there *is* greater tolerance and acceptance of Paganism, along with the observation that more Pagans are 'coming

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<sup>60</sup> Robin HARDY, 1974, with a remake by Neil LABUTE in 2006.

out of the broom closet' and being open about their religion. A majority of respondents agreed that there is a better understanding of what Paganism is about, and more interest in it along with an awareness of its growth.

### *Conclusions*

In a multi-faith context where diversity is explicitly encouraged and religion fully accepted as an important part of identity, with faith groups viewed positively and encouraged to play a role in society, it is not surprising that Pagans have also wanted to avail themselves of the same opportunities as those extended to other minority religions. Belonging essentially to the white majority, this was perhaps unexpected, especially as, having long kept a low profile due to traditional prejudice towards them, their emergence in the public arena may have taken wider British society by surprise. They are in a sense 'misfits', often considered negatively by conservative Christians, on the defensive in the face of sharply declining numbers, and by the 'rational' liberal atheist or agnostic majority increasingly indifferent to religion and exasperated by its seemingly regressive manifestations. As academics such as Ronald Hutton and Amy Hale have pointed out,<sup>61</sup> there may be a certain tolerance towards 'irrational' and 'exotic' religious beliefs when held by ethnic minority members who were born into them, but incomprehension when such beliefs are spontaneously embraced by educated members of mainstream society. Pagans may therefore be the object of ridicule and derision that would not be levelled at other 'respected' religions. Moreover, if public agencies seem increasingly willing to engage with Pagans, the press are (with some exceptions) still reluctant to take them seriously.

As far as British society at large is concerned, Pagans benefit increasingly from a generally tolerant attitude towards the right to hold and express religious beliefs whatever they may be, but are also caught up in a growing exasperation regarding what is in some quarters considered as politically correct concessions to deviant belief systems, and increasing wariness of religion caused by rising fundamentalism and religiously related acts of violence. In a 2006 poll for the Guardian/ICM, 82% were found to consider that religion generally causes more harm than good, a cause of division and tensions.<sup>62</sup>

Officially speaking, acting for the advancement of religion was until recently considered to be a positive thing, and grounds enough for an organisation to obtain charitable status. In the wake of the 2005 terrorist attacks, hate preachers and other public condonings of violence, a religious organisation seeking this status has to demonstrate (since 2006) that it is acting for the public good. In this context, the granting of charitable status to The Druid Network is an important precedent for public recognition. The Wiccan rede that passes for the central tenet of Pagan ethics

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<sup>61</sup> Ronald HUTTON, 'Living with Witchcraft', in *Researching Paganisms*, Oxford: AltaMira Press, 2004, pp. 171-189; Amy HALE, 'White Men Can't Dance: Evaluating Race, Class, and Rationality in Ethnographics of the Esoteric', in Dave EVANS and Dave GREEN (eds), *Ten Years of Triumph of the Moon*, Hidden Publishing, 2009, pp. 76-97.

<sup>62</sup> Julian GLOVER & Alexandra TOPPING, 'Religion Does More Harm Than Good: Poll', *Guardian*, 23 December 2006, <http://www.theguardian.com/uk/2006/dec/23/religion.topstories3>.

‘*do as you will, but harm none*’, seems more in keeping with the mores and values of British society than many other religiously inspired rules and attitudes, and is often proclaimed by Pagans with public relations in mind. Paganism can therefore seem less ‘dangerous’ than some other religions, putative Satanism and occultism seeming less real dangers to a public that is less inclined to take these things seriously especially when compared to the very real acts of violence carried out in the name of radical Islam, or the actual abuse of children by Catholic priests. As we have seen from comments following ‘Pagan bashing’ articles in the press, Pagans are often favourably compared with other, major religions like Christianity and Islam.

We could conclude that, despite ongoing attempts from some quarters to stigmatise Paganism as dangerous, deviant, or a ‘spoof’ religion, and despite the confusion still arising from the nomenclature, it would seem to be more generally accepted as an alternative form of religious identification, especially as its attitudes towards environmental questions, feminism and gender issues, personal morality, and individual freedom and responsibility are increasingly shared by a wider public. Furthermore, its own celebration of diversity, postmodern pluralism and relativism has enabled it to find its place in a multicultural society that it generally endorses.<sup>63</sup> We could perhaps go so far as to say that unacceptable and therefore ‘deviant’ religious expressions are perceived increasingly as those which proclaim values alien to those of the expected tolerance and non-violence. In some ways Pagans may actually seem more in keeping with contemporary British society than the Church of England, struggling with the issues of gay marriage and women bishops, and may appear less archaic than the more conservative positions espoused by the Catholic Church or fundamentalist Christians or Muslims.

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<sup>63</sup> As a rule, strict positions are taken against racism by organisers of Pagan groups and monitors of online forums, and xenophobic movements like Wodensfolk (a Heathen group) are exceptions to the rule and generally shunned by the rest of the Pagan milieu, with organisations like Heathens against Hate and Heathens for Progress set up to counter such phenomena.

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# ***Labelling the Deviant: Exploring Social Boundaries in Contemporary British Cinema***

**Kristine Robbyn CHICK**  
*Université Toulouse 1*

## ***Introduction***

In this article I will initially offer a brief review of the underclass debate, before examining filmic representations of several social groups who are defined by poverty, through an analysis that includes two recent films set in Britain: *Fish Tank* (Andrea Arnold, 2009) and *Neds* (Peter Mullen, 2010). Recognising the richness and diversity of British society and culture, focus here is primarily limited to just two specific geographical locations: Glasgow and Essex, and the communities represented therein. In the first part of this paper I will study social groups defined largely by poverty and denominated by terms such as ‘chavs’ and ‘tinks’ in the county of Essex. Then in the second part of this paper I will study social groups defined primarily by violence and class, denominated by the term ‘ned’, in the post-industrial city of Glasgow.

One further and related research objective of this paper, interwoven into the discussion, is to explore the interface between media, political discourse, and the experience and impact of poverty in British society, maintaining awareness that there has been a concerted effort to shift public attitudes over the course of the last few decades so that poverty and unemployment be considered the result of individual moral failings instead of as social problems or the consequence of structural decisions.

My choice to use films in order to demonstrate the ways in which ‘deviance’ is labelled is motivated by the fact that, like television dramas and the novel, film is a narrative-based popular form in which ideological currents may be crystallised, thus offering the nation representations of cultural perceptions, and participating in the processes of both informing and forming the public’s perceptions of different social groups.

## ***Defining deprivation***

Firstly, due to its relevance to the ensuing discussion of social groups defined by poverty, I provide a brief definition of the terms ‘poverty’ and ‘deprivation’, as I will use them here. *The English Indices for Deprivation* provides the following definition: ‘It could be argued that the condition of poverty means not having

*enough financial resources to meet needs. Deprivation on the other hand refers to unmet need, which is caused by a lack of resources of all kinds, not just financial.*<sup>1</sup> Thus the experience of deprivation, unlike that of poverty, is not necessarily limited to daily *material* living conditions, but may extend into domains that affect the individual as a whole, impacting upon their psychological and emotional experience and construction. We can therefore refer to individuals as experiencing single or multiple deprivation. An area itself is not deprived, but may have a high concentration of individuals who are experiencing deprivation. And finally, not surprisingly, social deprivation is much harder to define than material deprivation.<sup>2</sup>

### *A brief review of the underclass debate*

That deprivation, both material and social, exists in modern Britain is a certainty. Debating the causes of poverty and deprivation since at least as early as the 19<sup>th</sup> century, a long line of social investigators (including Booth, White, Keith Joseph and Murray<sup>3</sup>) have asserted that amongst poor people there is an underclass, or a submerged social stratum, of a different type of very poor people who are permanently unemployable, are socially deviant and lack the character and/or personal attributes to raise themselves from abject poverty: *‘Physically, mentally and morally unfit, there is nothing that the nation can do for these men, except to let them die out by leaving them alone.’*<sup>4</sup> Furthermore, it is asserted that they pose a danger to society. For example, it is apparently from this ‘underclass’ that members of the criminal class emerge: *‘Crime is the next place to look for an underclass, for several reasons. First and most obviously, the habitual criminal is the classic member of an underclass.’*<sup>5</sup>

These discussions are closely related to the concepts of the deserving and the undeserving poor, and not surprisingly are favoured by those keen to attribute poverty to behavioural causes (defects in the poor), as opposed to being of structural origin (government, society, corporations, policy, policy makers, and economists would have some responsibility). Linked in the late 19<sup>th</sup> and early 20<sup>th</sup> century to negative eugenics and Victorian workhouses, later one of the ultimate goals of this

<sup>1</sup> DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT, *The English Indices of Deprivation 2007*, London: HMSO Communities and Local Government Publication, March 2008, p. 9

<sup>2</sup> For further details and discussion, see Peter TOWNSEND, ‘The Cycle of Deprivation: The History of a Confused Thesis’, in *The Cycle of Deprivation: Papers Presented to a National Study Conference, Manchester University, March 1974*, Birmingham: British Association of Social Workers, 1974.

<sup>3</sup> Charles BOOTH, ‘Condition and Occupations of the People of East London and Hackney, 1887’, *Journal of the Royal Statistical Society*, vol. 51, n° 2, 1888, pp. 276-309; Arnold WHITE, ‘The Nomad Poor of London’, *Contemporary Review*, vol. 47, 1885, pp. 714-26; Keith JOSEPH, ‘The Cycle of Family Deprivation’, in *Caring for People*, London: Conservative Political Centre, 1972, pp. 29-46; Charles MURRAY, ‘The Emerging British Underclass’, in Ruth LISTER (ed.), *Charles Murray and the Underclass: The Developing Debate*, London: IEA Health and Welfare Unit, Choice in Welfare, n° 33, 1996.

<sup>4</sup> Arnold WHITE, art. cit., quoted in John WELSHMAN, *Underclass: A History of the Excluded 1880-2000*, London: Hambledon Continuum, 2006, p. 10.

<sup>5</sup> Charles MURRAY, art. cit., p. 33.

discourse would be to further diminish the welfare state by developing ways of differentiating between those who should be able to claim benefits, and those who ‘don’t deserve’ to.

However, if there were such a thing as an underclass then, firstly, its ‘members’ should not migrate amongst different social strata. And yet, they do: the extensive research evidence gathered by Welshman demonstrates that there is no permanence of *underclass* or extremely poor status.<sup>6</sup> Indeed chance more than any inherent default appears to play a large part in an individual’s or a family’s degree of precariousness in any given year (a multitude of factors may influence levels of poverty and deprivation, for example death or sudden incapacity of the major wage earner, birth, divorce, closure of place of employment, etc.).

Secondly, if there is an underclass, physically, morally, and mentally unfit (for work and anything else), full employment should not be possible. Yet, the First World War demonstrated that ‘*the category of the unemployable had no definite boundary since a large proportion of those thought to be physically, mentally or morally incapable of employment did find work in wartime.*’<sup>7</sup> Further highlighting the transient nature of deprivation, and contradicting the hypothesis of an ‘underclass’, research prompted by Keith Joseph in 1976 found that ‘*at least half of children born into a disadvantaged home do not repeat the pattern of disadvantage in the next generation.*’<sup>8</sup>

The trend in blaming the poor for their poverty, and speculating about their supposed inherent deficiencies has been commonplace for more than a century. Complex systems by which to ‘classify’ the poor were developed, in the hope of identifying—with a view to eliminating—the ‘degenerate’ social stratum that is supposed to be responsible for crime, immorality and delinquency.

In extreme instances these classifications of the poor were used to garner support for voluntary sterilisation such as that condoned by members of the Eugenics Society and the Brock Committee for Voluntary Sterilisation in the 1930s. For example, Cardog Jones, who worked closely with the Brock Committee for Voluntary Sterilisation,<sup>9</sup> warned in 1934 that one of the most preoccupying missions of the time was to identify people who seemed normal but carried hidden ‘defective’ genes.<sup>10</sup> In less extreme forms, the classification system has persisted in the ‘points system’ used to determine placement on social housing lists, and the type of social care and intervention—or exclusion—recommended by social workers. This system and its impact on families was documented by Ken Loach in the television drama *Cathy Come Home* (1966).<sup>11</sup>

<sup>6</sup> John WELSHMAN, *Underclass*, *op. cit.*

<sup>7</sup> *Ibid.*, p. 23.

