Moral panic revisited: part one

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Introduction

The sociological concept of "moral panic" can broadly be described as a disproportionate social reaction to a given threat or behaviour. The term was first launched over 30 years ago by Stanley Cohen in his 1972 book *Folk Devils and Moral Panics,*[1] a sociological study of the "Mods and Rockers" phenomenon of the mid-1960s. Since then, it has been applied to a plethora of social ills, including, but not confined to, criminal activity. Well-known examples include child abuse,[2] AIDS,[3] football hooliganism, rave dances[4] and various types of drugs,[5] as well as certain youth subcultural activities[6]. Indeed, the apocalyptic events of September 11, 2001 and the massive law enforcement response it engendered, have seen the left once again enjoying a brief flirtation with the concept.[7]

However, the popularity of the term since the 1990s and the increasing tendency to label all kinds of media events as "moral panic" have meant that its use has often been dogged by ambiguity. It is sometimes used in a pejorative sense, sometimes not. Moreover, despite its adoption, thus far uncritically, by Irish criminologists[8] the theory of moral panic has not been without its critics, who view the concept as nothing more than left wing polemic. This article attempts a reassessment of moral panic theory. This necessitates, first, a review of the literature on the subject and a brief history of the term, which will be the focus of the Part One of this article. In Part Two, I will endeavour to ascertain the current usefulness of the term through a critical examination of the main challenges to it. It is submitted that this exercise is far from academic in the context of a fearful Irish public who have displayed high levels of concern about crime since the early 1980s despite comparatively low crime rates by international standards.[9] Indeed, suggestions have been made by some commentators that Ireland has already experienced at least one home-grown moral panic.[10]

A history Of moral panic

The Origins of the Theory and the Quintessential Moral Panic

Moral panic theory was not conceived in a vacuum. On the contrary, it was heavily influenced by the labelling school of thought, developed by criminologists such as Lemert[11] and Becker[12] in the 1950s and 1960s. From the labelling perspective, deviance is not a quality of the act a person commits, but rather a consequence of the application of rules. In Becker's famous words, "deviant behaviour is behaviour that people so label."[13] Cohen, who was a research student at the University of London in the 1960s, used labelling theory and the idea of deviance amplification to develop the concept of moral panic. The skirmishes then taking place between the Mods and Rockers at certain seaside resorts in Britain provided the particular focus for his study. He was struck by the fundamentally inappropriate reaction of the media, the public and agents of social control to these relatively minor disturbances. His definition of moral panic has since achieved canonical status through constant repetition:

> "Societies appear to be subject, every now and then to periods of moral panic. A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible. Sometimes the object of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten, except in folklore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes as those in legal and social policy or even in the way the society conceives itself."[14]

One of the most significant features of Cohen's work was the linking of the term with that of the "folk devil". In Cohen's view, the core attribute of the moral panic is the public's identification and demonisation of a particular person or group as a scapegoat or folk devil, a morally flawed character that is the source of the crisis. Despite the use of such terminology, however, Cohen was at pains to point out that he did not mean to suggest that the Mods and Rockers would not have existed if there had been no moral panic, only that their conversion into folk devils was an inappropriate solution to the problem.

Another important element of Cohen's thesis was the argument that moral panics are generated by the media and by particular interest groups ("moral entrepreneurs") who adopt strategic rhetoric in the media to publicise their concerns. He focused particularly on the media and their role in amplifying the deviance through processes such as

symbolisation. Symbolisation is the means by which deviants were stripped of their favourable or neutral connotations to become in Cohen's words "unambiguously unfavourable symbols" or folk devils. These images were usually much sharper than the reality. He also used the term *sensitisation* to describe the process whereby the public, press and control agents such as the police, in the throes of a moral panic, become sensitised to signs of a threat. Indeed, it is a form of mild hysteria which "...transforms an ambiguous situation into an absolutely potent generalized threat."[15]

