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## The Quiet Dangers of Civilized Rage: Surveying the Punitive Aftermath of England's 2011 Riots

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Two photographic images linger from the civil unrest that swept across England in August 2011. Both photos were taken in the city of London, where the majority of the unrest took place.<sup>1</sup> The first depicts a lone male figure in the street, stepping brazenly in front of a burning car. Clothed in a gray tracksuit and black sneakers, with hood up and stance defiant, he embodies the demonized figure of the “hoodie” that has come to symbolize dangerous and troubled youth in Britain. The black scarf that covers his face adds to his ominous persona; though his skin is not clearly visible, he evokes the aura of stigmatized blackness. His gaze is cast slightly upward from under the shadow of his hood, as though he has just caught a glimpse of those who are watching. He does not care. Starkly framed against the thick black smoke and bright orange flames that engulf the wreckage behind him, he inhabits this danger zone as though he owns it.

The second image directly contrasts the first. This photo depicts a fresh-faced, white woman in her twenties, sporting trendy sunglasses and a crisp yellow tank top. It is sunny and bright outside, and a friendly crowd stands behind her. With broom in hand, she is part of the voluntary postriot cleanup crew—the “broom brigade” as it was fondly described in the media. Her body bears the markings of class privilege: neatly groomed and poised; skin free of tattoos, piercings, and loud jewelry; clothes simple and modest. She embodies both the conventional domesticity of gendered labor and the public self-discipline of civic duty; her long blond hair is swept back in a ponytail, and she is ready to “get to work.” Yet her task is not simply a menial one; it is also pedagogic. Emblazoned across her chest, in carefully ordered, hand-painted letters is a clear moral message: “Looters Are Scum.” Behind her is a sea of white faces—respectable middle-class do-gooders—who have come to clean up the streets, to sweep away the dirt and debris, and to cleanse the events that shook fear into “middle England.”

I start with these contrasting images because they each evoke particular “truth narratives” that have come to explain the events of August 2011. Both photos were widely disseminated in corporate news media and recirculated on popular blogs and websites in the weeks following the riots. Their representational power arguably lingers because they tell familiar stories—about criminality and danger, law and order, individual accountability and “big society” responsibility.

These photographic narratives work not only to naturalize the punitive state responses that followed the civil unrest of August 2011—including lengthy prison sentences, violent police raids, increased surveillance, and social benefit sanctions—but also to absolve the state of its own culpability. Just as the volunteer broom brigade merrily swept away the remnants of danger left on London's streets, the state has largely swept away its responsibility for what happened and instead generated a narrative of blame to justify its own disciplinary violence.

## **The Punitive Aftermath of August 2011**

The events of August 2011—which began with a peaceful demonstration outside a police station in Tottenham to protest the fatal police shooting of twenty-nine-year-old Mark Duggan and subsequently erupted into five days of rioting, looting, and burning in cities across England—presented the state with a political opportunity. Clearly these events were a sign of widespread rage, disaffection, and discontent, and they stemmed from deeper problems that had been brewing for years. But rather than seize the moment to confront these issues, the government chose instead to simply extend its law, order, and moral “responsibilization” agenda. On August 9, returning early from his family vacation in Tuscany, Prime Minister David Cameron (2011a) issued a public warning: “I have this very clear message to those people who are responsible for this wrongdoing and criminality: you will feel the full force of the law and if you are old enough to commit these crimes you are old enough to face the punishment.” Reiterating these comments the following day, Cameron (2011b) announced: “Anyone charged with violent disorder and other serious offences should expect to be remanded in custody . . . and any- one convicted should expect to go to jail.”

This was no mere political rhetoric. Cameron’s edict translated directly into practice, with more than 3,100 individuals charged for riot-related offenses in the twelve months that followed. The main charges were burglary (50 percent), violent disorder (22 percent), and theft (15 percent). Of those who were sentenced, 66 percent were taken into immediate custody, with an average prison sentence of 17.1 months. The pattern of sentencing was more than quadruple what would normally be expected—sentences for similar offences during the preceding year averaged at 3.7 months (UK Ministry of Justice 2012). This surge of arrests had ripple effects across the criminal justice system, with courts working around the clock to process defendants, police officers working extended hours to make arrests, and magistrates’ cases being routinely referred up to the Crown Court to enable stiffer penalties. The already overcrowded prison estate in England and Wales was stretched to the max, reaching its highest ever population peak at 88,179 in December 2011 (Howard League for Penal Reform 2012).<sup>ii</sup>

### **Snitching, Shaming, and Dawn Raids**

Attempting to recover from its dramatic loss of control on the streets, the state responded with a spectacular show of criminal justice might. The police undertook a series of aggressive dawn raids, violently breaking down doors of suspected looters’ homes to search for stolen property and arrest young people. These raids, which primarily targeted low-income housing estates, recovered relatively low-value looted goods such as shirts, sneakers, and belts (Gayle 2011; BBC News 2011a).