<sup>8</sup> Nicola MADGE & Michael RUTTER, *Cycles of Disadvantage*, London: Heineman, 1976, p. 304.

<sup>9</sup> Sir Laurence Brock was a senior civil servant in the Ministry of Health and Board of Control (John WELSHMAN, *op. cit.*, p. 58).

<sup>10</sup> Cardog JONES in John WELSHMAN, *op. cit.*, p. 60.

<sup>11</sup> In Loach’s drama, replete with haunting statistics that relate the gravity of Britain’s post-war housing shortage, the question of the ‘problem family’ is directly raised by the voiceover,

However, Alan Walker argues compellingly in *Blaming the Victims* that the problem concerns not the *type* (or class) of poverty, but the degree of poverty. In his comprehensive study of the notion of an underclass, the conclusion that Welshman reaches is that researchers, even those in favour of the term and the concept of an underclass, consistently have difficulty in defining what it is, commonly stating that ‘*more research is required*’ and acknowledging that there is little evidence to support the existence of an inescapable cycle. The main appeal of the phrase is thus understood to be symbolic and rhetorical.<sup>12</sup> Therefore, given past arguments, surely by now the notion of an underclass must be extinct, having been non-validated?

### *New labels for old ideas*

According to Owen Jones—author of *Chavs: The Demonization of the Working Class*, first published in 2011—it is not. The active and widespread stigmatisation of the working class is alive and well. While the term ‘underclass’ is still in use, a new word, ‘chav’, has entered the linguistic arena and captured the public’s imagination. ‘Chav’, sometimes defined as ‘*the burgeoning peasant underclass*’,<sup>13</sup> is significantly more informal in register, but harbours a similar meaning and affirms the continuing prevalence of a near identical effort: ‘*In large part, the demonization of the working class is the legacy of a concerted effort to shift public attitudes, which began under Thatcher, continued with New Labour and has gained further momentum under the coalition. Poverty and unemployment were no longer to be seen as social problems, but more to do with individual moral failings.*’<sup>14</sup> We can see that the parallels with earlier discourse are clear. The popularity and acceptance of the term ‘chav’ belies not only the intention to ridicule and criticise the working class, but much more insidiously, is linked to efforts to shift public opinion towards support for erasing many elements of the welfare state, including not only benefits but also support and services.

What does the term signify? As Jones notes, when ‘chav’ first appeared in the *Collins English Dictionary* in 2005, it was rather innocuously defined as ‘*a young working-class person who dresses in casual sports clothing.*’<sup>15</sup> The definition currently offered (2013) by the *Oxford Dictionary of English* is that of ‘*a young*

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and even said to exist, but crucially *as a result* of the treatment of families once they have been separated and taken into the ‘care’ of government institutions. Loach follows the various gradual stages of the administrative process that leads to progressively more acute precariousness and lack of possible escape for the family ‘intact’: firstly wives and children of evicted families are separated from husbands (men are not offered emergency accommodation), and then in the absence of housing solutions, after a prescribed time the mothers are excluded from the emergency accommodation. The mothers’ sudden status as ‘homeless’ then serves as justification for the state to classify them as unfit to retain custody of their children, the immediate consequence of which is that the children are then forcibly taken from their mothers into care, leaving the women homeless, childless, destitute and alone, and the children at the mercy of institutionalisation and foster care.

<sup>12</sup> John WELSHMAN, *op. cit.*, p. 113.

<sup>13</sup> From *The Little Book of Chavs*, quoted in Owen JONES, *Chavs: The Demonization of the Working Class*, London: Verso, 2012, p. 2.

<sup>14</sup> Owen JONES, *op. cit.*, p. xxii.

<sup>15</sup> *Ibid.*, pp. 7-8.



lower-class person typified by brash and loutish behaviour and the wearing of (real or imitation) designer clothes.’ While a popular myth makes it an acronym for ‘Council Housed and Violent’, the etymology of the word ‘chav’ can in fact be traced to the Romany word for child, *chavi* (also *chavvy*). Although the term is still used to designate youth, and some people maintain that it is restricted in use ‘to designate anti-social hooligans and thugs’,<sup>16</sup> Jones disagrees, arguing that ‘the term “chav” now encompasses any negative traits associated with working-class people—violence, laziness, teenage pregnancies, racism, drunkenness.’<sup>17</sup> Indeed, as Zoe Williams wrote in the *Guardian*, the term chav currently ‘covers so many bases as to be synonymous with [...] any word meaning poor, and therefore worthless.’<sup>18</sup> According to Jones, the use and popularity of the label is ‘evidence of just how mainstream middle-class hatred of working-class people is in modern Britain.’<sup>19</sup>

Another very closely related term is that of the title of Peter Mullan’s most recent film *Neds*. The *Oxford Dictionary of English* provides the following definitions: ‘a hooligan or petty criminal; a stupid or loutish boy or man’ while the *Chambers Dictionary* is more specific: ‘(chiefly Scot, slang) n a young hooligan, a disruptive adolescent.’<sup>20</sup> We can concur that ‘chav’ and ‘ned’ are rough synonyms, working-class slurs, conjuring images of criminal and/or violent behavior combined with lack of intelligence, associated uniquely with the working-class.

### ***Undermining stereotype in Fish Tank***

Having established that the notion of an underclass persists, albeit expressed through varying denominators and more or less explicitly in both popular and political discourse, we now turn to the manifestation of these ideological currents in the first of two films to be included in this discussion: Andrea Arnold’s debut feature-length film, *Fish Tank*.

*Fish Tank* is set and filmed on location in Essex, which is a county of extremes in terms of distribution of wealth. Some of England’s richest cities are to be found in South and South West Essex in the London commuter belt, but these are neither the areas nor the communities shown in *Fish Tank*. Instead, the film is shot on location primarily in Rainham (and to a lesser extent in Tilbury) where there is a concentration of individuals experiencing deprivation. With an aesthetic debt to British social realist melodrama and its depiction of male protagonists losing their bearings in the face of the decline of the traditional industries, Andrea Arnold depicts a female working-class teenager’s quest for identity (beginning to find her bearings) in post-industrial England east of London. She innovatively uses the genre to explore issues of femininity and social fragmentation, while undermining the underclass discourses and offering a challenge to stereotyped representations of the working classes.

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<sup>16</sup> *Ibid.*, p. 7.

<sup>17</sup> *Ibid.*, p. 8.

<sup>18</sup> Zoe WILLIAMS, ‘The Chavs and the Chav-nots’, *Guardian*, 16 July 2008.

<sup>19</sup> Owen JONES, *op. cit.*, p. 5.

<sup>20</sup> *The Chambers Dictionary*, Edinburgh: Chambers Harrap, 1999, p. 1082.

The film is shot in the 4:3 aspect ratio usually reserved for television, a ratio which also closely mimics human eye sight's visual angle. This favours the illusion of immediacy and reality, rendering the image intensely intimate. With the camera ever orbiting her, the point of view throughout that the spectator shares is that of Mia, a fifteen year-old who lives with her mum and younger sister Tyler in a high-rise council flat. Evoking the derogatory definition attributed to 'chav' when understood as an acronym (Council Housed and Violent), the opening sequences of the film are highly volatile, containing multiple episodes of verbal and physical violence within the space of a couple of minutes, in the setting of a council estate. Mia has just been expelled from school; the first dialogue in the film we hear is Mia, framed against the window of an empty room in a high-rise flat, apologising in coarse language on the phone to her now-estranged friend Keely. Shortly thereafter, at the foot of several high-rise council flats, a verbal exchange with Keely's new friends results in Mia initiating a physical altercation, before returning home and being hit and sworn at by her mother.

Situating the film within the wider debate, Mia clearly belongs to the social group which can be designated by the term 'chav'. The characters' circumstances too could have been selected from a list of chav stereotypes: the single-parent family, violent youths, exclusion from school, petty crime, under-age sex and drinking are all featured as the narrative unfolds. As is common in Arnold's oeuvre, indicators of social class and poverty are prevalent across the full array of stylistic elements, including the choice of location (housing estate), the interior of Mia's home (peeling wall-paper, damp spots on the kitchen ceiling, partial insalubrity), the adult characters' professional situations (unemployed or in precarious employment). At a time when working-class actors are being priced out of the film industry,<sup>21</sup> Arnold's choice to include the authentic regional working-class accents of professional and non-professional actors is significant, especially given that the accents themselves can be construed as 'deviating' from the norms of the RP English spoken by the establishment.<sup>22</sup> Delicately manoeuvring between the visual margins of confirming and countering stereotype, Mia's way of dressing can be construed as 'chav'-like and yet is also an articulation of her refusal to commoditise her own (female) body.

For some critics '*Fish Tank was clearly named for Mia's entrapment in the high-rise where she lives*'<sup>23</sup> and while there is strong evidence in the film to support this, the aquarium-like empty blue room in which Mia practises her dance routine also serves as a vantage point from which Mia gazes out through the glass windows at her community below. The film is punctuated by five sequences which are distinct from the rest of the film: one of Mia alone; two of which feature Connor (her mother's new boyfriend with whom Mia has a relationship which will blow the family apart) and Mia together; one of Mia watching her mother; and the last of

<sup>21</sup> Barbara ELLEN, 'After Bob Hoskins, it's Curtains for Working-class Actors these Days', *Observer*, 4 May 2014.

<sup>22</sup> Michael Fassbinder was invited by Arnold to speak in his mother tongue, Irish-accented English, while Katie Jarvis in the role of Mia is a local girl with no previous acting experience.

<sup>23</sup> Graham FULLER, 'Social Realism in a Poetic Lens', *New York Times*, 17 January 2010.

which features Mia with a horse belonging to travellers. The primary characteristic of unity between these scenes is that organic sound—the sound of birds singing, the sound of the horse breathing, the sound of Mia catching her breath, the sound of the wind unsettling a wind chime—is foregrounded and emphasised, accompanied on the image track by close-up framing and in terms of montage by a slower, reflective rhythm. This is significant in terms of the discussion here regarding the undermining of underclass stereotypes because Arnold accordingly uses cinematic codes to ‘*invite the viewer to respond in an intimate, embodied way*’.<sup>24</sup> The spectator is thus invited to share the internal reality of the characters: their emotions, memories, desires, and layers of internal experience that complicate their motivations and actions.

Because the *mise-en-scène* allows the viewer to engage intimately with the character of Mia and her experiences, unequivocal opprobrium of the characters is rendered difficult. This in turn is significant, in terms of the theme of dehumanisation and demonisation of the working classes, because emotional depth to the characters is shown, thus further undermining the caricature evoked by the term ‘chav’. Critics are fascinated by what is described as the depiction of ‘*gritty lower-class England*’,<sup>25</sup> and ‘*bleak, “broken Britain”*’,<sup>26</sup> but Arnold’s canvas is more nuanced than such descriptions admit.

### ***Resisting emotional and economic deprivation***

Placing the film in its social context, *Fish Tank* depicts poverty, and to a lesser extent deprivation, in such a way as to engage with current trends in political discourse in a meaningful manner. Caminiti sees reference to ‘*both emotional and economic deprivation*’<sup>27</sup> in the film, and many examples can be cited to support this affirmation. For example, material deprivation is manifested in small details: basic household items that one would expect a family to have, such as a kettle, are absent. Parental guidance and supervision is minimal or altogether lacking, so that the young Tyler and her friend smoke cigarettes and drink cans of lager upstairs in the girls’ bedroom during their mother’s party, and Mia steals a bottle of vodka downstairs. This absence (of guidance and supervision) can be qualified as negligence, which itself indicates a form of maltreatment and emotional deprivation in the parent-child context. However, in *Fish Tank* and even when Arnold depicts more extreme hand-to-mouth poverty such as in her Oscar-winning short film *Wasp* (2003), or the manipulation and turmoil of emotionally scarred individuals as in *Red Road* (2006), it is with humanity and warmth towards the characters, and an understanding of the difficult realities in which they operate. Once again this works to undermine the ideology of politicians and social commentators who seek to demonise and/or blame the poor in order to gain further reductions in structural solutions to poverty. With ever-increasing research evidence indicating that ‘*children who grow up in poverty can be more vulnerable to some forms of maltreatment, particularly neglect and abuse*’ and have more chances of suffering

<sup>24</sup> Laura U. MARKS, *The Skin of the Film: Intercultural Cinema, Embodiment, and the Senses*, Durham: Duke University Press, 2000, p. 2.

