THE SAFETY UTOPIA

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Contemporary Discontent and Desire as to Crime and Punishment

by

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PREFACE

My first encounter with the world of crime and punishment was more than two decades ago, and it has since undergone vast changes. No one could have foreseen that crime-related problems would occupy such a prominent position in cultural awareness. Crime is on the rise, the public attention devoted to it has increased even more, and its political importance has mushroomed. The major change in the 1990s was perhaps the transformation of crime into a safety issue. Crime is no longer a matter involving offenders, victims, the police and the courts, it involves everyone and any number of agencies and institutions from security companies to the local authorities and from schools to pub and restaurant owners.

Crime has become a much larger complex than the judicial system—a complex organized mentally and institutionally around this one concept of safety. In this book I make an effort to get to the bottom of this complex. It is the sequel to my dissertation *Crime and Morality—The Moral Significance of Criminal Justice in a Postmodern Culture* (2000), where I hold that the victim became the essence of crime in Western culture, and that this in turn shaped public morality. In the second half of the twentieth century, a personal morality based on an awareness of our own and other people's vulnerability, i.e. potential victimhood, succeeded the ethics of duty. In this book I expand this topic to include the meaning of safety in modern culture. What has shaped safety's central role and how does it affect society? The victimalized culture has given birth to a safety utopia, that is the insight underlying this book.

It has been a year and a half since my book was published in the Netherlands. It was received with unexpected enthusiasm, it was almost too much to hope for. The book did exactly what I wanted it to. It contributed towards the safety debate that reached a peak in 2002 in the Netherlands with the murder of the flamboyant politician Pim Fortuyn. Various readers commented on my perfect timing, but that was not the way I saw it at all. The book is the result of years and years of study and policy experience in the field of safety. I completed it at precisely the right moment, the time was ripe.

I felt it was important to put the whole commotion about crime and safety in the 1990s into the proper perspective, not by trivializing the problem but by putting it in a broader cultural context. I initially visualized a collection of the articles I have written since my Ph.D., but they are so widely varied and there are gaps and even occasional contradictions in the text. I felt a need for a more coherent approach to the safety issues, which I found in the *safety utopia* concept I have used

earlier (Boutellier, 2000). The safety debate goes beyond a need for protection or indignation about criminal offences—it becomes a utopian yearning generated by dissatisfaction with the complexity of contemporary society.

The utopian yearning is intertwined with the concept of safety in relation to crime. Every crime victim is an indication of the moral ambiguity of our times. Crime is modern-day society with the daggers drawn. In this context, it is essential to consider safety issues rationally and pragmatically. Underestimating or ignoring criminal injury may undermine society, but overreacting endangers the constitutional principles that make our freedom feasible. A utopia is fuelled by discontent and yearning, and as a true dream of power, it also entails illusions and a danger of totalitarianism. But the concept of utopia also invokes a spark of hope. Safety unites and as such it can also give society new impulses.

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FOREWORD

When I am working in Sheffield, my regular drive to the university takes me past an inn with a large forecourt. Recently, large notices appeared on this forecourt, advertising the fact that on a certain day a bungee jump would be available there. Everyone was encouraged to come and try their luck at the thrill, the excitement, and the suppressed fear of jumping off a high platform with an elastic rope attached to them.

In the Introduction to this book, Hans Boutellier cites bungee jumping as an example of one of his central concepts, that of 'safe freedom'. For Boutellier, one of the key features of contemporary culture is a wish for freedom—freedom from many of the restrictions of our grandparents' moral codes, and freedom to enjoy ourselves in (for example) international travel and sexual experimentation. In part, this freedom is expressive and hedonistic—hence the appeal of bungee jumping. But, of course, the public assumes that the bungee-jumping apparatus is actually safe; that, indeed, it has been thoroughly tested by the relevant Health and Safety authorities. If, exceptionally, the apparatus fails and tragedy occurs, everyone is devastated. So, for Boutellier, the bungee jump exemplifies a desire for *safe, hedonistic freedom*. In his analysis, such a desire is pervasive in contemporary Western societies, and leads us simultaneously to wish for: *first*, the freedom to pursue our own lives, and our own excitements, without outdated restrictions; yet *secondly*, the desire that this freedom shall be pursued in a wholly safe environment. The demand for safety is based partly on scientific and technological factors (our food and water must be free from contamination, our medicines thoroughly tested), and partly on social factors (we do not want our freedom of association, and our enjoyment, to be spoilt by being assaulted, or by having our wallets stolen). Yet there are, of course, some potential points of tension in these dual desires, especially in the social sphere: as Boutellier puts it, sometimes 'people demand the enforcement of rules that they themselves do not want to adhere to'. Hence the concept. *The Safety Utopia*, which gives this book its title, and which is defined by the author as 'the unattainable pursuit of an optimum link between vitality [expressive freedom] and safety'.

