

From the USA

PUNISHMENT, SOCIAL AND LATE MODERNITY

by David Garland

Introduction

The Culture of Control is, in the first instance, a book about certain cultural and criminological developments that have recently occurred in America and Britain. But if the book's theses are correct, then other advanced nations, having also experienced the characteristic social, economic and cultural changes of late 20th century modernisation, will also be struggling with some of the same problems.

Everyone knows that, in the last 30 years, the USA has become a society of mass imprisonment with two million inmates in jails and prisons on a daily basis. And Europeans are especially conscious of the fact that American states continue to deploy capital punishment decades after this has been defined as a violation of human rights everywhere else in the western world. In making sense of these developments it is tempting to attribute them to a distinctive American politics — to Reagan and Bush and the New Right — or perhaps to the distinctive culture and traditions that we think of as 'American Exceptionalism'. But my analysis suggests that the social dynamics that have produced America's new penal politics and its pervasive culture of control are not uniquely American but are instead tied up with ways of life and economic and social arrangements that are emerging in many developed societies.

No doubt other nations and other peoples will adapt differently to the new risks and insecurities of late modernity. Certainly the intensity of the American punitive reaction is extreme and deserves to be analysed in its own terms — a research programme that I am beginning to pursue. But I regard it as highly significant that the UK — which differs markedly from the USA in terms of its legal and political institutions, and its levels of serious crime — has recently developed so many US-style penal policies and crime control practices. *The Culture of Control* looks not at 'America' or even 'America and Britain' but at the new structures of social

organisation that exist in these societies and that have impinged upon the organisation of crime and criminal justice there. Consequently, I am not going to focus upon what many people regard as the most important elements in American crime story — race relations, religion, handguns, crack cocaine, federalism, the war on drugs, the southern strategy, wedge issues, Goldwater, Nixon, etc. Nor will I emphasise the headline issues in Britain — immigration, class divisions, Mrs Thatcher, Michael Howard. These are crucial, lifechanging people, events and characteristics, but I'm going to treat them as precipitating or exacerbating factors that operated in a context shaped by underlying structural forces — forces that operated and had similar outcomes in both the USA and the UK despite their distinctive political histories.

My argument involves a theoretical account of how broad social and economic and cultural changes have had an impact upon criminal justice, and vice versa. I try to highlight the specific mechanisms that transmitted social changes into legal changes (how did social facts 'out there' come to shape the thinking and decision making of legal actors, and vice versa). The basic explanatory device is the notion of situated, problem solving action — particular actors, acting in a specific setting, responding to various pressures with the available resources, each agency operating on recently transformed social surface, facing a definite horizon of political possibility.

I argue that from the 1970s onwards, actors and agencies in government and in civil society dealing with crime faced a new predicament. The responses they developed were pragmatic, adaptive responses that grappled with the new circumstances according to their understanding of them, and in the light of their interests. The strategies that emerged, and became successful (or at least embedded, institutionalised) were the ones that best meshed with the predominant social interests and ideologies. The outcome was not pre-determined — different choices could have been made, producing different outcomes — but the outcome that did emerge is certainly intelligible in retrospect.

What I am trying to do is to stand back from the immediacies of current events and the most recent policy initiatives and offer an historical and structural account. Crime and punishment are always in the news. Organisational decisions and policy making are often reactive and political, caught up in the exigencies of electoral competition. We can see the specific

motivations behind particular measures — they are like moves in a game, responding to criticism, reacting to scandal, repairing a problem. What is more difficult is to see the underlying framework that guides these responses — the interests, values, and sensibilities; the working assumptions and cultural commitments.

Tracing this underlying framework is what my book tries to do. It tries to see the field as a whole. It identifies its structure, its dominant mentalities, its recurring strategies, and it argues that these have changed quite dramatically in the last two decades. It poses the present as a historical and sociological puzzle — how did we come to have these arrangements? How do they function — what are their meanings and effects?