<sup>25</sup> Christian CAMINITI, ‘*Fish Tank* (2009)’, *Film Matters Magazine*, 20 September 2011.

<sup>26</sup> Jonathan ROMNEY, ‘*Fish Tank*, Andrea Arnold’, *Independent*, 13 September 2009.

<sup>27</sup> Christian CAMINITI, art. cit.

from ‘*poor health (physical and mental), death from illness or accident, educational disadvantage and disaffection, unemployment, poverty during adulthood, criminalisation for anti-social behaviour or offending, as well as becoming victims of crime*’,<sup>28</sup> should politicians’ energy be put into driving forward policies that fight poverty, instead of fighting the poor?

Characteristics of the underclass are meant to include low aspiration and the inability to transform one’s circumstances.<sup>29</sup> As though in confirmation of the ‘entrapment’ that critics identify, Mia is often framed surrounded by bars or fences, as though literally imprisoned by her circumstances. And yet, significantly, the film’s rhythm is punctuated with frequent tracking shots of Mia walking or running through the urban, residential, commercial and post-industrial landscapes of her neighbourhood, and finally across the windswept coastal downs of Connor’s, always with intention. Concrete sidewalks, traffic, high metal fences, underpasses and warehouses are common features of the landscape that she navigates, where walls are for climbing over and fences for squeezing through. Despite Mia’s exclusion from school, and the negative implications for her future that this implies,<sup>30</sup> her affinity with the horse and subsequent departure with a traveller articulate her desire for change and symbolically the promise or hope of escape from long-term poverty, further affirming her as active and aspirational, while also resisting the underclass, negative working-class and chav stereotypes. Therefore, while the dramatic sense of poignancy and imminent danger that underpin Arnold’s films *Wasp* and *Red Road* is present—although much more briefly—in *Fish Tank*, all three films end on a sense of relief and (mitigated) optimism. Likewise, in all three films the main protagonist is able to form meaningful emotional connections with at least one other character. This means that while a strong working-class solidarity and collective spirit is far from present, neither are the characters condemned to individualistic modes of existence, but instead, despite the odds, overcome the barriers that post-industrial British society lays between them.

### ***Confirming stereotype in Neds***

The filmic representation of class and social stereotype in the second film chosen for analysis, *Neds*, engages with cultural myths and popular perceptions in a contrasting manner, thus providing an insightful counterpoint to the discussion in the preceding section.

<sup>28</sup> Claire DYSON, *Child Protection Research Briefing: Poverty and Child Maltreatment*, London: NSPCC, April 2008, p. 2.

<sup>29</sup> Transforming one’s circumstances, or, benefitting from social mobility is a recognised ‘life chance indicator’ that is a predictor of longer term outcomes in life. The notion that working class youth ‘lack aspiration’, or demonstrate ‘under-ambition’ was propagated under Thatcher in an attempt to blame the working class for their social problems, and was subsequently picked up by New Labour in their voiced support for ‘hard-working families’, implicitly or explicitly contrasted with ‘millions of supposedly idle people dishonestly claiming benefits’ (Owen JONES, *op. cit.*, p. 91). A further consideration is added by Jones, asking, ‘the question of what these kids are supposed to aspire to in areas lacking well-paid jobs is never addressed’ (*ibid.*).

<sup>30</sup> Exclusion from school is a recognised cause of long-term poverty, and a problem which New Labour undertook to tackle (John WELSHMAN, *op. cit.*, p. 200).

*Neds* is set in 1970s Glasgow, featuring a central character, John McGill, who is a 15 year-old working-class youth and who—like *Fish Tank*'s lead protagonist—will be expelled from school through the course of the film's narrative. From the outset, via the title, the film distorts the subculture that it claims to reveal to the spectator, by offering a misnomer in the form of the retroactively applied acronym 'Non-Educated Delinquent' of the noun 'ned'. To the observant viewer, this sets the tone of what is to follow, so that, despite critics' affirmations that the film is anchored in social-realism, Mullan combines skilled cinematography, talented performances by the cast (in particular by Mullan himself in the role of the abusive father), and a humorous script filled with lively banter, in a work that abides more closely by the stylistic codes of the melodrama and Catholic film than it does to British social-realism. Most significantly, the film also plays on the cultural mythology of Glasgow to offer an expression of the darker side of Clydesidism; not the socialist valorisation of the industrial worker, but replete instead with violent working-class criminal connotations, which David Bruce has linked to a 'mini genre' of 'hard man' films.<sup>31</sup>

Mullan's focus on his working-class protagonist, and to a lesser extent the boy's immediate family and friends, is directed in such a way as to almost completely diminish reference to, or acknowledgement of the poverty and types of deprivation experienced by Glasgow's lower income communities in the 1970s. Despite the fact that John's status as *not* middle class is emphasised in one key sequence by the plot, there are few confirmations of this otherwise. The comfortable home interiors and impeccably attired characters, as mothers, friends, siblings or neighbours—as well as a highly idealised Aunt who mysteriously engages in trans-Atlantic travel seemingly at will and with no financial constraint—all serve to reinforce the perception, much in vogue at the time of the film's release, that 'we are all middle class now'.<sup>32</sup>

While poverty is hardly depicted in the *mise-en-scène*, nor in the narrative, Mullan chooses instead to highlight one of the very aspects associated with poverty that the media is incessantly preoccupied with drawing the public's attention to: violence. Mullan's film capitalises on the media attention attracted to the label 'neds' and one aspect of the denominator's accompanying connotations, that of violent working-class youth. In fact, *Neds* can be seen to be connected thematically with the commercially successful crime/gangster/heist films such as *Shallow Grave* (Doyle, 1994), *Trainspotting* (Doyle, 1996), *Lock, Stock and Two Smoking Barrels* (Ritchie, 1998), and *16 Years of Alcohol* (Jobson, 2003) that appeal to the youth market. This is a profitable pattern to follow, as generally—since the Scottish

<sup>31</sup> David BRUCE, *Scotland the Movie*, Edinburgh: Polygon, 1996, p. 124. See also Duncan PETRIE, *Contemporary Scottish Fictions: Film, Television and the Novel*, Edinburgh: Edinburgh University Press, 2004 and John HILL, 'Bonnie Scotland, Eh?', in Jonathan Murray, Fidelma Farley & Rod Stoneman (eds), *Scottish Cinema Now*, Newcastle-Upon-Tyne: Cambridge Scholars Publishing, 2009.

<sup>32</sup> John Prescott was infamously derided for asserting that 'we're all middle class now' in 1997. However, more than a decade later this (false) assumption had grown and been invested with considerable veracity in the public's imagination, with increasing numbers of poor working class self-identifying as middle class. Cf. Judith WOODS, 'We're All Middle Class Now, Darling', *Telegraph*, 22 January 2010 and Owen JONES, *op. cit.*, 2010.

cultural revival that hit horizontally across all forms of cultural production in the mid-1990s—Scottish films that have incorporated an element of interest in the criminal ‘underworld’ and targeted the teen and twenty-something audience have been amongst the most successful at the box office.

The term ‘ned’ is even used within the diegesis of the film by the main character who refers to himself as a ned, before lobbing a Molotov cocktail through the dining room window of a middle-class family’s home, thus demonstrating appropriation of the term and clearly designating violent behaviour as the word’s domain. Furthermore, despite the theme of religious atonement (played out through the Catholic trope of Jesus punishing the sinner), the film’s over-riding portrayal of gang violence—set to a soundtrack of popular glam rock of the early 1970s—is as an exhilarating and playful pastime, that can be engaged in by most of the young men without any serious negative impact upon their lives.

Giving some indication of the amplitude of the situation, in 2011 Glasgow was reported as having 170 gangs with an estimated 3,500 members. ‘*On a per capita basis, this is six times as many teenage gangs as in London, which has ten times the population.*’<sup>33</sup> Violence in Scotland is dramatically concentrated on the West Coast (primarily Glasgow and the surrounding areas) which is where *Neds* is set. While the narrative takes place in the 1970s, by the 1990s Glasgow had emerged as the ‘*most violent city in Western Europe*’. In 2006, the majority of the country’s 106 reported murders occurred in the west of Scotland. Unreported incidents would push the figures even higher: Accident and Emergency doctors in Strathclyde (the Glasgow area) see roughly 300 attempted murders each year and treat ‘*a serious facial injury every six hours*’,<sup>34</sup> popularly known as the ‘Glasgow Smile’.<sup>35</sup> Uncontestably then, the gang culture and physical assault including homicide has been and still is one of the defining features of Glasgow.<sup>36</sup> However, when violence and gangs are discussed in isolation, it is difficult to appreciate or understand the complex factors that contribute to the existence and manifestations of such behaviour. While the purpose of this article is not to elucidate the matter in detail, nevertheless, as discussed above, the research evidence<sup>37</sup> clearly indicates the fact that children growing up in poverty and suffering from multiple deprivation are more likely not only to behave anti-socially, but also to be victims of criminal behaviour and abuse.

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<sup>33</sup> Billy BRIGGS, ‘Breaking Up the Gangs of Glasgow from Within’, *Aljazeera*, 22 September 2011.

<sup>34</sup> *Ibid.*

<sup>35</sup> The ‘Glasgow smile’ is a knife laceration from mouth to upper cheek.

<sup>36</sup> From a historical perspective, it was the Glaswegian ‘Penny Mobs’ who infamously brought fighting to the streets in the 19<sup>th</sup> century, at which time use of the word ‘ned’ was first documented. By the 1930s Glasgow had been nick-named the ‘Scottish Chicago’ due to mass street fighting and the razor gangs responsible for the ‘Glasgow smile’, and records show use of the term ‘ned’ by both gangs and Glasgow police.

<sup>37</sup> Claire DYSON, *Poverty and Child Maltreatment*, *op. cit.*

### *Isolated acts of violence and avoiding social contextualisation*

A closer look at *Neds*' narrative will reveal that, unfortunately, the absence of contextualisation in Mullan's film tends to reinforce negative images of the working class instead of elucidating structural causes. While it is difficult to pinpoint one distinct cause of John McGill's descent from studious straight-A student to unhinged excessively violent 'ned', at first the film seems to begin to trace lines of connection that might unite into a cohesive whole. For instance, for some critics the decisive moment is when John is rejected by a middle-class family during the summer holidays, the film's narrative pivoting around this one act of class snobbery. However, there are other factors: he witnesses domestic abuse, suffers corporal punishment and humiliation at school, has an older brother who has assaulted two teachers and been expelled from school. The spectator may wonder if John is a product of the so-called underclass, violent, unethical, adopting a culture of ignorance and failure, or whether his demise is the consequence of a class war in which he is a victim.

However, the teenager's unconvincingly rapid descent into excessive violence and then mental instability condemns him to social exclusion at the later stages in the narrative as he is shunned by his friends, expelled from school and thrown out of home, and he is thus portrayed as completely isolated from and rejected by his community and the establishment, whose shared responsibility in his crimes seems consequently to be minimised by the plot. When the religious trope is rather unevenly developed, Mullen seems to suggest that John's violent downward spiral can be attributed to evil rather than human forces or social context. Given the fact that gang violence, or more generally the closely entangled web of poverty, unemployment, deprivation, crime, violence and drug and alcohol abuse that haunts Glasgow is such a pervasive and persistent problem, from the wider social perspective, this evolution in the plot is problematic.

While the film's narrative is deeply pessimistic as to the extent to which it is possible to escape the class and the social conditions into which we are born, Mullan nevertheless somewhat paradoxically projects the hope of reconciliation and forgiveness, perhaps even a peaceful truce, for a city which so desperately needs it. Mullan chooses unlikely imagery to communicate this hope of an uneasy truce: the film ends with a surreal sequence of John walking through a pride of lions hand in hand with the boy whom he brutally attacked earlier in the narrative (and who, as a consequence, is now mentally retarded). This sequence is an example of what Jérôme Cottin describes as one of three types of biblical citation in film: '*La Bible actualisée*'.<sup>38</sup> It is a visual rendering of the expression '*when lions lay down with lambs*', itself popular culture's transformation of Isaiah Chapter 11, Verse 6.<sup>39</sup> The

<sup>38</sup> 'Les textes, personnages ou récits bibliques ne sont plus cités en tant que tels. Ils sont actualisés, et forment la trame sous-jacente à d'autres récits. Seul le connaisseur averti de la Bible percevra les allusions bibliques présentes sous le récit'. (Jérôme COTTIN, 'Citations bibliques au cinéma', in Agnès DEVICTOR & Kristian FEIGELSON [eds], *Croyances et sacré au cinéma*, Condé-sur-Noireau: CinémAction Editions Corlet, 2010, p. 101.)