Police and corporate media launched widespread “snitching” campaigns to encourage the public to identify and report suspected looters and rioters. Suspects’ photos were splashed across the front pages of local newspapers, the Manchester Police launched a “Shop a Looter” billboard campaign, and the Metropolitan Police posted suspect profiles on its Flickr page, with copycat websites created by members of the public (BBC News 2011c; Daily Mail 2011).

These tactics were designed not only to track down and arrest suspects but also to name and shame them publicly. In the week following the riots, the Crown Prosecution Service advised the Magistrates’ Court to abandon identity protections for young people (who are usually granted anonymity) and instead publish the names and addresses of convicted youths where it was “in the public interest” to do so (Bowcott and Bates 2011). Some speculated that this unusual decision was a direct response to Cameron’s remark that the government would not let “phony concerns about human rights get in the way of the publication of [suspects’] pictures” (Cameron 2011b).

## Overzealous Sentencing

Questions were raised about the proportionality of sentencing as well as political interference with the judiciary's supposed independence, particularly when it was revealed that magistrates had been advised to disregard normal sentencing guidelines for riot-related offenses (Bowcott 2011; Bowcott and Bates 2011). There were many striking cases: a twenty-three-year-old with no prior convictions sentenced to six months' imprisonment for stealing £3.50 worth of bottled water; a twenty-two-year-old sentenced to sixteen months for stealing ice cream; a forty-eight-year-old sentenced to sixteen months for stealing doughnuts; a woman who slept through the riots but was imprisoned for accepting a pair of shorts that had been looted by her lodger; and two young men sentenced to four years each for attempting to incite a riot via Facebook, even though their posts did not result in any such action (Lewis, Ball, and Taylor 2011; Addley, Vasagar, and Coleman 2011; Carter and Bowcott 2011). Despite appeals, most sentences were upheld on the grounds that the context of the riots constituted an aggravating factor that warranted additional punishment (R v. Blackshaw and Others [2011] EWCA Crim. 2312).

The consequentialist rationality standard that was so stringently applied to those who participated in the riots did not apply to those doling out punishment. Stiff sentences were publicly justified on the need for deterrence, despite the lack of evidence that longer sentences have any such effect—a fact that even the director of public prosecutions admitted (Bawdon, Lewis, and Newburn 2012).

## Expanding and Collectivizing Punishment

Other punitive measures also followed. Barely a week after the riots ended, several local councils issued eviction notices to tenants in social housing who had been charged with riot-related offences, including a single mother whose son had been charged but not yet convicted (BBC News 2011b). The evictions applied to entire households even if only one member had been involved in the offense. While the courts subsequently rejected these evictions, the prime minister made it clear he would back councils' efforts to rid their properties of convicted rioters. "For too long," he said, "we have taken too soft an attitude to people who loot and pillage their own community. If you do that you should lose your right to housing at a subsidized rate" (Topping and Wintour 2011).

True to Cameron's word, in May 2012 the government released plans to enact a new "mandatory power of possession" that would enable landlords to evict tenants for antisocial behavior and criminal convictions (UK Department for Communities and Local Government 2012). This new power would limit discretion and force courts to issue evictions that met particular conditions. The proposed triggers for eviction would apply not only to the behavior of a formal tenant but also to any regular visitors to the property. Most significant, the proposed legislation would effectively allow councils to abandon their duties to provide accommodation in such cases: "Where tenants have been evicted for anti-social behaviour [it] is very likely that they will be deemed to have made themselves intentionally homeless and therefore the local authority will not owe them a duty to provide new settled accommodation" (UK Department for Communities and Local Government 2012: 23).

This notion of "intentional homelessness" adds a frightening weapon to the state's arsenal of antipoor laws. The message is clear: low-income people who break the law (and get caught) or are deemed to engage in anti-social behavior will not only forfeit their basic entitlements but will also face legally sanctioned social abandonment. As the head of Manchester Council aptly summed up: "We have the power to evict people involved in anti-social behaviour and we are ready, willing and able to use that power. Anyone involved in these disturbances—or anyone who has allowed their children to be involved—needs to understand that we don't want you in our community" (Leese 2011; emphasis added).