Four orienting observations

When we view the field of crime control and criminal justice from this distance, a number of things become apparent:

First Most strikingly, many of the measures that we now take for granted would have bewildered an informed observer from 1970. Here is a brief catalogue of some of the remarkable developments and innovations that have appeared over the last 30 years:

- 2 million people in prison/jail and 4.5 million on probation/parole;
- A revived capital punishment system executing 70-80 people a year with 3,500 inmates on death row awaiting execution;
- Victims' impact statements in court, victims' rights language in every state constitution, victims' supposed interests at the centre of criminal justice policy;
- A revolution in sentencing law — mandatory sentences in every state, sentencing guidelines in half of them, parole abolished in many, minimised judicial discretion, maximised prosecutorial power;
- Juvenile defenders increasingly being tried and punished in adult court;
- Private prisons;
- Community notification laws identifying former sex offenders and public access websites showing released prisoner profiles;
- The reintroduction of 'chain gangs' in several southern states and recurring debates about the reintroduction of corporal punishment in several state legislatures.

The penal policies and crime control culture that now exist are altogether different from the one that existed for most of the 20th century. This is not at all the future that was predicted. The emergence of a new surfeit of policies and practices which are so much at odds with the orthodoxies of 20th century penal policy suggests the operation of new social forces and new group relations quite different from the ones that previously operated.

Second The developments that have occurred are not reducible to a singular logic or process. There is a 'new penology' of risk control and actuarial management, but also a rather archaic penology of vengeance and vindication. There is more punishment but also more prevention. There is a much bigger criminal justice state, but that state is more aware of its limitations than ever before. There have been changes in the state's response to crime but the biggest change has been the shifting place of crime in the culture in our daily lives, our built environment, and our imagination. This suggests to me that the social forces at work are multiple, and their relationship to the field of crime control is liable to be complex and contradictory.

Third The changes that have occurred look remarkably similar on both sides of the Atlantic. In the USA and also the UK, one sees the emergence of the same strategies and sensibilities over much the same short period of time. Of course, there are differences of scale and intensity (The US rate of imprisonment is approximately five times as high as that of the UK, though the latter is now growing at a faster rate. In the UK, capital punishment has been abolished and there is nothing to compare to southern chain gangs. Timothy McVeigh would not have been executed in Britain. James Bulger's killers would not have been released in the USA). But the recurring focal points of policy are the same. So are the strategies now being put in place. So are the political dynamics and legislative patterns. For a sociologist this is very interesting. It suggests to me that similar underlying structural forces may be at work in both places, producing similar effects even though they 'operate through' different legal and political institutions.

Fourth The changes that have occurred in criminal justice have strikingly similar analogues in the field of social policy and welfare reform. In each case there is:

- A reaction against welfarism and the so-called 'culture of dependency';

- A critique of perverse incentives;
- A renewed emphasis upon deterrence and discipline;
- A new tactic of ‘responsibilisation’ demanding that the claimant or the criminal must take charge of his or her own rehabilitation or else his or her own re-integration into the labour market.

This structural homology between changes in criminal justice and changes in welfare policy provides us with another clue about the underlying causes at work, suggesting that they have something to do with the management of marginals (i.e. individuals whose social trajectory is not secured by the controls of employment or family) and with the new relations between social groups as societies turn away from the more solidaristic politics of the welfare state.

A reconfigured field of crime control and criminal justice

The Culture of Control begins by describing and documenting the ways in which the field of crime control and criminal justice has changed since the 1970s. Here I will summarise that story in a few points. *The decline of the rehabilitative ideas and correctionalism.* Rehabilitation is still a feature of penal institutions, but it is no longer their leading purpose. The mechanisms required to promote correctional outcomes have been removed from sentencing law and practice. Rehabilitation programmes continue to operate, but are now inscribed within a risk framework rather than the reverse. It is not the offender being rescued, but rather future victims.

The re- emergence of openly retributive measures and expressive justice. Punishment as an explicit end in itself has become respectable again. Legislative measures are passed in order to express public sentiment.