As is often the case when a disaster or disturbance occurs, a scapegoating process begins and blame is shifted upwards in the hierarchy. Cohen referred to this stage in the societal reaction as the *appeal to the suprastructure.* This shifting of responsibility to the suprasystem results in calls for action and it is at this juncture, with the executive under pressure to take some form of action, that legislative solutions are most often reached for. At this stage the concept of *ideological exploitation*—the use of the deviant to defend or announce an ideology, religious, political or otherwise—may become relevant. Politicians or interest groups can use events to justify previously held positions or to promote novel solutions to the problem. The introduction of new methods of control so as to stretch existing institutional limits was termed by Cohen as *innovation,* for example, legislation providing for increased police powers or tougher penalties.

Notably, while Cohen viewed the Mods and Rockers panic as being bound up with societal concerns over the post-war affluence and sexual freedom they represented, he appeared to view the concept as historically timeless. In *Folk Devils* he concludes, "More moral panics will be generated and other, as yet nameless, folk devils will be created."[16]

Consolidation and extension: moral panic gets political

Cohen's remarks have proved prophetic. Since the author's original formulation, scholars have fleshed out the concept in applying it to other social problems. Of particular significance is the work of Stuart Hall *et al.*[17] on the British mugging panic of 1972–1973. Hall *et al.* quoted Cohen's definition of moral panic with approval, noting that the mugging panic fitted squarely within it, "in almost every detail." However, they went on to formulate their own generalised definition of the theory, which, crucially, made explicit the idea of a *disproportionate* response. While this was implicit in *Folk Devils,* Hall *et al.* put the matter beyond doubt, describing the phenomenon as "when the official reaction to a person, group of persons or series of events is out of all proportion to the actual threat offered" and "when the media representations universally stress 'sudden and dramatic' increases and 'novelty' above and beyond that which a sober, realistic appraisal could sustain".[18]

This was not, however, the only difference between the two texts. While Cohen adopted a studied neutrality throughout his work, Hall *et al.* perceive moral panic as a political phenomenon, generated, whether deliberately or unconsciously, through political activity.[19] The authors' central thesis borrowed from Marxist, or more correctly Gramscian, terminology in alleging that post-war Britain was experiencing a "crisis of hegemony" or a breakdown in the ruling of the State. This crisis necessitated a shift from the pole of consensus, or ruling by agreement, to that of coercion. The mugging panic therefore formed part of the orchestration of an authoritarian consensus in support of coercive measures and in Hall *et al.'s* words was "one of the principal forms of ideological consciousness by means of which a silent majority is won over to the support of increasingly coercive measures on the part of the State and lends its legitimacy to a more than usual exercise of control."[20]

Hall *et al.*'s work is by its very nature extremely contentious and has come in for much criticism. Chief among his critics is Cohen, who highlights his failure to outline sufficiently the contours of the moral panic on mugging itself.[21] This is a valid criticism. The first chapters of the book, in which the panic is detailed, fail to entirely convince, and in particular the public reaction to the mugging threat is not sufficiently relayed. One is left with the impression that the mugging panic itself may have been neglected in favour of the central thesis of the "crisis in hegemony". In the view of this writer, the primary value of the work for this study is probably the clear links forged by the authors between the concept of moral panic and the idea of proportionality, which are central to the notion of moral panic as an empirical, as opposed to a polemical, concept.