<sup>39</sup> Linking Christian inspiration to artistic creation, Mullan is one in a long line of filmmakers who have chosen to give overt or implicit place to religious imagery and spirituality in

note of optimism provided by the biblical reference is however undermined by the sheer amplitude of fantasy attached to the final image, in such clear dislocation from the rest of the film. This is compounded by the fact that even the spatial unity in the film, exclusively set within Glasgow city limits until this point, is suddenly abandoned, as though violence can only cease outside the city.

### *Conclusion*

In Mullan's *Neds*, public institutions—such as school—and the home are depicted as sites of abuse, and the pressure exerted on young men from their peers to conform to the feckless violent image that the middle classes project onto the working classes in Glasgow is seen as difficult to resist. Equally, the working-class youths are seen, with few exceptions, to appropriate this image of violent identity without reserve. Set in the 1970s, in *Neds* the nuclear family is still 'intact', although highly dysfunctional. Whereas the father-figure in *Fish Tank* is altogether absent (in the case of Mia's father) or fleetingly present but 'deviant' (in the case of Connor, who transgresses social boundaries), the father is present but terrifyingly abusive and violent in *Neds*. Indeed, the relegation of women in the film to meek guardians of morality, and victims of the 'overwhelming strict disciplinarian father-figure'<sup>40</sup> perpetuate images of Scotland, and particularly of Glasgow, as a place where individuals are crushed by domineering fathers and macho 'hard men', be they teachers or 'neds'.

The film's perpetuation of the 'hard man' sub-genre of the Clydesidism myth is reinforced by its deliberate appropriation of the derogatory denominator 'ned'. The significance of the fact that John McGill finally rejects the violent behaviour attributed to the term is weakened since, amongst his peers, his is an isolated act of rejection. Throughout the film McGill is depicted as 'unique', and 'exceptional', in both his intelligence and initial and final refusals of violence, and thus he is shown as not representative of his class. In this manner the film undermines neither the terminology ('ned'), nor the associated prevailing stereotypes of a widespread culture of violence amongst working-class youths, but rather reinforces the unfortunate images of irresponsibility, ignorance, and violence as an integral and inescapable fact of working-class identity and behaviour.

Aside from an isolated act of snobbery, there is little sense of the harshness of economic disparity in *Neds*, nor of the accompanying web of deprivation that in the early 1970s, when the film is set, had already begun to be spun around whole neighbourhoods of Glasgow with the rapidly diminishing shipbuilding industries. As such, the film is situated in a doubly insular context: both in the past, and in a past isolated from wider socio-economic contexts.

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cinema. Antoine Lion notes that whereas an ever widening gulf had come to divide artistic creation from religion, with the Church definitively losing control of artistic images from as early as the 15<sup>th</sup> century, in the last century cinema has—somewhat surprisingly, according to some critics—offered a new breath of life to religious iconography in the visual arts. (Antoine LION, 'Inspiration chrétienne et création artistique: de l'icône au cinéma', in Agnès DEVICTOR & Kristian FEIGELSON [eds], *op. cit.*, p. 94.)

<sup>40</sup> Duncan PETRIE, *op. cit.*, p. 64.



In *Fish Tank* on the other hand, via the narrative but also through candid framing of *décor* and detail in Mia's home, Arnold explicitly evokes many of the ways that poverty and multiple deprivation impact on individuals on a daily basis. She offers the spectator a more nuanced and articulate alternative representation of individuals and families who are directly concerned by efforts to exclude the working class, relentlessly increasingly marginalised in modern-day Britain, as we have seen earlier in this article. Situating the film in the canon of British social realist melodrama, Arnold's work, and her keen will to document and communicate an 'authentic' view of British life—in this film pivoting around the coming of age of an adolescent girl—can be seen to engage with themes (such as the orphaned or semi-orphaned child) and modes of expression (social melodrama) favoured by other key British directors such as Loach, Douglas, and Ramsay, whilst also demonstrating Arnold's own unique filmic style.

Arnold's careful orchestration of soundtrack, image track and narrative offers an intimate, volatile and endearing portrait of a low-income single-parent family in Britain. Without marginalising men in the narrative, she nevertheless privileges a feminine point of view, thus offering a much-needed counterpoint to the all-too-prevalent cinematic depictions of the working class as almost exclusively male, existing in homosocial environments. Despite Mia's home situation and the circumstances of multiple deprivation in which she is growing up, her aspirations, the fact that she is associated with musical genres that subvert dominant cultural values, and the avenue of escape that she seizes clearly undermine attempts elsewhere in the media to depict her social class as devoid of aspiration and 'worthless'. Furthermore, whereas *Neds*' emphasis on the uniqueness of John McGill collaborates with the general negative stereotyping of the working class, a stereotype from which, according to the narrative, only those who are truly 'exceptional' can rise, in *Fish Tank* the fact that the spectator is drawn in to the character's intimate world, seeing Mia as an individual, serves to counter the dehumanising associations of the chav stereotype. Mia, and by extension British working-class youth, are depicted as much more complex than expressed in the restrictive and nullifying denominators that social commentators or politicians may wish to reduce or neutralise them with. Furthermore, Arnold eloquently succeeds in giving voice to what is 'local, awkward, and complex'<sup>41</sup> in the nation, here a specific area of Essex, thus undermining general stereotypes by insisting on local specificity. Nevertheless, it remains a poignant statement that for both films, as for so many other British films, the working class is overwhelmingly depicted as something from which escape is deemed necessary.

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## *Comptes rendus*

**Agnès ALEXANDRE-COLLIER, Emmanuelle AVRIL, *Les partis politiques britanniques*, Paris : Armand Colin, 2013, 287 p. ISBN: 978-2-200-27598-3.**

Enfin un ouvrage global en français sur les partis politiques britanniques ! A ma connaissance, il n'y en avait pas eu depuis trente ans. Il faut donc féliciter les deux auteures pour avoir entrepris cette tâche considérable, elles qui sont l'une et l'autre plutôt spécialistes des deux grands partis de gouvernement. Pour résumer, l'ouvrage identifie trois catégories de partis: les "petits partis", c'est-à-dire les formations, même très modestes, présentes, sans forcément obtenir des élus, sur le terrain local ou régional - il leur consacre plus de 50 pages - ; ensuite, les partis des "nations constitutives du Royaume-Uni", essentiellement les formations nationalistes et les partis d'Irlande du Nord, déjà représentés au parlement de Westminster, dans les conseils locaux et le parlement européen avant 1997, et qui animent dorénavant le parlement écossais et les diverses assemblées élues, que la vague "dévolutionniste" d'après 1997 a engendrées. Précisément, en multipliant les assemblées élues, et les modes d'élection - avec souvent une forte dose de scrutin proportionnel, qui rend ces assemblées plus représentatives de leurs électors - la dévolution a diversifié et décentralisé la vie politique, en ne la limitant pas aux affrontements, souvent stériles et artificiels, de Westminster et rend ce livre encore plus nécessaire qu'il ne l'aurait été avant 1997.

Les auteures n'en réservent pas moins une grande place (près de 150 pages) aux trois grands partis de gouvernement - le gouvernement de coalition de mai 2010 permettant au parti libéral-démocrate, selon elles, d'accéder à ce rang - qui sont traités dans toutes leurs dimensions: leur histoire, les différentes idéologies, souvent contradictoires, qui les traversent, leur organisation centrale et locale et même "nationale", au sens que prend ce mot en Ecosse et au Pays de Galles, les deux grands partis ayant dû concéder - comme le parti libéral-démocrate avant eux, et plutôt de mauvais gré en ce qui concerne les travaillistes - une autonomie grandissante à leurs branches écossaises et galloises. Ce qui n'empêche pas, dans chaque formation, les partis anglais de garder, par la force de la démographie, une voix déterminante à tous les échelons "britanniques". Si bien qu'on peut penser qu'il est dorénavant peu probable qu'un leader "national", au sens de britannique cette fois, puisse émerger des partis écossais et gallois; c'était déjà le cas depuis longtemps pour les conservateurs, c'est maintenant le cas, sans doute, pour le parti travailliste, même si l'Ecosse continue d'envoyer à Westminster un fort contingent d'élus travaillistes. On notera à cet égard que l'Ecosse est le seul endroit où ce parti s'est maintenu, aux élections générales de 2010, largement au même niveau qu'en 2005: 43 sièges sur un total de 59 sièges écossais, avec un pourcentage de voix en hausse: 41% contre 38%. Ajoutons d'ailleurs que l'avenir de cette représentation travailliste écossaise est suspendu au résultat du référendum sur l'indépendance du 18 septembre 2014. On comprend donc que le parti travailliste ait pris la tête de l'organisation en faveur du vote Non (*Better Together Campaign*), mettant en avant ses champions les plus connus (autrefois ministres du cabinet de Londres, comme Alistair Darling, ancien chancelier de l'Echiquier, et même Gordon Brown). Il y va

de son avenir électoral le plus immédiat, pas seulement en Ecosse mais dans l'ensemble britannique. Il faut se souvenir, en effet, que - à l'exception de la période blairiste, où l'ancien Premier ministre pouvait se prévaloir d'avoir séduit ce qu'il appelait "Middle England" - les gouvernements travaillistes ont toujours dû leur arrivée au pouvoir, dans le passé, à l'appui massif des électeurs écossais et gallois. A l'inverse, il est clair que le parti conservateur aurait tout à gagner sur le plan électoral - à court terme, au moins - à une sécession de l'Ecosse, mais au risque de perdre son âme; ne s'est-il pas toujours voulu le plus unioniste de tous les partis, notamment en Ecosse, où il a porté longtemps (jusqu'en 1965, comme le rappelle le livre) le titre officiel de "parti unioniste", avant de fusionner avec le parti anglais et gallois. C'est d'ailleurs à partir de ce moment-là qu'il a commencé à décliner. Coïncidence ou allergie écossaise à l'étiquette de "conservateur" ?

Mais l'ouvrage n'est pas seulement descriptif du rôle que jouent les partis britanniques et des fonctions qu'ils remplissent, notamment ceux qui exercent des responsabilités gouvernementales, il propose également une théorie de leur évolution à deux volets, d'abord une plus grande professionnalisation - les dirigeants principaux sont, pour la plupart, des professionnels de la politique; en outre, de plus en plus d'experts extérieurs (sondeurs, communicants, financiers), sans allégeance partisane précise, entrent dans l'organisation centrale - ; ensuite et surtout une centralisation du pouvoir croissante. D'où le paradoxe, sur lequel insistent les auteurs (à juste titre, me semble-t-il), selon lequel une démocratisation accrue (élection interne des candidats, à tous les niveaux, et des principaux responsables, dont le leader), en renforçant la légitimité des dirigeants, augmente le poids et l'autonomie du centre vis à vis de la base. C'est sans doute moins vrai au sein du parti conservateur, notamment en ce qui concerne le leader, y compris quand il est Premier ministre, puisque son élection peut être contestée à chaque début de session parlementaire (il suffit que 15 % des députés le demandent). Et cette disposition n'est pas théorique puisqu'elle s'est appliquée fameusement à Margaret Thatcher elle-même !