The emergence of ‘the victim’ as a central focus. Victims’ rights, victim impact statements, victims on parole boards — all of these are now standard. 29 state constitutions in the USA now confer ‘victims’ rights’ upon their citizens. Up until recently, the victim was simply a complainant and a witness: his or her interests were taken to be those of the public in general. Now the individual victim is singled out as a focus of intense concern and individuated attention. In the new penal politics, the sanctified victim is counter-posed to the anathematised offender.

Changes in the emotional tone of crime policy discourse. Over the last few decades we have witnessed the decline of technocratic language and the emergence of a more visceral kind of discourse emphasising the public’s fear

of crime and widespread anger about criminals. Crime has been re-dramatised. The emotional tone of penal discourse has shifted from cool to hot.

The politicization of crime policy and the new populism. A turn to the politics of populist punishments has seen the displacement of social experts and a new 'back to basics' attitude. 'Commonsense' and 'public opinion' have displaced criminological research as the most central sources and measures of penal policy. Politicians and legislators have become much more directly involved in the administration of criminal justice, seeking to micro-manage outcomes by means of fixed or mandatory sentences and closely monitored rules about parole and early release.

The new urgency given to protecting the public and managing risk. The protection of the public has always been an objective of criminal justice but in the last few decades it has become the alpha and omega of penal policy, prompting a new defensiveness on the part of institutional managers and leading to a greater than ever use of custody and supervision. In this respect, the last few decades stand in stark contrast to the era of the Warren Court and the extension of civil liberties. There has been a shift of public attitude, moving from a concern about protection from the state, which was so definitive of the 1960s, to concern about protection by the state.

The re-invention of the prison. In the early 1970s, most commentators regarded the prison as a discredited correctional measure that would, in the future, be used only as a last resort. Today the prison has become a major institution, absorbing millions of people on a daily basis, functioning more and more as an indispensable mechanism of exclusion, control and punishment.

The new infrastructure of crime prevention and community safety. Quietly emerging alongside the more noisy developments of penal policy is a new network of practices and institutions oriented towards the prevention and control of crime before it occurs. Among these important, if low-visibility, developments we can identify Business Improvement Districts, public-private crime prevention partnerships, community policing, neighbourhood watch, safer cities projects, and so on.

The commercialisation of crime control. Any growth area in a market society is bound to offer opportunities for commercial exploitation, and crime control is no exception. Thus we have seen the enormous growth of the private security industry, the expansion of private police to numbers that dwarf the public police, and of course the appearance and international spread of

private prisons. At the same time, the institutions of criminal justice are increasingly being administered in ways that emulate the commercial sector, with a new ‘managerialism’ displacing the public service ethos and a new business approach disrupting old civil service habits and priorities.

The transformation of criminological thought. Accompanying these institutional changes there has been a shift in the way we think about crime, or rather in the ways that officials choose to think about it. Thus the criminologies now favoured in government circles are no longer the sociological welfarist criminologies of disposition and deprivation but instead new kinds of criminology that stress control: situational control, social control, self-control.

What these developments add up to is not a total transformation — institutional change is never a matter of all or nothing — but rather a shift in the values, objectives and priorities that animate crime control practice. There has been a change in the software that drives the institutional hardware of crime control. The field has been reconfigured from end to end because it is now animated by a rather different culture — a culture of control that drives policy, re-orientes practice and shapes decisions.

What brought about this transformation?

The various developments listed above are rarely thought of as forming a single phenomenon for explanatory purposes, so we do not have an existing inclusive theory from which to begin. But insofar as some of these shifts have been theorised — for example in regard to the demise of rehabilitative policies — the standard explanation tends to point to the impact of internal processes. Thus it is argued that, sometime in the 1970s, officials began to realise that rehabilitation did not work, critics pointed out that it was often arbitrary and unfair, and it began to draw criticisms from left and right. The demise of rehabilitative ideas created a vacuum, into which right-wing policies flowed.