Development of the theory: from hegemony to hooligans

Engaging directly with the law and order rhetoric of Thatcherism, Geoffrey Pearson's book, *Hooligan: A History of Respectable Fears,*[22] challenged head-on the assertion that there had been an increase in violence in the previous "twenty or thirty years" or "since the war", characterising it as the nostalgic yearning for a bygone "golden age". He did this by colourfully exposing society's age-old propensity to panic over certain forms of "deviance" as a form of ideological cohesion, or "moral dodoism". By tracing the reactions to the various "hooligans"[23] of the ages, from the Teddy Boys to the original Victorian hooligan, right back to the unruly apprentices of pre-industrial "Merrie" England, Pearson adds historical depth to the concept of moral panic. Through the familiar pattern that he paints, Pearson's historical canvas provides the strongest possible support for Cohen's contention that "[s]ocieties appear to be subject, every now and then, to periods of moral panic."[24] The phenomenon of moral panic, while perhaps first "discovered" by Stanley Cohen in 1972, is nearly as old as deviance itself. To borrow Pearson's ornithological metaphor, the dodo had been on the rampage for many centuries before Cohen adopted the role of taxonomist.

The most recent attempt to develop the theory has been by two American sociologists, Goode and Ben-Yehuda, in their 1994 book *Moral Panic: The Social Construction of*

Deviance.[25] Of particular interest is their attempt to construct a more unified theory of moral panic. Having reviewed both English and American literature on moral panic, the authors suggest five crucial elements or criteria which together "spell out a more or less definable measurable social phenomenon."[26] There should be a high level of *concern* over the behaviour of a certain group or category of people; widespread *consensus* that the problem is serious; and an increased level of *hostility* toward the group or category. Moral panics are also likely to be *volatile,* in that they appear suddenly and are short lived and, importantly, the public reaction is *disproportionate* or more substantial than is warranted by a realistic appraisal of the situation.[27]

While obviously not definitive nor exhaustive, these criteria provide an extremely useful guide to the phenomenon. Further, over and above any of the works previously mentioned, Goode and Ben-Yehuda cultivate an awareness throughout their study that the concept of moral panic is inextricably linked with questions of legal control. In a chapter entitled "[d]eviance, moral entrepreneurs and the criminal law",[28] they note, "no examination of moral panic is complete without a consideration of legislation and law enforcement ... Whenever the question 'what is to be done?' is asked, then almost inevitably there follows the response 'there ought to be a law.'"[29] The authors term this process whereby the panic is transformed into more lasting organisational structures the *routinisation* or the *institutionalisation* of a moral panic, citing as an example "the periodic drug panics that have washed over American society for over a century which continue to deposit institutional sediment in their wake".[30] In structuring their work thus, the authors serve to highlight the importance of the concept as a focus for research. Moral panics are not like fads, which disappear without a trace. They are key in bringing about change.

Moral panic comes of age: recent applications of the concept
The concept of moral panic has to some extent been hoisted on the petard of its own success. As Ungar[31] notes in his 2001 article, there is "a lack of agreement about what is happening with moral panics. McRobbie and Thornton (1995) argue that panics are harder to constitute than they once were. In contrast, Thompson (1998) refers to the "increasing rapidity in the succession of moral panics" and "the all-pervasive quality of panics that distinguish the current era." This confusion can to some extent be attributed to the prostitution of the concept which has occurred in the mass media, particularly since 1993.

Moral panic was thrust onto the public stage with the panic over the murder of James Bulger and juvenile crime that unfolded in 1993. The ensuing politico-media debate, which centred around juvenile delinquency and broader issues such as immorality and family breakdown, caused the term "moral panic" to officially enter the mainstream press.[32] Ironically, this was largely due to the media co-opting the term in order to question its own culpability in the generation of outbreaks of panic, engendering the first

reflexive moral panic.[33] It has now been observed that "[it] has become a standard interview question to put to Conservative MPs: are they not whipping up a moral panic as a foil to deflect attention away from more pressing economic issues?"[34] The popularity of the term, however, has also lead some writers to examine it more critically. Hunt[35] has noted that, as well as employing the concept in a traditional pejorative sense, it has also been rather ingeniously invoked in aid by the right-wing press who have sought to endorse it, justifying it as rational. Further, the term is often used by journalists to signify mere moral indignation, without thought being given to its hidden implications.

