

Some personal reflections on the tragic loss of Gary Slapper

Gary Slapper, Global Professor at New York University

The Times announced the news of Gary Slapper's death on 5th December. Gary, aged 57, leaves behind his wife Suzanne and three daughters, Hannah, Emily and Charlotte, all of whom I had the pleasure of meeting and to whom I'd like to extend my deepest sympathy.

There were many ways to know the public face of Gary Slapper – through his voluminous letters to broadsheets, a hugely impressive range of academic and popular texts spanning criminology, criminal law and socio-legal studies, close to 20,000 tweets since 2009 (@garyslapper), his celebrated Weird Cases column for The Times, his teaching and indeed management of Law Schools, including that at The Open University, which he turned around and where his death has been felt so acutely.

He was – and it still seems unbelievable to use the past tense - a public intellectual in the most genuine sense, instinctively living and breathing 'public engagement' and 'impact' before these terms were imposed upon academics through the disciplinary mechanisms of the Research Excellence Framework.

I knew Gary as a scholar whom I admired intensely and with whom I had the privilege to work. Our first meeting, in 1995, seemed unlikely to be the most relaxed, as I examined his PhD thesis at the LSE. But in fact it turned out to be the most intellectually stimulating afternoon as Gary mounted a rigorous defence of his thesis, the result being the award of a doctorate for a fine piece of work under the title Law and Political Economy: legal responses to deaths at work.

That meeting prompted a series of subsequent conversations which ultimately produced Corporate Crime, an attempt to document the nature, scale and origins of, as well as the poverty of state responses to, a variety of crimes and harms routinely committed by profit-maximising organisations. Writing that book was not without its frustrations – Gary was clear that we were writing a textbook (he was right - we were!), while I was on a Marxist mission to produce a searing critique of corporate theft and violence (I was wrong – that's not what our publishers wanted!), and the end result was something of a compromise. Over a decade and a half later, the book still, I believe, has some merit - notwithstanding the flaws that I imposed upon it, against Gary's good judgement. That said, I blame Gary for the review in the pages of Socialism Today, the esteemed organ of the Trotskyist Socialist Party of England and Wales, which slammed us for being reformist!

More notable, in my view, was *Blood in the Bank*, Gary's 'based-on-his-thesis' monograph, which forensically documented both the inability and reluctance of the criminal justice system to regulate effectively corporate capitalism. His focus upon 'routine corporate manslaughter' (Chomsky, 2000: xv) proceeded through an analysis of 'prosecutorial policy in respect of commercially caused deaths' via what he called 'three retreating points of vision' (Slapper, 2000: 2). The close-up point of vision was of the mechanics of the criminal justice system, examining the role of the police, the Health and Safety Executive (HSE) and its inspectorates, the Coroners' Courts, and the Crown Prosecution Service in screening companies from having to face manslaughter prosecutions. A wider lens took in the public perceptions that influence the judgements of actors within the criminal justice system. The bigger picture was the broader context of a Marxist political economy, 'to discover what factors may help to explain the development of the axioms which produce the public perception which in turn influences the way that decision-makers in the criminal justice system choose to act' (ibid).

Three insights that I took from Gary's superb book have exerted an influence over my thinking ever since I had the pleasure to read, and review, it. First, that in the very term regulation, the 'control' erected by the state over corporate activities – and potential violations of those control mechanisms – is immediately distanced from crime and criminal justice. Second, that regulation always has a class dimension and is thus also always an object of struggle. And, third, that if regulation has some potential to mitigate the systematically unequal distribution of various social goods and 'bads', it always, ultimately, fails; the only way to prevent corporate crime and harm is to abolish the corporation.

There is, of course, so much more to say about Gary's life and work – though it is not for me, I think, to do so. But I do want to acknowledge my thanks to him for his outstanding contribution to the development of a political economy of corporate crime and its 'regulation'. His shocking, all-too-early passing cannot undo that legacy.

Chomsky, N. (2000) 'Introduction', in Slapper, G., *Blood in the Bank. Social and Legal Aspects of Death at Work*, Aldershot: Ashgate, pp. xi–xv.

Slapper, G. (2000) *Blood in the Bank. Social and Legal Aspects of Death at Work*, Aldershot: Ashgate

Slapper, G. and S. Tombs (1999) *Corporate Crime*, London: Longman.

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