I am sceptical of this standard account. It gives too much importance to academics and their opinions. It violates Raymond Aron’s dictum that large scale historical events are produced by major social forces and completed by accidents and contingencies. As I argued at the start, the changes that I have described above have a structural character, reflecting deeper shifts in interests, values, and sensibilities. They reflect a new collective experience of crime and a new set of adaptations and responses to the problem.

The criminal justice arrangements that prevailed until the 1970s were not accidental or happenstance, nor were they unrelated to broader political structures and relations between social groups. They were, in fact, distinctively modernist in character and intimately tied into the welfare state. They were ‘modernist’ insofar as they involved a specialised criminal justice apparatus that claimed to monopolise the provision of crime control, an apparatus based on expert, professional, governmental knowledge — not private action or local, informal controls, and insofar as they utilised a welfarist style of intervention — relying on ‘social’ understandings and recipes for action.

In the last 30 years, these institutional arrangements have been progressively undermined. This involves a shift away from ‘welfare’, certainly, but also, perhaps, the beginnings of a shift away from the standard recipes of modernity. It seems to me that we may be seeing not so much a straightforward regression in penal policy but rather a complex, transitional moment in the structure of social control. This transitional moment is most visibly marked by the intensification of punitiveness and control, but it may also entail the beginnings of a new ‘de-differentiation’ in our approach to crime control, and new relationships between state institutions, and between state and civil society.

What has prompted these transformations? In thinking about the question of causation I want to resist the usual idea that this is all the work of populist politicians and a rabble rousing press. In my view, the politics of law and order are not always and everywhere successful, nor are they ever cost-free to citizens and to tax-payers. If such politics are markedly successful at this historical moment, and in these societies, it is for a specific reason, to do with the present conjuncture. It is a historical phenomenon that demands historical specificity of its explanation.

In the central chapters of *The Culture of Control* I describe two major historical forces that brought about these changes, one of them quite general, the other more specific to the USA, the UK and one or two other nations:

- The coming of late modernity, by which I mean to refer to certain developments in social, economic and cultural relations that have changed the way we live and had particularly fateful consequences for crime and welfare and,

- The shift to free-market, socially conservative politics, by which I mean the rise to dominance, in the 1980s and 1990s, of a politics of neo-liberalism (more market discipline) and neo-conservatism (more moral discipline).

The coming of ‘late modernity’

‘Late modernity’ is not a state of affairs or a social type. It is merely a convenient term with which to summarise a set of developmental tendencies that affected the USA and the UK (and indeed, most developed societies) during the second half of the 20th century. The leading indicators of this latest phase of ‘modernisation’ can be crudely summarised by reference to the following:

During the postwar period, the US and UK economies (like those of most western nations) enjoyed a prolonged period of growth, bringing with it full employment, relative affluence for many, and the emergence of a consumer capitalism. This was the new world of supermarkets and shopping malls, hire purchase and credit cards, advertising and marketing, consumption and consumerism. This long boom lasted until the reversals of the mid 1970s, when deindustrialisation and the emergence of a more precarious, dualised labour market, drastically reduced the economic prospects of the unskilled sectors and introduced a new precariousness for professional workers, even as their average incomes continued to increase.

This period also witnessed a transformation in the character of families and households. More women (especially married women with children) entered the workforce, more girls went on to further education, more families experienced divorce and separation, more children were born into single-parent households, average household densities diminished, more families became dependent upon two employment incomes, even as more had to survive on none.

During this period there was a fundamental reorganisation of social ecology — a spreading out of social time and space — brought about by the advent of the automobile, the highway and the suburb. The average time spent commuting from home to work, from home to school, and from home to leisure, increased markedly, producing a basic transformation in the everyday routines and activities of the mass of the population.

At the same time, overlaying these changes in the basic structures of social life, a whole series of cultural and political changes occurred. The most important of these were:

- the emergence of television and a national mass media (which brought crime into everyone's living room, transformed local events into national ones, and prompted a more emotive style of politics and political discourse;
- the impact of democratisation and struggles for racial and gender and economic equality — a process that challenged hierarchies, questioned established authorities, and brought about important shifts in the balance of power in many institutions. And even where power imbalances remained stark — as they did in the workplace and the economic sphere — the ideals of equality and democracy produced a 'desubordination' of the low status social groups who no longer unquestioningly accepted the hierarchies to which they had been assigned;
- Finally, this period saw the coming to dominance of what one might term 'moral individualism' as a practice rather than a liberal ideal. In one sphere after another, groups relaxed their hold on the fate of individuals, permitting a new emphasis upon individual freedom, mobility and self-expression.