In more recent times the theory of moral panic has been applied in the analysis of the social reaction to a variety of social problems. Of all these, however, perhaps the moral panic over the murder of James Bulger merits particular attention. It is submitted that it illustrates that the concept is every bit as relevant to the media and interest groups today as it was to the Mods and Rockers in 1964.

The trial of the two boys accused of the murder took place in November 1993 and attracted massive media interest. The tone of most of this was harshly punitive but also contradictory. Despite a general recognition that the case was highly unusual in its features, it was viewed as representative of a broader malaise concerning youth and youth justice. This terrible, but rare, event became confused with juvenile offending in general and wider issues about the family. As Newburn[36] notes, "[t]he Bulger case was the 'flashpoint' which ignited a new moral panic and led to further demonization of young people and, increasingly in the 1990s, also of lone mothers who were increasing in number and, in right-wing underclass theory (Murray, 1990), were perceived to be a key part of the 'problem'."[37]

One significant effect of the coverage was to persuade the Home Secretary to increase the sentence on the young murderers from 10 to 15 years. The Home Office justified its decision on the basis that there was "evidence of public concern", citing a 20,000 signature petition organised by *The Sun* newspaper.[38] Pressure groups also played a role in using the heightened sense of risk to press for their predetermined objective. Following a reference by the judge in the Bulger trial to a horror film that one of the offenders might have watched, a campaign was launched, spearheaded by Liberal MP David Alton, to put down an amendment to the Criminal Justice Public Order Bill to further restrict access to video films. David Alton was a leader of a lobby group called the Movement for Christian Democracy (MCD) which had consistently campaigned for increased film and video censorship. This amendment was subsequently passed and the Home Secretary also announced plans for more custodial sentences for young offenders.

Home grown moral panic
Nor has Irish society remained impervious to the phenomenon. Both O'Connell[39] and O'Mahony[40] have alleged a moral panic among the Irish public who, despite

relatively low crime rates by international standards, continue to register high levels of concern over crime. Interestingly, many commentators have advanced the view that the concept may have particular application to the period of heightened concern over crime witnessed in the wake of the murder of journalist Veronica Guerin in the summer of 1996. Carey[41] has suggested that, "the concept of moral panic cannot be understated in respect of the legislative response to the Guerin and McCabe murders which ultimately culminated in the infamous 'Summer Crime Package' of Summer 1996."[42] Criminologists O'Donnell and O'Sullivan[43] are unequivocal in their description of the public outrage which followed the murder of Ms. Guerin as "a textbook case of moral panic".[44]

The most systematic application of the concept in an Irish context, however, has been carried out by John Meade. Meade has suggested the phenomenon of moral panic as a possible explanation of the legislative history of the Proceeds of Crime Act 1996.[45] This Act, which formed part of the above-mentioned "Summer Crime Package", effected a fundamental change in our system of law enforcement through the introduction of the American concept of civil forfeiture. Meade examined the work of both Cohen and Hall *et al.* with a view to explaining how such a seismic shift came to receive such unqualified support, both in the Oireachtas and among the Irish public. He noted the dramatic language employed by the politicians at the time—evoking images of Al Capone and the prohibitionist era—as well as the sheer speed of the legislative response. The Proceeds of Crime Act had been introduced within a week of the Guerin murder and had been enacted within the space of five weeks. Moreover, the Act was introduced as a Private Member's Bill, thereby bypassing the important drafting process.