As these brief remarks will already have made clear, *The Safety Utopia* belongs on the bookshelf alongside other social-scientific analyses of our times such as Anthony Giddens's *The Consequences of Modernity* (1990), Richard Ericson and Kevin Haggerty's *Policing the Risk Society* (1997) and David Garland's *The Culture of Control* (2001). All of these works are indeed cited in this text. Hans

Boutellier, however, places in the foreground not so much the structural transformations of so-called 'late modern societies', nor the 'control culture' of which Garland writes, but rather the changes that he perceives in the cultural and moral landscape.

Boutellier's focus on morality is one of the most distinctive features of his work, both here and in his earlier volume *Crime and Morality* (Boutellier 2000). For Boutellier, what is particularly important is that the perceived sources of morality have been revolutionised in the last half-century. Where once there was an accepted moral code within the hierarchical and indeed patriarchal structure of Dutch society, now ethics are seen as relativistic—each to his or her own moral views. The only brake on this relativism is what moral philosophers would call a negative version of the Golden Rule; that is, 'do not do to others what you would not wish them to do to you' (Honderich 1995, p. 321). So, the source of moral values comes to reside in *the suffering of the victim*—her physical pain, psychological distress or financial loss, which in other circumstances might be our pain, distress or loss. A little reflection will quickly show how closely the ideas of relativistic ethics and victim suffering are related to Boutellier's master-concept of the 'safety-utopia'.

I would like briefly to mention two specific matters raised in this book which will indicate its potential interest for criminologists in many countries. They will serve as illustrations of several other topics that I could have highlighted.

First, the chapter on sexual offences (chapter 3). There is no doubt that sexual mores have changed rapidly in most Western societies in the last half-century, as a comparison of a sample week's television output in 1954 and 2004 would quickly demonstrate. Sexual images are everywhere in our culture, and our attitudes to sex are now far more libertarian. Yet it is also the case that some kinds of sexual crimes—especially those involving children as victims—are among the most heavily condemned in our society. A couple of years ago I compiled (for a lecture to senior police officers) a list of all the new legislation on sexual offences and sexual offenders in England since 1990. As I am not a specialist on sexual offences, I had not until then fully appreciated just how busy our Parliament had recently been (under governments of both the main political parties) in creating fresh restrictions in this sphere. Sexuality and the response to it is indeed a prime example of the concept of 'safe freedom' in contemporary culture.

Secondly, I was intrigued to discover that in this book (chapter 5) the author has used the concept of *responsibilization*. He is referring to a process whereby, in The Netherlands, explanations of offending behaviour by criminologists, and in criminal policy, have tended to shift as we have moved from 'modernity' (fifty years ago) to today's 'late modernity'. In the era of moderity, Hans Boutellier argues, 'causality thinking' was dominant, 'leading in turn to the moral meaning of bad behaviour being relegated to the background'. More recently, certainly in criminal policy and sometimes also in criminology, people have taken the view that 'crime is not an effect, it is a choice'. What interested me especially about this analysis is that something very similar occurred in English youth justice policy in

the late 1990s, which led a British criminologist (John Muncie) to characterise this development by the very same English word (*responsibilization*) that the translator has used here, despite the fact that in English this word is very rare. (See Muncie 1999; for a fuller discussion of recent English youth justice policy, see Bottoms and Dignan 2004). It is a striking congruence, and one that highlights an important cross-national current of thought.

Of course, a book as wide-ranging as this one is bound to be in places a little speculative and/or controversial. Most readers, I suspect, will not find themselves in agreement with everything that the author says, and certainly that is true for me. But a Foreword is a place to whet the potential reader's appetite, not to offer a critical analysis. On a more suitable occasion, it would indeed give me great pleasure to debate with the author some of his arguments. Yet I would do this with both admiration and respect, since I have already found his earlier book very stimulating (see e.g. Bottoms 2002), and the present work builds most creatively on those foundations. Hence, for now, let me simply, and without reservation, exhort everyone who is interested in contemporary criminal policy and criminology to read this book. They will certainly gain many fresh insights from it.

As a final word, perhaps I might also be allowed to commend one further strand of the author's argument. Towards the end of his book, he contends that recently criminologists have too often become specialists in particular topics, and insufficiently concerned with the wider societal meaning and application of their research findings. He argues for a bolder criminology, and one which is willing to be more broad-brush in its 'formulation of coherence and desirability'. 'The field of criminology could be more important if it were aware of its intellectual potency', he argues. This is an important challenge for all of us who call ourselves criminologists.

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