Par contre, c'est particulièrement vrai pour le leader travailliste depuis la réforme imposée par la gauche en 1981. Avant cette date, le leader était élu par les députés aux Communes seuls et, officiellement, il n'était que le leader du parti parlementaire travailliste; aussi, à chaque congrès, lui fallait-il négocier avec les délégués de la base mais surtout avec les chefs des grands syndicats, dont le "vote bloqué" était déterminant pour l'adoption ou non d'une motion qui, en principe, s'imposait à tous. Mais, en décidant au congrès de 1981 que le leader, qui devenait ainsi officiellement leader de l'ensemble du parti, serait dorénavant élu par un collège à trois sections (députés aux Communes et au parlement européen, membres des partis de circonscriptions et adhérents des syndicats affiliés) la majorité des délégués d'alors croyait sans doute accroître l'emprise de la base sur le dirigeant principal. En fait, elle en renforçait la légitimité, et donc l'autorité. Il faut rappeler, en effet, que, lors de son élection, en 1994, après la mort de John Smith, Tony Blair obtint la majorité absolue - et cela dès le premier tour, face à deux autres candidats - dans les trois sections: 60,5 % des voix chez les parlementaires, 58,2 % dans les partis locaux, 53,3 % dans les "organisations affiliées", essentiellement les syndicats-membres, ce qui, globalement, lui donnait 57% des suffrages. On comprend alors pourquoi il a eu l'autorité nécessaire pour imposer, en moins de trois ans, une orientation idéologique nouvelle à son parti, symbolisée par l'abandon de la fameuse clause IV des statuts, et l'adoption d'un programme réformiste qui cherchait

à adapter le parti à l'héritage thatcherien plutôt qu'à le combattre. A l'inverse, Gordon Brown, qui est parvenu sans élection en bonne et due forme au poste de leader - et de Premier ministre - n'a pas eu la même autorité. Il en sera probablement de même d'Ed Milliband, dont on sait que la victoire surprise, et d'extrême justesse, sur son frère David, en 2010, n'a été acquise que grâce au vote syndical.

Pour conclure ce compte-rendu forcément sélectif d'un ouvrage très riche, on saura gré aux auteurs de bien montrer comment la dévolution des pouvoirs, dans tous ses aspects, et la dimension européenne, dans une moindre mesure, en mettant en place un système politique décentralisé et fragmenté, qui apparaît comme une sorte de fédéralisme boiteux et inachevé, qui ne veut pas dire son nom - le terme "fédéral" faisant partie de ces "mots grossiers" que les hommes politiques britanniques redoutent de prononcer -, ont non seulement donné de l'importance à des formations qui seraient sans doute restées assez marginales mais ont obligé les grands partis de gouvernement à s'adapter dans leur structure et dans leur organisation. A l'inverse, alors que les grands partis sont devenus avant tout des machines électorales, principalement destinées à amener au pouvoir des politiciens de carrière, pétris dans des moules intellectuels peu différents et aux profils socio-économiques assez proches, il semble que le rôle de poser les grandes questions de société et d'entretenir un minimum de débat idéologique ait été progressivement dévolu aux petits partis ou à ceux de la périphérie. C'est en tout cas ce qui paraît se dégager des conclusions du livre.

Jacques Leruez

**Gérard Hocnard, *La Grande-Bretagne, Culture Guides, Puf Clio, Paris : Presses Universitaires de France, 2013, 486 p. ISBN 978-2-13-0592237-2.***

Ce livre de quelque 500 pages, destiné à l'origine à la documentation des clients des voyages Clio - dont l'auteur, professeur de khâgne honoraire, est aussi, depuis des années, guide-conférencier pour l'ensemble du Royaume-Uni - est beaucoup plus qu'un ouvrage touristique, c'est un véritable guide, au sens fort, pour quiconque cherche à percer les complexités et les mystères de l'histoire et de la civilisation britanniques.

L'ouvrage rappelle tout d'abord qu'une des plus vieilles démocraties du monde ne s'est pas installée sans mal et que la Grande-Bretagne a connu plus que sa part de guerres internes, de conflits religieux, d'assassinats politiques et même de luttes des classes. Il ne faut pas oublier, en outre, que la révolution de 1688, dite "glorieuse", a exclu un certain nombre de citoyens du bénéfice des "droits imprescriptibles" définis par le *Bill of Rights* de 1689 et que le régime parlementaire, qui en est issu, n'a connu un fonctionnement véritablement démocratique que progressivement au cours du 19<sup>ème</sup> siècle. De même, il a fallu attendre 1829 et l'abolition du *Test Act* pour que les catholiques puissent bénéficier des mêmes droits que les autres Britanniques; et encore non sans restrictions concernant la monarchie, puisque l'*Act of Establishment* de 1701 - qui impose un "roi protestant" pour un "pays protestant" - n'a jamais été aboli; on peut même dire qu'il s'impose, en fait sinon en droit, au reste de la famille royale et même au Premier ministre, puisque Tony Blair a jugé bon, sans doute par crainte des réactions de certains médias, d'attendre de ne plus être à la tête du gouvernement pour annoncer sa conversion au catholicisme,

Un autre mérite de l'ouvrage est de donner tout son sens au terme de Royaume-Uni; dès les premières pages, en effet, à la différence de maints historiens français - et, à

leur suite, bien des journalistes - l'auteur rappelle que la Grande-Bretagne regroupe, sur une seule île, trois nations qui ne sont officiellement unies que depuis le début du 18ème siècle (traité d'Union de 1707 entre l'Ecosse et l'ensemble anglo-gallois, le Pays de Galles ayant été soumis par les armes dès le 13ème siècle). Mais il fait plus que cela, puisqu'il s'efforce - au moins jusqu'au traité d'Union - de mener de front, avec un certain bonheur, les histoires séparées de ces trois nations. On notera à cet égard que, si l'arrivée sur le trône anglais, en 1485, d'un prince gallois, Henri Tudor, avec le titre d'Henri V, aida à stabiliser les relations anglo-galloises, il n'en fut pas de même pour les relations anglo-écossaises après l'accession de Jacques VI d'Ecosse au trône anglais, en 1603. En fait, cette stabilisation ne survint que beaucoup plus tard, dans la seconde moitié du 18ème siècle, quand les élites écossaises ont pu, au même titre que les élites anglaises, bénéficier de l'expansion de l'Empire et prendre une large part dans les inventions et les innovations techniques et culturelles qui ont, en quelques décennies, métamorphosé le pays.

De fait, l'auteur consacre des développements bien venus aux mutations économiques et sociales des 18ème et 19ème siècles: désertification des campagnes à l'origine d'une vague d'immigration vers les Etats-Unis et l'Empire et d'une urbanisation sauvage, industrialisation et naissance d'un prolétariat surexploité mais aussi d'une classe moyenne urbaine pétrie de l'éthique protestante du travail qui, en accédant au droit de suffrage, exigera la démocratisation et, ainsi, la stabilisation du régime politique. Associées aux ressources de l'Empire, ces transformations économiques et sociales ont certes globalement enrichi le pays - quoique d'une façon très inégalitaire: les romans de Dickens témoignent entre autres de ce qu'était la pauvreté à l'époque - et ont permis l'avènement des grandes institutions de diffusion de la culture: la British Academy, la National Gallery, le British Museum, la British Library et l'explosion des beaux-arts: architecture, ébénisterie, orfèvrerie, art des jardins, peinture, sculpture; ouvrant la voie à l'apothéose du *Rule Britannia* lors de la Grande Exposition de 1851 et, plus généralement, du "siècle de Victoria", auquel l'ouvrage consacre un long chapitre, non sans signaler les premiers accroc dans cette hégémonie: la peu glorieuse expédition des Dardanelles et la guerre des Boërs. Les spécialistes de la Grande-Bretagne contemporaine jugeront sans doute que le traitement du 20ème siècle est quelque peu rapide, encore que l'essentiel soit dit concernant les deux guerres mondiales, par exemple. Mais ce livre n'a pas été fait pour les spécialistes. Ecrit d'une plume alerte et claire, foisonnant d'anecdotes et de coups de projecteurs sur des détails certes mais qui illustrent au mieux la vision du monde des Britanniques, et destiné avant tout à un vaste public cultivé, il aide à combattre bien des préjugés concernant la Grande-Bretagne. A mon avis, il devrait être mis entre toutes les mains des étudiants d'anglais, débutants ou non. Dans cette optique, je le recommande chaudement.

Jacques LERUEZ.

**Schnapper, Pauline. *Le Royaume-Uni doit-il sortir de l'Union Européenne ? Débats, réflexeurope*, Paris : La Documentation Française, 164 p., 2014.**

**Charter, David. *Au revoir, Europe, What if Britain left the EU ?* Londres : Biteback Publishing Ltd., 334 p. 2012.**

Le très utile petit livre de Pauline Schnapper pose toutes les bonnes questions à propos de ce qu'il est convenu d'appeler Brexit (pour British Exit, sous-entendu: ...de



l'Union Européenne), même s'il ne peut répondre à la question cruciale: sortira ou sortira pas ? Il est divisé en quatre parties. La première et la deuxième parties ("L'adhésion tardive d'un partenaire récalcitrant", "Les raisons d'un choix difficile") traitent, de l'histoire tourmentée des relations de la Grande-Bretagne avec ses partenaires de l'Europe continentale. ( Il s'agit d'une reprise des analyses que l'on trouve déjà dans le premier livre de l'auteure sur le même sujet: *La Grande-Bretagne et l'Europe: Le grand malentendu*. Presses de Sciences Po, Paris, 2000, 218 p.). Les deux autres parties, plus originales, traitent successivement des deux aspects les plus actuels: "Une contribution sous-estimée à la construction européenne" et "Le Royaume-Uni a-t-il encore un avenir au sein de l'Union Européenne ?".

La troisième partie pose en fait une double question: dans quelle mesure le Royaume-Uni s'est-il adapté à l'Europe? et, à l'inverse, quelle a été l'influence du Royaume-Uni sur l'évolution de la construction européenne ? Selon Pauline Schnapper, l'"européisation" de la Grande-Bretagne a pris plusieurs aspects: d'abord celle de l'exécutif et de la haute administration, grâce à une volonté d'adaptation aux règles européennes, qui s'est opérée par une réorganisation appropriée des centres de pouvoir, notamment du *Foreign Office* et du *Cabinet Office*, et l'envoi à Bruxelles d'une représentation permanente active, spécialement formée et en osmose avec les centres de pouvoir internes; ensuite, le souci du Parlement d'être en prise permanente avec le flux de la législation émanant de Bruxelles; chaque chambre ayant sa commission spécialisée: le *European Scrutiny Committee* pour les Communes, créé dès 1972, le *European Union Committee* pour les Lords (créé dès 1974 mais dont le nom a changé en parallèle avec celui des institutions européennes elles-mêmes); il résulte de tout cela, enfin, "une application souvent exemplaire des règles européennes". Cette analyse n'est pas fautive bien sûr mais je pense qu'elle s'applique au temps où le Royaume-Uni cherchait vraiment à jouer le jeu de l'intégration européenne, y compris d'ailleurs pendant la période thatchérienne, jusqu'à l'adoption de l'Acte unique (1986) où la Dame de fer est allée jusqu'à concéder le principe du vote à la majorité pour faciliter la mise en oeuvre du grand marché unique auquel la Grande-Bretagne tenait tant. Après cela, à part une courte période sous Tony Blair, où le discours a changé plus que les actes, on a assisté principalement à des combats d'arrière-garde et, enfin, à un lâche soulagement quand les résultats des référendums français et hollandais (2005) ont permis au gouvernement britannique d'échapper à la consultation de sa propre population, à laquelle il s'était engagé et qui lui eût sans doute valu un camouflet, en raison de la montée de l'"euroscepticisme". Ce bel euphémisme ( dont on trouvera une bonne description pp. 115-116) qui, depuis le début, ne demandait qu'à s'épanouir, monta en puissance après la chute de Margaret Thatcher, d'autant qu'il était fortement alimenté par les médias écrits, notamment la presse Murdoch, offensive que les gouvernements successifs n'ont pas eu le courage d'attaquer de front. Et pourtant, cette période a vu le triomphe de la conception britannique de l'Europe: élargissement, donc dilution de l'influence des grands pays, avant toute construction super-étatique cohérente, comme le souhaitait la France, aussi pouvait-on constater, au seuil du 21<sup>ème</sup> siècle, que le Royaume-Uni était parvenu à amender le traité de Rome sur trois points essentiels: la structure du budget communautaire, l'instauration d'un véritable grand marché, une évolution paralysante des institutions, façonnant ainsi une Europe plus proche de l'image qu'il s'en était toujours faite depuis la seconde guerre mondiale. C'était du moins ce que la plupart des

observateurs objectifs estimaient, y compris des Britanniques (Voir par exemple: Anand Menon: "Triomphant malgré lui? Le Royaume-Uni et l'émergence d'une Europe anglo-saxonne." in *Le Royaume-Uni de Tony Blair. Pouvoirs*, n° 93, 2000).

