

## **Crime and The New Politics: Will Cameron and Clegg Govern Through Crime?**

**Jonathan Simon**

*University of California, Berkeley, and Visiting Professor and MacCormick Fellow, Edinburgh University, 2010-11*

---

*In the years since publishing* “Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear” (Simon, 2007) I have had the privilege of visiting the UK several times and to consider the differences and similarities in the policies and politics of crime in both countries. The first version of the idea was an essay published in 1997, the same year as Tony Blair’s New Labour triumph. At the time I thought that the UK under PM Thatcher was a good example of why crime as a tool of governance was not a necessary element of rightwing rule (as some in the US continue to think of it) as she had done very little aside from some moralistic rhetoric to build up crime control into a general framework of rule. Even PM Major’s late enthusiasm for prisons (expressed most memorably by his Home Secretary Michael Howard, that “prison works”) seemed a possible campaign handoff from the first US President Bush.

Once in power New Labour embraced crime as a defining domestic policy problem proving that the right has no particular advantage in governing through crime, but that linked to right rhetoric (“tough on crime, tough on the causes of crime”) with it, is fully consistent with efforts by left of centre politicians to manage the problems of governance and legitimacy. When I visited for several weeks in September 2007 to speak about the book at the British Society of Criminology and at several UK universities, Gordon Brown had just taken the helm and as the Labour Party conference was set to open, some friends here were assuring me that Brown would end New Labour’s fixation with governing through crime. It seemed plausible to me. Like Robert Kennedy, and like Bill Clinton, Tony Blair combined the kind of moralistic and muscular liberalism, with a religious streak (associated in the case of the former two with prolific personal sinning) that finds in a tough punitive, prosecutorial approach to wrongdoers just the right tonic for self and society. Brown, the chief architect of New Labour’s economic success, and a personal preference for social justice politics, seemed like someone who might well tack back on New Labour’s governing through crime strategy. But once the Party conference began it was clear from the very first ministerial speech (a message on health care festooned with promises to equip NHS nurses with cameras in their uniforms to record assaults by patients) that this turn was not going to be a quick one.

Brown turned out to be either unable or unwilling to pull back from New Labour’s crime posture. As I visited the country again in September of 2008 (when Brown’s popularity was at a high and a snap election seemed imminent) and February of 2009 it seemed New Labour was instead doubling down. As I walked through Nottingham’s charming but economically challenged central district I was passed by a bus festooned with a full length billboard promising the reader that when it came to anti-social behaviour, “you see it, you say it, we stop it.”

So as I embark on a year long visit to the UK beginning in August, I am excited and fascinated to see what the coalition government of the Conservatives and Liberal Democrats will do with their surprising, if thin, parliamentary majority. David Cameron has long signalled that he was prepared to question the “culture of control” that had become an orthodoxy under New Labour, with his criticisms of ASBOs and over expansive anti-terror measures. He deliberately wrapped his campaign in Obama

like themes of hope, change, and the ability of the electorate to accept calm and rational arguments about the complex problems facing Britain without recourse to constant reinforcements of fear (the very opposite of crime based populism). Mr. Clegg remains a mystery to me but his party has a noble tradition of civil libertarianism that would serve the country well at this hour. Indeed, both parties have a historic opportunity to truly define a new politics that leaves behind the familiar 20<sup>th</sup> Century fights about how to solve the social problems of industrial societies (crime, ill health, unemployment) to grapple with new threats of climate change, globalization, and infrastructure underinvestment. In its own way, New Labour used crime as a way to signal its commitment to the old social problems at a time when it was abandoning its traditional class based approach to those problems. In redefining the Tories, Cameron faces a very different legacy, one that requires no effort to reinvent the “society” (which Mrs. Thatcher famously questioned the existence of). Indeed both the Conservatives and Liberal Democrats have historically been wary of losing British liberties to a coercive state acting in the name of the social.

Most importantly, the Cameron/Clegg government enters power at a moment when economic issues so starkly threaten the nation’s middle class self image that potential to lead the country into a self absorbed panic about the basic decency of character and culture, as Tony Blair did as shadow Home Secretary after the murder of toddler Jamie Bulger in 1993, is very unlikely. If Cameron and Clegg are going to survive as a government they will need to launch a series of major (and controversial) budgetary and political reforms that will leave little room for largely symbolic anti-crime and terror measures. They will also have to cut the deficit without appearing to be placing those cuts on the backs of Britain’s poor and middle class. The expensive prison estate is an obvious place to begin deep cuts.

*Jonathan Simon is Adrian Kragen Professor of Law University of California, Berkeley, and Visiting Professor and MacCormick Fellow, Edinburgh University, School of Law, 2010-11*

## **References**

Simon, J. (1997) ‘Governing through Crime’, in L. Friedman and G. Fisher (eds.) *The Crime Conundrum: Essays on Criminal Justice*, Boulder, CO: Westview Press.

Simon, J. (2007) *Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear*, New York: Oxford University Press.

---