These modernising processes — and our political and cultural reactions to them — have created our contemporary way of life, for better and for worse. For many social groups (especially women, blacks, gays ...) they have brought new levels of freedom and choice. For most individuals, especially for educated professionals and skilled workers, they have produced mobility and affluence, and a new freedom to choose styles of life and patterns of consumption that is unknown in world history. But these new freedoms come with a price, and it should not surprise us that the social arrangements that produce these new liberties and pleasures and openness have also produced new kinds of insecurity and an intensification of controls and exclusions — especially for those groups least able to responsibly enjoy their late-modern freedoms. Most importantly for our purposes, the coming of late modernity has had important consequences for crime and for the social administration of security.

Late modernity and high crime societies

The social changes of late modernity produced new levels of crime disorder and insecurity — not just in Britain and the USA, but in all of the developed western nations. Crime rates began to rise around 1960, and by the 1990s

were massively greater than 40 years before. This is a near-universal trend, to which Japan is the only significant exception. By the 1980s, in most developed societies, high rates of crime became a normal social fact.

Late modernity ushered in the high crime society for reasons that are, in retrospect, perfectly intelligible. The social changes of the postwar period gave rise to:

- the circulation of masses of consumer goods (TVs, stereos, computers, and of course, cars — the single largest category of property crime);
- the relaxation of social and situational controls (women at work, suburban households empty, self-service shops, down town areas depopulated at night, desubordination); and,
- an increased supply of likely offenders as the ‘at risk’ population of teenage males was swelled by the post-war baby-boom and simultaneously became more mobile, more affluent, less closely supervised by family or work. These three developments, coming together in time and space, amounted to a recipe for high crime rates. The second half of the 20th century was thus marked by a relaxation of controls and a multiplication of opportunities that produced a huge harvest of criminal events. America’s homicide rate doubled between 1950 and 1990. In Britain, the robbery rate in 1990 was 49 times as high as it had been in 1950 and the overall, recorded crime rate increased by a factor of 10. This was not an artifact of reporting or recording. It was a massive social fact.

America and Britain endured these crimes and disorders throughout the 1960s and 1970s. Government officials and criminal justice actors stuck to the old recipes and wondered why they were failing. Since then, they have been busily inventing new controls and reinforcing older ones. The last two decades have been a period of retrofitting controls and repairing control deficits in all sorts of settings — in cars, in shops, in schools, in apartment buildings, in urban design, everywhere.

The Culture of Control tells two stories about these adaptations and responses:

- the story of how the state and its criminal justice agencies have coped with, adapted to, or reacted against the new situation; and,

- the story of how the agents and actors of civil society have adapted and reacted — how individuals, households, communities and corporations have invented new routines and new habits that help them come to terms with life in a crime-prone society. But also how crime and insecurity have become salient issues with sometimes punitive results.

Governmental responses to the new predicament

Since the late 1970s, governments and criminal justice agencies — police, prosecutors, courts, prisons — have had to cope with a structural predicament that has formed the practical horizon for their planning and decisions. The predicament is formed by the convergence of several elements:

- High crime rates have become a normal social fact. This was especially true in the 1970s and 1980s. The US experienced a decline in the 1990s, but crime avoidance remains an organising principle of daily life;
- The criminal justice system is clearly limited in its effectiveness, and these limits are now officially recognised and acknowledged — the UK Home Office, for example, accepts that only three out of 100 known offences ever become the subject of a prosecution; and the US President's Commission famously depicted criminal justice as an extended filtering process that succeeded in processing only a tiny percentage of all crimes to a successful conviction;
- The myth of the sovereign state has become highly problematic — not just in respect of crime, but also in respect of the state's economic and social powers. In contrast to the era of Keynesianism demand management and the welfare state, governments today are increasingly viewed as incapable of effectively governing the economy or delivering social welfare.