Meade took issue with the frequent use of the term "organized crime" during the period, both in the press and in the Oireachtas, thereby importing into the public imagery the range of ideas and fears associated with the American and Italian organised crime networks.[46] Indeed, he drew an analogy between the use of this phrase in Ireland and the classification of various acts of street violence as "mugging" in 1970s Britain which Hall *et al.* claimed had an amplificatory effect on the public's perception of the crime. The writer also convincingly applied Cohen's concepts of "innovation" and "ideological exploitation" to the situation, suggesting that politicians used the opportunity presented by the successive murders of Veronica Guerin and Gerry McCabe to introduce the Proceeds of Crime Act as an innovatory piece of legislation. The new atmosphere of outrage and fear operated so as to provide a platform from which politicians could easily launch the innovatory concepts contained within the new legislation. He suggested that Cohen's concept of "sensitization" may also have been in evidence: "the media's use of sensational headlines and melodramatic vocabulary coupled with the rhetoric of the parliamentarians ensured a public discourse through which a process of sensitization took place."[47]

Having entered the *caveat* that he was not attempting a definitive explanation of the sociological processes behind the enactment of the 1996 Act, Meade concludes:

> "It might well be argued then, that the actions of legislature in altering fundamentally the process by which proceeds of crime may be seized, allegedly based upon a belief that organised crime was about to overrun the country, may have been somewhat disproportionate to the actual threat posed."[48]

Meade's work serves to illustrate that the sociological domain carved out by moral panic may still provide important insights into our legislative processes today. This assumption will tested in Part Two of this paper through an examination of the main critiques of the concept.

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1 S. Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (MacGibbon & Kee, London, 1972).

2 See for example P. Jenkins, *Moral Panic: Changing Concepts of the Chill Molester in Modern America* (Yale University Press, London, 1998).

3 See S. Watney, *Policing Desire: Pornography, AIDS and the Media* (Methuen, London, 1987).

4 See S. Thornton, *Club Cultures: Music, Media and Subcultural Capital* (Polity Press, Cambridge, 1995); S. Redhead, "Rave Off! Politics and deviance" in S. Redhead (ed.), *Contemporary Youth Culture*, (Aldershot, Avebury, 1993).

5 See, *inter alia*, J. Hawdon, "The role of Presidential Rhetoric in the Creation of a Moral Panic: Reagan, Bush and the War on Drugs" (2001) 22 *Deviant Behav.* 419; E. Goode, "The American drug panic of the 80s: social construction or objective threat?" (1990) 25(9) *International Journal of addictions*, 1083; C. Reinarman and H. Levine, "The crack attack: politics and media in America's latest drug scare" in J. Best, *Images of Issues: Typifying Contemporary Social Problems*, (Aldine de Gruyter, New York, 1989), p.115.

6 See, *e.g.*, A. McRobbie and J. Garber, "Girls and subcultures: an exploration", in S. Hall and T. Jefferson, *Resistance Through Rituals: Youth Sub-cultures in Post-War Britain* (Hutchinson, London, 1976).

7 See, J. Walker, "Panic Attack! Drawing the line between caution and hysteria after September 11" *Reason,* March 2002. (Also available at http://www.reason.com); Annual Report of the Irish Council of Civil Liberties 2002 available at httl2://www.iccl.ie.

8 This has been subject to criticism: "Like much in Ireland, the criminological 'moral panic' bandwagon is imported. It set off from Britain in the late 1970s and arrived here some 20 years later...Criminologists here are still riding around on a 1970s' bandwagon, Irish style. Whereas the majority of British criminologists became aware that the term 'moral panics' is best paired with its original partner 'folk devils', to their Irish counterparts, the phrase is synonymous with 'overreation' to a 'low crime rate'. The *reductio ad absurdum* of the moral panic theory is the argument that the murder of investigative journalist Veronica Guerin and the ensuing coverage of organised crime by the media incited a moral panic among the Irish public...". C. Coughlan, Unpublished undergraduate dissertation, April, 2002, c/o Trinity Law School, College Green, Dublin 2.

9 See for example, R. Breen and D. Rottman, *Crime Victimisation in the Republic of Ireland,* (Economic and Social Research Institute, Dublin, 1985); Irish Marketing Surveys Ltd, *The I.M.S. Poll,* Vol. 1, No.4, April, 1983; C. McCullagh, *Crime in Ireland: A Sociological Introduction* (Cork University Press, Cork, 1996).