La quatrième partie est plus spéculative puisqu'elle s'interroge sur l'avenir du Royaume-Uni au sein de l'UE, compte tenu des tiraillements au sein du gouvernement de coalition, élu en 2010, entre l'européanisme des libéraux-démocrates, certes minoritaires mais indispensables, et l'euroscpticisme de plus en plus virulent qui s'exprime jusqu'au sein du Cabinet mais surtout chez les backbenchers conservateurs, inquiets de la montée du UKIP, qui menace leur réélection en 2015. D'où le discours du Premier ministre, David Cameron (23 janvier 2013) promettant, en cas de réélection en 2015, un référendum concernant Brexit après une renégociation avec les partenaires européens des contraintes les plus mal supportées parmi celles que les traités imposent aux Britanniques. Par ce discours, David Cameron pensait sans doute désarmer une partie de son opposition interne tout en n'inquiétant pas trop les pays de l'Union; il n'en en rien été et, dans ce domaine, sa position est de plus en plus inconfortable, d'autant que le leader travailliste, en tête dans les sondages, maintient son opposition à tout référendum. C'est, en tout cas, ce qu'il a réaffirmé solennellement en mars 2014.

Le second ouvrage, dû à un journaliste du *Times*, David Charter, couvre à peu près le même terrain que le précédent, mais, comme son auteur n'est pas tenu à la même rigueur d'analyse qu'une universitaire française, il laisse, de temps à autre, apparaître ses préférences, voire ses agacements, n'oubliant jamais de dénoncer les "blocages" français au sujet de la PAC, de la politique des pêches et même de la libre concurrence ! Tout en insistant sur le coût de l'adhésion pour la Grande-Bretagne, qu'il estime à 200 milliards de livres en 40 ans. Inutile d'ajouter qu'il fait plus que comprendre le désenchantement du public britannique vis à vis de l'UE. Toutefois, ce qui fait l'intérêt de ce livre - anecdotique plus que scientifique d'ailleurs - c'est que, dans un dernier chapitre, il tente d'imaginer l'avenir européen de la Grande-Bretagne après les élections générales de 2015. Selon lui, elles seront gagnées de justesse par Ed. Milliband qui, dans les derniers mois, n'aura pu résister aux pressions de l'opinion en faveur du référendum prévu par Cameron et se sera donc engagé à l'organiser à la date prévue (2017). Malgré des concessions non négligeables des partenaires européens, et une vigoureuse campagne pour le maintien dans l'UE, menée par David Milliband, le camp du Non triomphera mais de justesse, et grâce uniquement aux électeurs anglais, l'Ecosse et le pays de Galles votant pour le maintien, ce qui redonnera une chance au parti nationaliste écossais après son échec lors du référendum sur l'indépendance de 2014 (Autre prédiction qu'on pourra vérifier très vite !) Avec un gouvernement travailliste affaibli, suivra une période de tensions économiques et même de difficultés réelles pour la City. Toutefois, les négociations de sortie de l'UE - y compris la conclusion d'un accord de libre-échange - s'étant révélées plus positives et plus amicales que prévu, la majorité de la population britannique pourra savourer (vers 2020 ) son "indépendance" retrouvée et n'aura rien à regretter. Acceptons-en l'augure !

Jacques Leruez.

**RÉSUMÉS  
ABSTRACTS**

**Yasmine MOHAMMEDI**

**THE LABELLING OF DEVIANTS IN THE ENGLISH CRIMINAL  
JUSTICE SYSTEM: A HISTORICAL PERSPECTIVE**

This article sets out to provide an overview of the treatment of criminal defendants by the English justice system across history, in an effort to illustrate how the construction of the criminal justice system in England, involving the creation of both consistently applied procedural rules and substantive principles, coincides with historically meaningful changes in the labels applied to individuals who have run afoul of their community's laws. While drawing extensively on a historiographical body of research in the fields of social history and legal history of criminal justice, I will borrow from symbolic interactionism in sociology to address the issues of labelling and deviance.

**LA STIGMATISATION DES DEVIANTS PAR LE SYSTEME DE JUSTICE  
CRIMINELLE ANGLAIS : UNE PERSPECTIVE HISTORIQUE**

*À travers une étude du traitement de l'accusé pénal à différentes périodes de l'histoire du système judiciaire anglais, cet article vise à mettre en lumière l'existence de coïncidences entre la construction du système pénal en Angleterre (ses règles de droits et leur mise en œuvre procédurale) et les étiquettes appliquées aux individus ayant contrevenu aux lois de leur communauté. Puisant dans l'abondante historiographie propre aux champs de l'histoire sociale et de l'histoire de la justice pénale, cette étude emprunte également au domaine de l'interactionnisme symbolique en sociologie pour appréhender les questions relatives aux dénominations et à la déviance.*

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**Jérôme GROSCLAUDE**

**FROM BUGGER TO HOMOSEXUAL:  
THE ENGLISH SODOMITE AS CRIMINALLY DEVIANT (1533-1967)**

The sodomite has traditionally been perceived as a deviant character in England and this article endeavors to trace and to discuss the reasons for such a state of fact. From sinner to traitor to mentally ill, these are some of the different stages which sodomites have (sometimes concurrently) gone through in terms of public perception in England from 1535, date of the passage of the first Buggery Act, to 1967, when the Sexual Offences Act decriminalised most consented homosexual acts. These different categories all have a common point: they share a deviant character, linked to the danger allegedly posed by sodomy to society and the social

fabric, for political and/or religious reasons. The sodomite seems more often than not to have epitomized what the British most feared at any given time: treason in the sixteenth and seventeenth centuries, libertinism in the eighteenth century, physical and mental illness in the twenty-first century and political treason in the twentieth century. To what extent have the different labels cast upon sodomites reflected the changing perceptions of the deviance they were alleged to represent? The article outlines the religious and legal foundations of the condemnation of sodomy before focusing on three different representations of male homosexuality in England: the traitor; the perverted libertine; and the mentally ill.

**DU BOUGRE A L'HOMOSEXUEL : LA CRIMINALISATION  
DE LA DEVIANCE SODOMITE EN ANGLETERRE (1533-1967)**

*L'image traditionnelle du sodomite en Angleterre est celle d'un déviant et cet article s'efforcera d'expliquer et d'interroger cet état de fait. Pêcheur, traître, malade mental... : voici quelques-unes des façons dont les sodomites ont pu être perçus en Angleterre entre 1535 (date de l'adoption de la première loi sur la bougrerie (Buggery Act), et 1967, lorsque la loi sur les infractions sexuelles (Sexual Offences Act) légalisa la plupart des actes homosexuels consentis. Les différentes catégories que nous avons énumérées ont un point commun : elles renvoient toutes à la déviance, en raison du danger que la sodomie était censée présenter pour la société et la cohésion sociale, et ce pour des raisons politiques et/ou religieuses. Le sodomite paraît, bien souvent, incarner ce que la société britannique redoutait le plus à un moment donné : la trahison au XVI<sup>e</sup> et XVII<sup>e</sup> siècles, le libertinage au XVIII<sup>e</sup>, la maladie physique et mentale au XIX<sup>e</sup> et à nouveau la trahison politique au XX<sup>e</sup> siècle. Dans quelle mesure ces étiquettes accolées aux sodomites reflètent-elles des perceptions changeantes de la déviance que ceux-ci étaient supposés incarner ? Nous étudierons d'abord les fondements religieux et juridiques de la condamnation de la sodomie avant de se pencher sur trois représentations différentes du sodomite en Angleterre : le traître, le libertin pervers et le malade mental.*

**Clifford WILLIAMSON**

**THE TED SCARE**

Emerging in South London in 1953 in a blaze of lurid headlines, the Teds were the original modern 'Folk Devils'. They were also the pioneers of the fusion of popular music and youth culture when they adopted rock and roll as their soundtrack. The 'moral panic' around the Teds was to be the British manifestation of a global concern about juvenile delinquency, a concern that would culminate in the 1960 United Nations Conference on the prevention of crime and treatment of offenders held, appropriately, in London. The labelling of the Teds as deviant is a major moment in defining anxieties about youth, affluence and behaviour in post-war Britain. The Teds were to encapsulate a growing generational divide but also symbolise the alienation of youth from mainstream political movements that were all too willing to view them as a threat to social harmony. The study of the Teds incorporates all three of the themes at the heart of this project. The labelling of the

Teds was crucial in shaping the nature of their threat to the social order. The name itself would outlast the original Teddy Boys and become a synonym for all forms of youth deviance in the 1950s: this process would culminate in the Teds being blamed for race riots in Nottingham and London in 1958. Some politicians seeking to roll back liberal developments in the criminal justice system would grasp the disorder associated with the Teds. The Teds themselves would become increasingly ostracised. The role of the Teds in shaping the debate on anti-social behaviour has however been largely neglected. It is therefore appropriate and relevant to re-examine the 'new Edwardians' as the pioneer adolescent folk devils.

### LE PERIL TEDDY BOYS

*Les Teds, qui émergent au sud de Londres dans un embrasement de gros titres choquants, sont les premiers bouc-émissaires de l'après-guerre. Par leur adoption du rock'n'roll comme style de prédilection, ils sont également les pionniers de la fusion entre la musique populaire et la culture juvénile. La « panique morale » suscitée par les Teds est la manifestation britannique d'une préoccupation internationale envers la délinquance juvénile, préoccupation qui culmine dans l'organisation en 1960 à Londres, lieu fort à propos, de la conférence des Nations Unies sur la prévention de la criminalité et le traitement des délinquants. La stigmatisation des Teds comme déviants est une étape majeure de la définition des inquiétudes à l'égard de la jeunesse, de la prospérité et des comportements dans la Grande-Bretagne d'après-guerre. Les Teds incarnent un fossé générationnel grandissant mais symbolisent également l'aliénation de la jeunesse vis-à-vis des mouvements politiques établis qui sont facilement enclins à les considérer comme une menace pour l'harmonie sociale. L'étude des Teds met en jeu chacun des trois thèmes qui sont au cœur de ce numéro spécial. La longévité de l'étiquette dépasse celle des Teddy Boys originels pour devenir un synonyme de toutes les formes de déviance dans les années 1950, un processus qui culmine dans la condamnation des Teds pour les émeutes raciale de Nottingham et de Londres en 1958. Certains politiciens cherchant à revenir sur les avancées libérales du système de justice criminelle s'emparent des désordres associés aux Teds. Les Teds eux-mêmes sont de plus en plus ostracisés. Malgré cela, le rôle des Teds dans l'évolution du débat sur les comportements anti-sociaux a été largement ignoré. Il est par conséquent nécessaire et pertinent de réexaminer les « nouveaux édouardiens » comme les pionniers des bouc-émissaires adolescents.*

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Henry DANIELS

### FROM BAD BOYS TO OLD BOYS? SIXTY YEARS OF THE TEDDY BOY MOVEMENT

This paper traces the history of the Teddy Boy movement from the early 1950s to the present day, with relation to questions of deviance and labelling. The focus is on the Teddy Boys' own view of themselves and their largely successful struggle to preserve their identity in the face of external hostility and internal tensions.

Emphasis is placed on their role in the shifting of traditional class barriers and the establishment of teenagers as a recognised consumer group. Finally, it is argued that, among the various political and socio-economic factors which prompted the movement, a reaction to post-war National Service was the most important.

**DE MAUVAIS GARÇONS A VIEUX GARÇONS : LE MOUVEMENT  
DES TEDDY BOYS AU COURS DES SOIXANTE DERNIERES ANNEES**

*Cet article retrace l'histoire des Teddy Boys depuis le début des années 1950 jusqu'à nos jours, en relation avec les questions de déviance et d'étiquetage. L'étude porte essentiellement sur l'image qu'ont les Teddy Boys d'eux-mêmes et de la préservation de leur identité face aux attaques venant de l'extérieur et aux tensions internes. Leur rôle dans le déplacement des barrières sociales traditionnelles et l'établissement des adolescents en tant que groupe reconnu de consommateurs est souligné. Enfin, la réaction au service militaire d'après-guerre est proposée comme le plus important parmi les facteurs politiques et socio-économiques qui ont contribué au déclenchement du mouvement.*

Sarah PICKARD

**'THE TROUBLE WITH YOUNG PEOPLE THESE DAYS':  
'DEVIANT' YOUTH, THE POPULAR PRESS AND POLITICS  
IN CONTEMPORARY BRITAIN**

In this article, I explore the negative labelling of young people in contemporary Britain by referring to tabloid headlines and articles, official statistics, political discourse and legislation. I argue that the numerous deviant labels attributed to youth by the popular press and the political class create a skewed vision of them. This leads to a generalised and constant feeling of fear of young people who are marginalised, stigmatised and othered. Consequently, politicians tend to carry out populist crackdowns, rather than enact measures to deal with the structural problems at the origins of many of young people's difficulties.