The responses of governmental actors to this predicament have necessarily been quite varied. Politicians, administrators, government ministers are differently placed, dealing with different problems in different contexts, even if their horizons are formed by the general predicament I have described. There is also a good deal of ambivalence in their responses, and much change over time, as one initiative after another is tried and tested, before finally being retained or rejected. In general, though, there

has been a broad recognition that government needs to withdraw its claim to be the sovereign provider of security, though political actors are acutely aware that to do so is highly problematic.

For the most part, the criminal justice agencies — above all, the Home Office and the Department of Justice in the US — have developed adaptive responses. The most important of these are the following: 1% Professionalising, rationalising, modernising, privatising the system;

- Redefining success, focusing upon service delivery, improving reaction times
- Addressing consequences rather than causes: attending to fear of crime, victim support, cost control, rationing criminal justice resources;
- ‘Defining deviance down’ — by means of desk tickets, cautions, summary justice, less investigation, ignoring of misdemeanors, etc.. This strategy was prominent in the 1970s and 1980s, though recently its costs have become apparent. The ‘Broken Windows’, ‘zero tolerance’ policies of the New York Police Department ought to be understood as a backlash against this earlier approach;
- Acknowledging limits, scaling down expectations, and especially shifting responsibility for crime control — to the community, to other government departments (education, town planning, social work, traffic control, etc.). The ‘responsibilising’ of individuals, neighbourhoods, manufacturers, retailers, etc. is a part of this strategy. In effect, there is a movement away from the idea of the criminal justice state having a monopoly over crime control. Instead, the state increasingly engages in building alliances against crime.

Denial and acting out

Alongside these creative, relatively rational, adaptive developments, there has also been a more politicised, less rational response to the predicament I have described. Instead of recognising the new situation and adapting to it, there has been a tendency to deny the problem, or respond in visceral ways to it, re-asserting the power of the sovereign state. This is where one sees the vigorous use of the state’s power to punish — a plenary power that is always available (though not always appropriate to the crime problem) — a power that declares that ‘the state is in charge, something is

being done, crime will not be tolerated. I call these reactions ‘denial’ and ‘acting out’ — the psycho-analytical terminology stressing their emotive, expressive and conflict-concealing character.

A good example of ‘denial’ is the British government’s claim that ‘Prison works’. In the UK the irrational, ‘denial’ aspects of this policy were vividly apparent. Months after the same administration had publicly asserted that ‘prison is an expensive way of making bad people worse’, a new Home Secretary declared that ‘prison works’, that controlling prison population will no longer be an aim of government, and that incapacitation and deterrence will succeed. This claim was made — motivated by political rather than penological concerns — despite the government’s own research evidence about the limited impact, counter-productive effects, and high costs of imprisonment.

Another example is the US government’s ‘war on drugs.’ Nancy Reagan’s phrase, ‘just say ‘no’’ perfectly captures the element of denial in this policy — an attempt, again despite all the evidence, to transform a widespread pattern of consumption by criminalising and imprisoning drug offenders. The costs of this particular policy have been astonishingly high.

I use the notion of ‘acting out’ to describe penal measures that use vigorous, expressive action in a way that suggests they may be suppressing an underlying conflict. Such measures have the quality of action for its own sake, typically appearing retaliatory rather than fully rational, gestural rather than governmental. Instances would include the many Three Strikes Laws that were passed in the USA in the 1990s, Sexually Violent Predator Acts, Megan’s Law, the reintroduction of chain gangs, and the reflex use of the death penalty.

