BEHAVIOUR ON LONDON BUSES AND TUBES:
Three Cases of Incivility

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ABSTRACT

This paper reports observational data recorded on three journeys on London's public transport network in 2004. The data is reported as experience in an approach that attempts, in the phenomenological vein, to bring the incidents to life for the reader. The strong subjectivity in this approach to the write up of data is then tempered by a more objective analysis of the three events. In this, the paper explores a link between the highly subjective, micro-level data, and the structuring propensities of the market. The 'marketisation' of emotion is argued to have structuring effects on morality as it is constructed and manipulated at an individual level.

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Working as a criminologist in London, one has the dubious privilege of experiencing the hostile feel of the city first-hand simply by commuting to work. During 2004, I recorded in a field journal observations of happenings on London's public transport system, three of which I relay and analyse here. Since writing the bulk of this paper, everyday 'incivility' on London's transport network has been overtaken by bomb attacks. Alongside such extraordinary acts, however, more general cases of incivility exercised by and against those who travel on public transport in London continue to occur. In the weeks after the first explosions on the tube and bus network, while all elements of the media (not only those we might colour as obviously propagandist) have reported a heightened solidarity among passengers – that Londoners are pulling together to display a stoicism unseen since the blitz (Lawless 2005; 2005 [1932]; Parsons 2005) – a 28 year old white man has been murdered on a bus in north London by a hooded black male in his twenties who stabbed him repeatedly when he asked the offender to stop throwing chips at his girlfriend. Two elements of the crime bear mentioning here. First, police examining the CCTV footage from the bus have remarked on the unprovoked and casual way the offender moved from chip-throwing to murderous knife use (Wainwright 2005). Second, it is reported that there was a general dearth of bystander aid or intervention, either during the attack (which is perhaps understandable) or (more worryingly) afterwards. One woman gave first aid attention to the dying man, constantly calling for help from other passengers which was never given. One onlooker even refused to give his jacket to her to keep the victim warm until the paramedics arrived (McCartney 2005). It is this brand of 'casual incivility' and the associated 'casual inattention' of bystanders which sets the tone for this paper.

The inherent difficulty of attempting to study society whilst simultaneously being a member of it has been acknowledged for some time. A benefit of this situation, however, is that one is without subscription born into the role of participant observer:

> All social research is founded on the human capacity for participant observation. We act in the social world and yet are able to reflect upon ourselves and our actions as objects in that world (Hammersley and Atkinson 1995: 21).

It is difficult to argue that this brand of observation can be undertaken with any sustainable objectivity, and I will certainly not do so here. Yet it has become accepted in the face of this impasse that a reflexive approach to one's immersion in the 'field' of human interaction will suffice (for the time being, at least) in constituting observations and thoughts which add to this fragile, bounded, internally-programmed science we produce. The problem in other words, more philosophically, is that as society turns in on itself and discovers through its researches that, for example, reality is socially constructed, it at that moment creates the paradox that it has socially constructed this view of itself as socially constructing reality. And so it is with every social observation: the creation of knowledge about society is itself a product of a mechanism to which elements of that knowledge must be imputed. The currently favoured 'solution' – levels of reference in the making of statements based on the logical approaches of Russell, Godel, and Wittgenstein – feels very much like a temporary pitstop. There is, no doubt, much road ahead. For the moment, however, we remain with the obviously unsatisfactory

methodological advice that the participant observer should begin with immersion in the field of study to gain first hand experience as social actor, and then do one's best to objectify oneself. If we agree with Hegel, and all who follow in that line, that reason is affected, and perhaps effected, by history, pedagogy and experience, we see this latter act of 'reflexivity' always as imperfect.

In our current state of confusion, what the participant observer can add is a rich description of how the field felt to them. This is the highly subjective approach I begin with in this paper. In this I follow the phenomenological tradition, bracketing my personal frame of intellectual reference as much as is possible in such a report. The research process which led to these records varies in position on Gold's (1958) scale which runs from Participation to Observation, but all three can fairly be said to take place towards the Observation end of that spectrum. In the first event I am perhaps more participant than the others, being at times physically involved in the affray, in the next event less so, and in the last I am purely an observer, 'participating' only insofar as I am part of the social scene.