**« LE PROBLÈME AVEC LES JEUNES BRITANNIQUES DE NOS JOURS » :  
LA JEUNESSE « DÉVIANTE », LA PRESSE POPULAIRE ET LA  
POLITIQUE EN GRANDE-BRETAGNE AU XXI<sup>E</sup> SIÈCLE**

*Dans cet article, j'examine l'étiquetage négatif de la jeunesse britannique contemporaine en considérant des titres et des articles sur les jeunes dans la presse populaire, ainsi que des statistiques officielles, des discours politiques et la législation récente. Je propose que les nombreuses étiquettes déviantes attribuées aux jeunes par les tabloïds et les hommes politiques créent une image déformée de la jeunesse britannique. Celle-ci engendre un sentiment généralisé et constant de peur par rapport aux jeunes qui sont marginalisés, stigmatisés et alterisés. Par conséquent, la classe politique a tendance à être plus sévère avec les jeunes par*

*démagogie et par facilité au lieu de traiter les problèmes structurels qui sont à l'origine des nombreuses difficultés vécues par les jeunes.*

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**Monia O'BRIEN CASTRO**

**'LIVING ON ROAD' IN BRITAIN: ALIEN DISEASE OR MORAL PANIC?**

This chapter explores the evergrowing peril that Britain has allegedly been confronted with for over a decade: that of 'gangs'. The very term 'gang', which originated in the American urban context, refers to a very opaque entity in Britain. Nonetheless, 'gangs' have become the embodiment of all society evils due to government and mass media stigmatisation and criminalisation. Just like previous social panics, the 'mugger' in the 1970s and the rioters in the 1980s, 'gang' members, who happen to be stereotyped as Black youths coming from those urban areas blighted by poverty and social alienation, whose alien criminogenic culture is supposed to have corrupted British culture, have been brandished as Britain's public enemies of this early 21<sup>st</sup> century. Throughout decades, the various social demands this section of the community have put forward through subcultural protest movements such as riots and gang-related activities have been interpreted as sheer violence, rather than as the expression of social malaise.

***LA CULTURE DU « LIVING ON ROAD » EN GRANDE-BRETAGNE :  
MALADIE ETRANGERE OU PANIQUE MORALE ?***

*Ce chapitre analyse la menace croissante à laquelle il est dit que la Grande-Bretagne est confrontée depuis plus d'une décennie. Le terme « gang » lui-même, qui trouve son origine dans la ville américaine, décrit un groupe de façon très imprécise. Cependant, en raison d'une campagne de propagande stigmatisante et criminalisante, menée par le gouvernement et les médias, les « gangs » font aujourd'hui référence à tous les maux sociaux. Tout comme dans le cas des paniques sociales précédentes, celle du « mugger » dans les années 1970 et celle de l'émeutier dans les années 1980, le « gang » est une construction stéréotypée : des jeunes noirs issus des quartiers en proie à la pauvreté et l'aliénation sociale, dont la culture criminogène est censée avoir corrompu la culture britannique, et que l'on affiche comme ennemis publics en ce début de XXI<sup>e</sup> siècle. Depuis des dizaines d'années, les diverses revendications sociales portées par cette partie de la population et exprimée lors de mouvements sociaux subculturels ont été interprétées comme l'expression d'une pure violence et non comme celle d'un malaise social.*

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**Alexis CHOMMELOUX**

**'CALLING A GANG A GANG': THE LAW IN DENIAL?**

There was a sense, for some time, that ‘gangs’ were an increasingly identified phenomenon in the UK, whether this situation was based on fact, exaggeration or a cynical political construction, and that all the ‘gang talk’ that resulted from or in this failed to materialise in legislation. For a time, the law was thought to be in ‘denial’, just as some commentators were accused of being ‘in denial’ with regard to the ‘reality’ of ‘gangs’. This chapter looks into the reality of this ‘denial’ and into what came after. With references to US ‘anti-gang’ laws, it questions the assumption that the overreaction and misidentification that characterised ‘gang talkers’ in the UK led the law to follow the same erring ways.

### **LE « GANG » HORS LA LOI AU ROYAUME-UNI ?**

*Longtemps, le phénomène des « gangs » a semblé faire l’objet au Royaume-Uni d’un intérêt de plus en plus marqué et, que cet intérêt ait été justifié par des éléments factuels ou fondé sur une exagération ou une plus ou moins honnête construction politique, cette omniprésence du ‘gang’ dans le discours politique et médiatique n’avait pas semblé trouver d’écho dans la loi. Celle-ci fut un temps jugée en « déni », à l’instar de certains commentateurs accusés de nier la « réalité » des « gangs ». Ce chapitre s’intéresse à la réalité de ce déni et à ce qui advint ensuite. En évoquant le cas états-unien, il interroge l’idée selon laquelle l’exagération et la confusion politico-médiatiques ont pu conduire la loi à connaître les mêmes errements.*

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**Martine STIRLING**

### **LA QUESTION DU « FOYER ANORMAL » : DEBATS ET REPRESENTATIONS DANS LA PRESSE BRITANNIQUE DES ANNEES CINQUANTE**

À la fin de la guerre, la société britannique est entraînée par la vision optimiste et enthousiaste d’une société nouvelle dont la famille constituera le pilier central. Cet avenir que les réformes du Gouvernement travailliste et la mise en application du Plan Beveridge devaient permettre de concrétiser va pourtant se heurter, dans les années 1950, à la prise de conscience grandissante du calvaire enduré par les enfants victimes de maltraitance dans ce qu’un député conservateur qualifie de « foyers anormaux ». Les associations caritatives, mais aussi les politiques, l’Église et les services médico-sociaux vont se pencher sur ce phénomène qui prend une ampleur considérable sur fond de toile d’une campagne dans une partie de la presse britannique. Certains magazines, comme le *Picture Post*, décrivent en détail le misérable quotidien de ces familles à grand renfort de photographies. Parmi les questions posées sur les causes du problème et les remèdes à y apporter, celle du comportement des parents, et notamment de la mère, occupe une place centrale. Nous nous proposons ici d’analyser la façon dont ces familles sont représentées dans la presse de l’époque et plus particulièrement dans la presse populaire. Quels sont les critères d’identification du « foyer anormal » dans les années 1950 et leurs effets ? En quoi cette vision correspond-elle à celle des différentes instances politiques et sociales ? Enfin, cette image est-elle comparable au tableau de la



« famille à problèmes » que nous brossent les journaux populaires aujourd'hui en Grande-Bretagne ?

**THE 'ABNORMAL HOME': DEBATES AND PORTRAYAL  
IN THE BRITISH PRESS OF THE 1950S**

*At the end of the war, Britain was swept along with the optimistic and enthusiastic vision of a new society of which the family would be the cornerstone. However, this future that Labour Government reforms together with the implementation of the Beveridge proposals aimed to turn into reality was to come face to face with the growing public awareness of the suffering endured by children victims of ill-treatment within what a Conservative MP described as 'the abnormal home'. Charities, but also politicians, medical and social services, focused on this phenomenon which reached significant proportions on the backdrop of a campaign in part of the British press. Some magazines, like the Picture Post, gave a detailed account of the miserable everyday existence of these families with the help of numerous photographs. Among the questions raised on the causes of the problem and the remedies required, the behaviour and the role of the parents, and more particularly the mother, took centre stage. This article looks at how these families were portrayed in the papers and more particularly in the popular press. Which criteria defined the 'abnormal home' in the 1950s and with what effect? To what extent did the vision of the press reflect that of the different political and social bodies? Finally, in what ways is this image of the 'abnormal home' comparable to the picture of the 'problem family' drawn by popular papers in Britain nowadays?*

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**Fabienne PORTIER-LE COCQ**

**THE DEMONISATION AND SOCIAL CONTROL OF  
TEENAGE MOTHERS IN 21ST-CENTURY BRITAIN**

Teenage pregnancy and teenage motherhood are nothing new and even used to be the norm in past centuries. It seems that since the 1979 Conservative and 1997 Labour governments, young mothers, who have swollen the ranks of single mothers, have been vilified by the State, the media and the general public. They are viewed as deviant and in need of regulation, and as a drain on the public purse. As young people who do not follow dominant models and mainstream life course trajectories, they are singled out as a target for policy intervention in Great Britain. When the Labour Party came into office in 1997, the Prime Minister commissioned a report on teenage pregnancy to explore its causes and consequences. The publication of the report in 1999 revealed that 90,000 girls aged under 18 became pregnant every year in England. From then on, a ten-year action plan in England for under eighteens was set up with a view to halving the rates of teenage pregnancy and putting 60% of teenage parents in schools, training or employment so as to minimise the risks of social exclusion for this segment of the population and their children. Through a qualitative study and semi-structured interviews carried out in England and Scotland with a hundred teenage mothers, of whom 60% were underage, this paper endeavours to shed light on the demonisation to which young mothers have been

subjected and the specific measures of social control which have been imposed upon them in the last decades.

**LA DIABOLISATION ET LE CONTROLE SOCIAL DES MERES  
ADOLESCENTES DANS LA GRANDE-BRETAGNE DU XXI<sup>E</sup> SIECLE**

*La grossesse et la maternité juvéniles ne sont pas des phénomènes nouveaux ; ils constituaient même la norme autrefois. Depuis les gouvernements conservateurs en 1979 et travaillistes en 1997, les mères adolescentes qui sont venues grossir les rangs des mères célibataires sont vilipendées par l'État, les médias et l'opinion publique. Vécues comme déviantes, nécessitant une supervision active et grevant les finances publiques, ces jeunes femmes sont la cible de politiques d'intervention en Grande-Bretagne parce qu'elles ne suivent pas la trajectoire de vie classique des jeunes de leur âge. Lors de l'arrivée au pouvoir du parti travailliste en 1997, le Premier ministre commanda un rapport sur la grossesse adolescente pour en analyser les causes et les conséquences. Le rapport publié en 1999 fit apparaître que 90 000 filles âgées de moins de 18 ans étaient enceintes chaque année en Angleterre. Un plan d'action décennal en Angleterre concernant les filles de moins de 18 ans fut mis en place dans l'optique de diminuer de moitié les taux de conception adolescente et de mettre 60 % des parents adolescents sur les bancs de l'école, en formation ou sur le marché du travail pour minimiser les risques d'exclusion sociale pour eux-mêmes et leurs enfants. Grâce à une enquête qualitative par le biais d'entretiens semi-directifs effectués en Angleterre et en Écosse auprès d'une centaine de mères adolescentes, dont 60 % étaient âgées de moins de 16 ans, cette contribution tente de faire la lumière sur la diabolisation dont les jeunes mères sont victimes et les mesures particulières de contrôle social dont elles font l'objet ces dernières décennies.*

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**Marc LENORMARD**

**'PICKETS': FROM THE SYMBOLIC CONDEMNATION TO THE  
OUTLAWING OF TRADE UNION PRACTICES IN BRITAIN, 1972-1980**

This article charts the emergence in public debate of a series of terms—'pickets', 'picketing', 'secondary picketing' in the 1970s, against the background of a changing industrial relations climate. It then analyses the way in which the terms 'pickets' and 'picketing' were key components in the construction of strikes as a social problem, and how the spread of the term 'secondary picketing' demonstrates the way in which language can be used to change the terms of reference in a debate. The final section offers thoughts about what one may call the end of picketing, that is to say both the actual changes in trade union practices and the disappearance of the term from public discussion of industrial relations once it had served its purpose, in the new political context of the 1980s.

