

Criminalisation and social structure

Will McMahon and Rebecca Roberts introduce this issue of *cjm*.

The social and human impact of the current economic downturn will be wide-ranging and severe, and will cause significant social harm. Those on state pensions, benefits or working in tenuous employment for the minimum wage will be particularly hard hit. Clinging onto the financial cliff face just above them are the aspirational 'hard-working families' whose votes may hold the key to the next general election. Having borrowed heavily to buy into the property owning democracy, they have further to fall and the landing will be harder.

With concern mounting about an impending recession and the economic costs of the financial crisis, politicians jostle for position on who to blame and how *their* party will reduce burdens on 'hard-working families'. In almost all areas of government social expenditure a tightening of purse strings is inevitable. Yet the government seems committed to maintaining the dramatic increases in criminal justice spending detailed in the Centre for Crime and Justice's 2007 *Ten years of criminal justice under labour. An independent audit*. For example, the 2008-11 Comprehensive Spending Review shows the 'counter-terrorism and intelligence' budget growing from £2.5 to £3.5 billion; in addition, Keynesian reflationary spending on infrastructure may bring forward the Titan prisons.

So, the decade-long trajectory from a social or welfare state to a criminal justice state, with the expansion of criminal justice operations in a range of areas—for example through increases in legislative powers, personnel and building stock—looks set to continue. Rather than the context being an increasingly prosperous society where 'things can only get better', with only a recalcitrant small minority being subject to intensive criminal justice management, the stage may be being set for an additional 'extensive' use of criminal justice in a period of growing social inequality.

What is crime and criminalisation?

Questions of what and who gets defined as criminal is something the Centre for Crime and Justice Studies is currently interrogating under the *What is crime?* initiative funded by the Wates Foundation. In a series of briefing papers and events focusing on the areas of public and private violence, environmental harm and financial harm as well as national photography competition, this project seeks to stimulate thinking and debate about crime, harm and injustice.

In light of the *What is crime?* initiative and broader social and economic contexts, the themed section of this issue of *cjm* on *Criminalisation*, edited by Christina Pantazis of the University of Bristol, is, therefore, timely. The section critically explores the variety of ways in which criminalisation is utilised to control particular people, places, harms and behaviours. Exploring both 'over' and 'under' or 'lesser' criminalisation, Pantazis highlights

some of the contradictions and tensions in criminalisation strategies. She critiques New Labour's law-making 'frenzy' and identifies a range of policy themes which have been central to the state's capacity to criminalise under the current government.

In our topical essay section, **Richard Wilkinson** criticises New Labour's failure to stem widening inequality, arguing that at best 'without a Labour government inequality might have been even greater than it is'. Drawing on his research about the impact of inequality across the globe, Wilkinson finds that 'the more unequal a country is, the more it has of almost all the problems of relative deprivation'. He finds the more unequal nations fare less well on a range of measures including violence and mental health and resort to greater levels of imprisonment.

Continuing this discussion, **Richard Garside** explores the relationship between penal policy and capitalism, finding that the two seem to be inextricably linked. Cross-national analyses of political economic arrangements and penal systems indicates that 'liberal' regimes such as those seen in the US, UK and Australia, where welfare benefits are minimal and recipients marginalised, are more likely to have higher rates of imprisonment and punishment.

As well as imprisoning more, 'liberal' states also ensure that the profit motive and the 'work ethic' become increasingly influential across society. One expression of this is the emergence of 'contestability', that is privatisation of criminal justice by another name, which may lead the UK further down the path towards what has become known in the United States as the 'penal industrial complex'. Another is the view that developing a 'work ethic' while in prison will lead to 'the good life' once released. **Joe Black** of the Campaign Against Prison Slavery questions the popularly held view that the key purpose of encouraging people in prison to work is to provide training and aid post-release employment opportunities. Citing current practices as inequitable, inconsistent and potentially exploitative, Black claims, quite simply, that prison work doesn't work. The efficacy and goals of 'work' in prison is surely in need of closer critical scrutiny.

Phil Shiner explores what he describes as the 'abject failure of British military justice' and draws attention to abuses and violations committed by soldiers. Describing the case of Baha Mousa, killed by British soldiers in a detention facility in Basra, Shiner calls for a complete overhaul of the military system.

This issue of *cjm* offers a range of critical and challenging perspectives, highlighting both historical and contemporary policy trajectories, as well as providing an insight into future directions in criminal justice and social policy.

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