Like parental responsibility orders, which hold people accountable for their children's behavior,

this new power of possession essentially renders whole households responsible for the actions of any one of its members or guests. No doubt this will have a particularly gendered effect, with lone parents (who are disproportionately female) bearing the costs, as has been the case with housing evictions related to antisocial behavior (Hunter and Nixon 2009). Such measures also reflect an inability to understand poverty as anything other than a choice. As one commentator pointed out: “The idea seems to be that those in social housing could just find somewhere else, they could just walk into private housing. Like the similar proposals for taking away housing benefit from miscreants, it is based on an inability to imagine what poverty is like, to think for a second what might happen to a family when it loses its income or its home” (Hatherley 2011).

In addition to these new powers of eviction, the government announced a host of other punitive sanctions designed to tackle “gang and youth violence” (UK Government 2011). While some of these measures were already in the works prior to August 2011, the riots gave greater impetus for implementing them.

### **Civilized Outrage and Rationalized Retribution**

These punitive responses were made possible in part because the riots were defined from the outset as decisively not political. Although most commentators acknowledged that the initial demonstration outside Tottenham Police Station fell within the proper realm of political dissent, the subsequent actions were widely characterized as little more than criminal opportunism. As Sadiq Khan, the member of Parliament for Tooting in South London, wrote in the London Evening Standard:

Let's be clear: what we've witnessed across our London boroughs is not a genuine outlet of political angst, nor a reaction to police conduct. It is simply criminality on a devastating scale. There is no excuse. The people looting sports ware [sic] stores, electrical shops and department stores weren't think- ing about what happened to Mark Duggan. They weren't thinking about the stagnating economy or public service cuts. Their motivation was to wreak havoc and perhaps grab a pair of trainers or a TV along the way. (Khan 2011)

More liberal commentators who insisted on drawing attention to the immediate political context of the unrest—that is, decades of racist policing, entrenched poverty and unemployment, educational disenfranchisement, and the imposition of austerity measures—nonetheless argued that the actions of the rioters were not political, at least not in a “proper” sense. It was as though the definition of the political had become so narrowly proscriptive that it became impossible to hear the political message of anger, desperation, and disaffection expressed on the streets.

When framed as nonpolitical, the events were easily reduced to a con- sequence of poor choices and failed morals, which thus warranted punishment. As Home Secretary Teresa May remarked: “We must never forget that the only cause of a crime is a criminal. Everybody, no matter what their background or circumstances, has the freedom to choose between right and wrong. Those who make the wrong decision, who engage in criminality, must be identified, arrested and punished—and we will make sure that happens” (May 2011). These punitive responses were also permitted in part because they disproportionately targeted disenfranchised populations— young people, poor neighborhoods, black communities, and single parents— that were already so widely demonized that the public was willing to accept their mistreatment. As Joe Sim pointed out, normally such blatantly dis- proportionate sentencing would threaten the legitimacy of the system. However, “in the immediate aftermath of the disturbances, the state could, and did, respond coercively in order to restore order with little consider- ation for the legitimacy of the judiciary's actions. This was due to the simple fact that popular and political hostility towards the poor had become so deeply embedded in the wider society” (Sim 2012: 27).

But perhaps more important, these punitive measures were consistently framed as rational

and appropriate responses to the “mindless criminality” that had emerged on the streets. In doing so, the government was able to cloak its own class anxieties about the disturbances and mask its own anger and vindictiveness. From the courts that imposed severe sentences, to the politicians who launched new legislative penalties, to the councils that sought to evict rioters—these were the hallmarks of a civilized outrage, an acrimonious yet refined resentment that couched itself in measured tones, rational language, and decisive action. This was the riotous behavior of the elite classes, who mete out legally sanctioned modes of violence while naming it otherwise.

Returning to the two images with which we began, we can see how the narratives of dangerous criminality contrasted with the upstanding moralism of those who sought to restore order. Yet this restoration—like the actions of the broom brigade that sought to tidy up the streets in the aftermath—was not a challenge to the systemic injustices that had prompted the unrest in the first place, but a return to the status quo. In many ways, the state’s punitive response to the riots—which has not only scapegoated, stigmatized, and criminalized those who participated in the unrest, but also punished, abandoned, and chastised their communities—could not have been more counterproductive. As many police, rioters, policy makers, and researchers alike have warned, there is ample reason to believe that further riots will ensue. The question is not if, but when.

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<sup>i</sup> The first image is available at Telegraph n.d.a. The second image is available at Telegraph n.d.b.

<sup>ii</sup> The urban unrest did not spread to Wales. However, those convicted of offenses in England can be sentenced to prison in either country, resulting in the riots impacting on the prison populations of both.