**DE LA CONDAMNATION SYMBOLIQUE A LA MISE HORS LA LOI  
DES PRATIQUES SYNDICALES EN GRANDE-BRETAGNE, 1972-1980**

*Cet article détaille l'émergence des termes « pickets », « picketing » et « secondary picketing » dans le débat public en Grande-Bretagne, au tournant des années 1970, alors que les syndicats contestent ouvertement les politiques d'austérité menées par les gouvernements britanniques. Il analyse la façon dont ces termes sont employés pour constituer les grèves en problème social ainsi que la manière dont l'emploi d'un terme comme « secondary picketing » permet de déplacer les termes du débat. Il y est finalement question de ce que l'on pourrait appeler la fin du « picketing », au double sens d'une transformation des pratiques syndicales et d'une disparition du terme dans le débat public, une fois sa fonction politique épuisée, dans le nouveau contexte politique des années 1980.*

**John David JORDAN**

**THE RAGE OF WELL-FED LIONS:  
THE ECONOMIC FOUNDATIONS OF UK WELFARE  
CLAIMANT DEMONISATION IN THE NEOLIBERAL ERA**

This paper explores the political and media use of labels applied to the welfare claiming unemployed in the UK between the mid-1970s and 2013. Utilising a Marxist socio-economic analysis, these labels are shown to have emerged primarily as responses to the UK's gradual reorientation towards a low-wage, partially 'workfare dependent' service economy. Three distinct ideological periods—*necessity, social exclusion* and *Broken Britain*—are argued to have over-arched the gradual gestation of this economic formation, with propagandist continuums of deceit emerging in each phase in order to mask intensifying exploitation and control.

**LA RAGE DE LIONS BIEN NOURRIS : LES FONDEMENTS  
ECONOMIQUES DE LA DIABOLISATION DES RECIPIENDAIRES  
BRITANNIQUES D'AIDES SOCIALES A L'ERE NEOLIBERALE**

*Cet article explore l'usage médiatique et politique des étiquettes appliquées aux chômeurs récipiendaires d'aides sociales au Royaume-Uni du milieu des années 1970 à 2013. Sur la base d'une analyse socio-économique marxiste, il est démontré que ces étiquettes ont émergé principalement en réponse à la réorientation progressive du Royaume-Uni vers une économie de service dans laquelle les salaires sont bas et qui est partiellement dépendante des aides sociales. Il est avancé que trois périodes idéologiques distinctes – fondées sur les concepts de nécessité, d'exclusion sociale et de société brisée – ont présidé à la gestation graduelle de cette formation économique, avec l'émergence lors de chaque période de continuums de mystification ayant pour fonction de masquer l'intensification de l'exploitation et du contrôle.*

**Oliver ESTEVES & Romain GARBAYE**

**LA CONSTRUCTION D'UNE DEVIANCE RELIGIEUSE ET POLITIQUE :  
LES MUSULMANS BRITANNIQUES**

La banalisation du sentiment anti-musulman en Grande-Bretagne repose sur différentes étapes historiques, dont la plus importante est sans doute la crise des *Versets Sataniques* (1989). Ceux qui étaient souvent vus comme des « Pakistanais » deviennent de plus en plus des « musulmans », et ces derniers eux-mêmes envisagent de plus en plus en leur identité en termes religieux. Ce clivage n'a fait que s'accroître, à mesure notamment qu'un certain discours politico-médiatique sur « les petits blancs » alimentait le ressentiment racial de ces derniers. Enfin, les initiatives gouvernementales visant à lutter contre l'extrémisme violent d'une petite frange du groupe musulman ont assez souvent des répercussions négatives sur l'ensemble de ce groupe se sentant stigmatisé et se caractérisant par une « citoyenneté déclinante ».

**FABRICATING A RELIGIOUS AND POLITICAL DEVIANCE:  
THE BRITISH MUSLIMS**

*Anti-Muslim feelings in Britain have become mainstream after a number of historical events, the most pivotal of which being arguably the Satanic Verses scandal (1989). Those that had hitherto been seen as 'Pakistanis' were more and more apprehended as 'Muslims', whilst they themselves considered their identity in increasingly religious terms. Since then the rift has widened, especially as media and political discourse has focused on the 'Poor White', thereby fuelling that section of the population's racial resentment. Lastly, government initiatives tackling violent extremism have tried to single out one small portion of indeed violent extremists, but this has had negative effects on the whole Muslim group, who have been feeling ever more stigmatised, marked by some form of 'declining citizenship'.*

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**Bénédicte CHAIX**

**LE CONCEPT D'« ALTERITE » CHEZ LES  
IMMIGRES SICILIENS EN ANGLETERRE**

Au cœur d'interrogations sociétales et philosophiques contemporaines, cette contribution pose les jalons des tergiversations identitaires qui riment avec l'expérience de la migration des Siciliens en Angleterre. L'article situe les mouvements migratoires et la présence de l'« autre » au cœur des processus de stigmatisation qui exacerbent la criminalisation de l'« autre » étiqueté comme « déviant ». Le premier volet présente la relation inextricable entre identité, altérité et migration en offrant une perspective diachronique du sujet. Le deuxième volet s'attache à la déviance et à l'étiquetage en revenant dans un premier temps sur les plus éminentes théories sociologiques et sur les acteurs de pouvoir qui contribuent à la propagation de la stigmatisation diabolisante de l'« autre ». Le troisième volet, consacré à la présentation des étiquettes comme marqueurs de la déviance, permet de s'interroger sur les conséquences de l'étiquetage et sur les réponses socioculturelles qui défient la stigmatisation de la déviance.

**THE CONCEPT OF 'OTHERNESS' AMONGST  
SICILIAN IMMIGRANTS IN ENGLAND**

*At the core of both contemporary societal and philosophical questions, this paper discusses identity problems which coincide with Sicilian migration paths to England. The paper puts migratory movements and the 'other' at the heart of stigmatisation processes which tend to intensify the criminalisation of the 'other' labelled as 'deviant'. The first part presents the inextricable relationship between identity, otherness and migration and offers a diachronic perspective on the subject. Referring to the most important sociological theories and referencing some of the main social actors contributing to demonising the 'other', the second part analyses deviance and labelling process. The third part presents labels as markers of deviance and raises questions on the consequences of labelling and on the sociocultural behaviours which challenge the stigmatisation of deviance.*

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**Rose-Marie FARWELL**

**DON'T MENTION THE 'P' WORD! LABELLING THE DEVIANT:  
THE CASE OF CONTEMPORARY PAGANISM IN BRITAIN**

Modern Paganism developed over the second half of the 20<sup>th</sup> century to become one of the fastest-growing religious movements in Britain, as attested to by the near doubling of numbers between the last two population censuses. The name 'pagan', a label originally imposed from without as a hetero-identity, designating a deviant position in relation to the moral or religious norms of Christian society, has been adopted more or less willingly by contemporary practitioners. However, ambiguity remains and confusion may arise from contradictory understandings of the term by outsiders, and difficulties in defining or representing the movement from within, although such difficulties are often embraced as part of the very nature of Paganism. This paper explores how the sociocultural context in Britain, a positive official policy towards religion and the recognition of religious minorities may have favoured the development of Paganism, sometimes strategically opting to situate itself as a religious movement in order to benefit from such policies and seek better protection from discrimination. There have been attempts to establish a more positive image for Paganism, and increasing if piecemeal recognition by public bodies. However, if greater visibility of the movement has led to its growing acceptance by mainstream society, it has also aroused opposition from conservative forces, due to its range of negative connotations in relation to Christian society, as well as from secularists or those hostile to concessions made to religious groups, in a society where religious affiliation is generally on the decline. When not considered a dangerous or deviant force, it may have problems simply to be taken seriously, and may be a scapegoat for criticisms of the perceived excesses of public policy, amplified by the media. The Pagan milieu has in itself gained in confidence, and its own celebration of diversity, postmodern pluralism and relativism has enabled it to find its place in contemporary British society, with which its values are often more in keeping than are those of more conservative religious forces.

**NE MENTIONNEZ PAS LE MOT EN « P » ! LA STIGMATISATION  
DE LA DEVIANCE DANS LE CAS DU PAGANISME CONTEMPORAIN  
EN GRANDE-BRETAGNE**

Le néo-paganisme, qui s'est développé en Grande-Bretagne au cours de la deuxième moitié du XX<sup>e</sup> siècle, est en plein essor aujourd'hui. Le recensement de la population de 2011 révèle que le nombre de ses pratiquants auto-déclarés a quasiment doublé depuis celui de 2001. Le nom « païen » a longtemps désigné une hétéro-identité déviante à l'égard des normes morales et religieuses de la société chrétienne, mais a été adopté plus ou moins volontairement par les pratiquants de ce courant spirituel dans ses formes contemporaines. Le nom reste ambigu et fait l'objet de confusion continue, tout comme le paganisme moderne reste difficile à cerner et à définir, même si cela fait partie intégrante de l'identité et de la nature protéiforme du paganisme. Cet article examine comment le contexte socio-culturel britannique et la politique officielle en faveur des religions et de la religion en général ont pu encourager les néo-païens à adopter un profil plus public et à se constituer en mouvement religieux afin de profiter des mesures officielles, des dispositions légales et de lutter contre la discrimination. Cependant, si une plus grande visibilité du mouvement a aidé celui-ci à se faire mieux comprendre et accepter du public britannique, elle provoque une levée de boucliers de la part de certaines forces hostiles, que ce soient des chrétiens conservateurs d'une part, ou bien des sécularistes opposés à la place donnée au religieux dans l'espace public, dans une société où l'affiliation religieuse est en chute libre. Le paganisme peut donc servir de bouc-émissaire au moyen duquel on peut critiquer les concessions « excessives » faites aux religions minoritaires, amplifiées par les médias. Lorsqu'il n'est pas considéré comme une force dangereuse ou déviante, il peut tout simplement avoir du mal à être pris au sérieux. Cependant, le milieu néo-païen a gagné en confiance, et ses propres positions épousant la diversité, le pluralisme et le relativisme post-moderne sont plus proches de celles de la société britannique actuelle que ne le sont celles des religions conservatrices.

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**Kristine Robbyn CHICK**

**LABELLING THE DEVIANT: EXPLORING SOCIAL  
BOUNDARIES IN BRITISH CINEMA 2004-2010**

Focusing on historical and current trends in identifying and labelling social deviance, this article explores the interface between political discourse, media, and the experience and portrayal of social groups defined largely by poverty and experiencing multiple deprivation in modern day Britain. After an overview of the history of the underclass debate, this article traces the persistent trend of labelling the poor as members of a submerged social stratum, purportedly inherently deviant and undeserving of the nation's resources. Research evidence that consistently indicates the above hypotheses to be unfounded is cited, and turning to the present era, a continuation between past and present discourse and current manifestations of the underclass debate is identified. Acknowledging cinema's capacity to form and inform public perceptions, an analysis of the contrasting roles of two films—*Fish*

*Tank* (Arnold, 2009) and *Neds* (Mullan, 2010)—complement the discussion, as the former is seen to undermine chav stereotypes that haunt the working classes, while the latter confirms many clichés associated with the subculture it purports to depict. Finally, the potential of filmmakers to focus on local and individual specificities in order to counter the prevalent negative stereotyping that persists in Britain is evoked.

**LA STIGMATISATION DE LA DEVIANCE :  
L'EXPLORATION DES FRONTIÈRES SOCIALES  
DANS LE CINÉMA BRITANNIQUE CONTEMPORAIN**

*Se concentrant à la fois sur les tendances historiques et actuelles pour identifier et nommer la déviance sociale, cet article explore l'interface entre discours politique, médias et l'expérience ainsi que la représentation de groupes sociaux définis principalement par leur situation économique défavorisée dans la Grande-Bretagne d'aujourd'hui. Après un résumé de l'histoire du débat autour de la notion de l'underclass, cet article retrace la tendance persistante à identifier les pauvres comme étant les membres d'une strate sociale non seulement défavorisée, mais prétendument inférieure et d'une déviance inhérente. Des exemples provenant de recherches indiquant que les hypothèses ci-dessus sont infondées sont cités et, en se tournant vers l'époque actuelle, une continuité entre les discours du passé et du présent et les manifestations actuelles de ce débat est identifiée. Reconnaisant la capacité du cinéma à former et à informer les perceptions du public, une analyse comparant deux films – *Fish Tank* (Arnold, 2009) et *Neds* (Mullan, 2010) – complète la discussion, étant donné que le premier sape les stéréotypes associés au label « chav » qui hante les classes ouvrières, alors que le second confirme plusieurs clichés associés avec la sous-communauté qu'il prétend dépeindre. En conclusion, la capacité des cinéastes à se concentrer sur des spécificités locales et individuelles afin de contrer les stéréotypes persistant en Grande-Bretagne est évoquée.*

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