Cultural adaptations: responses to the new predicament in civil society

The second story the book tells focuses on what one might call the cultural responses to the predicament, examining how members of civil society have adapted to crime in their daily lives. My claim is that, along with the coming of late modernity, there has emerged a new collective experience of crime and insecurity. This new experience — shaped by daily life and direct encounters, but crucially overlaid by media representation and the common-sense of others — has given rise to new habits, new routines, and new perceptions. Once high rates of crime (crimes of violence, but also disorder and incivility and minor crime) became a normal social fact,

crime avoidance quickly emerged as an organising principle in the conduct of everyday life. Corporations, citizens, communities — all of them developed new adaptations, responses, and routines to minimise the impact of crime and maximise their sense of security. As a result, we have witnessed a host of new developments, among the most important of which are the following.

- The emergence of a massive private security sector, ranging from the ubiquitous presence of private police in shopping malls to the commodification of security by the home security industry;
- Shifts in where we live and how we live — the flight to the suburbs, the spread of gated communities, the increased use of entry-phones, security alarms, car-locks, etc.;
- The spread of new avoidance behaviours and preventative routines, indicating which neighbourhoods are safe, where we are willing to go after dark, the advice we give our children. A good index here is the dramatic change that has occurred in the way that we supervise and transport our children around social space. In the UK, in 1974, 80 per cent of eight-year olds travelled to school unaccompanied by an adult. In 1990, the percentage was nine per cent.

What is most notable about these new patterns of behaviour is that they affect the rich as much as the poor. The culture of control works at both ends of the social spectrum — the dominant classes exclude and control deviants, but they also impose new controls upon themselves. New practices of exclusion and fortification affect everyone. Thus in the USA, the build-up of imprisonment since the 1970s has been precisely mirrored by the build-up of gated communities.

Over time, these new habits and attitudes have crystallised into real estate categories, insurance contracts, and common sense. Fear of crime and crime avoidance have come to be institutionalised, shaping everything from our built environment to our cultural imagination. New habits and emotional involvements of this kind have contributed to the creation of a new cultural formation that I call ‘the crime complex’ of late modern societies.

What this means is that our emotional involvement with crime (and punishment) has become much more intense. Crime and fear of crime now affects us all. The poor and minorities have been, as always, worst

affected. But the most significant shift has been in the experience of better-off sectors of the population. In the 1970s and 80s, crime became a salient, persistent problem, perhaps for the first time, for the professional middle classes and liberal elites. Their shifting attitude to crime and punishment was the key to the law and order politics of the 1980s and 1990s. Above all, it permitted the emergence of bipartisan political support for a more punitive politics — with the New Democrats and New Labour seeking to out-do their opponents in being tough on crime. Among the better off sectors of the population the old liberal-welfare attitudes have given way to a much more ambivalent sensibility — mixing stoical adaptation and righteous anger. And it is these new sensibilities that form the cultural surface upon which governments have built elaborate crime prevention routines as well as the punitive politics of mass imprisonment.

Conclusion

These two stories, the governmental story and the cultural story, are interwoven.

The political responses (punitive ones and preventative ones) are made possible by the widespread cultural adaptations: by our anger and anxiety, but also by our daily habits and willingness to invest in crime prevention. My argument is that the new penal policies, new preventative practices, new culture of control, are not just a product of political forces or conservative politicians. They are rooted in a new collective experience of crime and the everyday routines and cultural sensibilities that this ‘crime complex’ has produced. The crime control present is shaped by politics but rooted in everyday practices and a widespread cultural attitude.

I have described how the new crime control developments (in the US and the UK) have ‘adapted’ and ‘responded’ to the late modern world, and to its political and cultural values. But these developments also, in their turn, play a role in creating that world, helping to constitute the meaning of late modernity. Crime control today does more than simply manage problems of crime and insecurity. It also institutionalises a set of responses to these problems that are themselves consequential in their social impact. In America and Britain today, ‘late modernity’ is lived — not just by offenders but by all of us — in a mode that is more than ever defined by institutions of policing, penalty, and prevention.

The questions for those of us who live in these societies, and especially for those who live elsewhere but have experienced similar social, economic, and cultural forces, is can we respond differently to the risks, insecurities, and individualism of the late modern world? Or must our economic and social freedoms be lived in a culture of control?

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