After describing the events, I have attempted to objectify my role in the three situations described in order to provide some analysis on the subject of emotion, morality and criminality. While this process of analysis is by far the more conventional approach for criminology it may be that my description of the events provided in the first part of the paper is more epistemologically valid. It is with this methodological issue in mind that I begin with these three accounts, necessarily condensed due to constraints of space, that

might look out of place in a criminological journal. My analysis is clearly open to question in that it offers but one thematic macro-economic approach to understanding the data, which can be challenged by other interpretations. Given the limitations placed on the recording of the data by the circumstances surrounding their creation (post-hoc interviews with the research subjects was not a practical option), it is felt that an interpretation of the events and an acknowledgement of the idiosyncrasy of that interpretation is a reasonable course for theory to take. While my attempts to suggest a micro-level effect of the macro-level political economy on individual attitudes and behaviours may be disputed, therefore, the data themselves are at least presented in as unbiased a manner as possible to inform potential disputants. Following in the ontological shadow of the microsociological tradition, it is suggested that such honest accounts of personal thoughts and experiences, which may once published be considered 'objectively', or at least comparatively, by other researchers, provide empirically highly valuable data on matters of social reality (Mead 1934; Simmel 1955; Goffman 1959; Blau 1964; Blumer 1969). This is, after all, what it is like to be me in this world.

First event: assault on the bus

In the summer of 2004 I board a bus after surfacing at the Seven Sisters tube stop in South Tottenham. It is late afternoon and I am returning home from the university; my bus journey is only three stops. Several others get on the bus with me at Seven Sisters, including a young man in his late teens. I sit next to the window in the first row of seats on the right hand side in the back section of the bottom of the double-decker bus and

begin reading. Shortly before the bus arrives at the next stop I hear a raised voice behind me, which says something unintelligible followed by '… or I'll punch you in the face'. The incident is far enough back on the bus that I can tell without looking round that the words are not directed at me. The phrase is repeated with heightening anxiety; I don't ever catch the first part as the volume remains at a low growl which is lost in the hum of the bus's engine and the regular coughing of its breaks, but the second part escalates in volume and pitch with every repetition: '… or I'm going to punch you in the fucking face'.

I have been living in London for four months at this point, and the city has changed me. As an adult I have lived in Edinburgh, Cambridge and Melbourne, and in any of these places I would have intervened in such a fracas at an early stage in its development. I have always assumed the sense of civic duty in such matters of informal policing which has been found to be more highly correlated to those who, like me, have grown up in small rural communities. Just four months in London, however, has seen me internalise – both consciously and unconsciously – a different normative standard of behaviour in public. I do not intervene. I immerse myself further into my text with the brief thought that whatever is going on behind me is just another current in the river of activity one must daily negotiate in this place. Perhaps it will pass, I think.

It does not pass. The sound of smacked skin and uncontrolled scuffling draws me from my book. With a mixture of reluctance at what the future might hold, and irritation that the serenity of my day, my journey, my life, has been disrupted, I look round. The

teenager, who is seated two rows behind me and on the other side of the bus has, true to

his word, punched a small Chinese man next to him in the face. Two other young male

passengers are pulling him off the victim, as he is vigorously attempting to repeat the

action. I stand up, with the intention of assisting in some as yet undefined way, but in the

course of leaving my seat, the two passengers manage to remove the teenager from his

violent attachment to the Chinese man, and the latter makes a bolt for the relative safety

of the centre of the bus, by the side doors.

During this time, the bus has stopped. All of the passengers are standing up. Apparently

unsure of the protocol for the restraint of an assailant after an assault, the two young men

let go of the teenager, who promptly marches down the bus (past several people,

including myself, who have no idea what to do – perhaps he is leaving?) to the Chinese

man, and screams at him, 'Give me my six DVD's back! Give me my six fucking DVD's

back!' He then turns to the assembled crowd and 'explains' in rather underdeveloped

terms that the Chinese man owes him six DVDs. The bus passengers, all erect in a

relatively uniform display of disapproval of the previous assault, suddenly become more

philosophical about the situation. Due to the confines of space, the crowd is three-deep,

and one of the passengers at the back asks another what the teenager said. 'There's some

sort of dodgy dealing in DVDs going on,' replies the second, putting into words what we

are all thinking, without much evidence of course.

Taking advantage of the confusion which the ethics of what now *appears* no longer to be

a random assault, but the resolution of a dispute relating to the black economy has created

(I say appears, because it is apparent to me on reading my notes that we were all probably keen to latch on to some sort of narrative which would make sense of the situation and assure us that the victim could not have been *us*) the teenager grabs the victim's shoulder bag and yanks it hard. The Chinese man still has the strap over his shoulder, and loops it around his arm to prevent its loss. The teenager and the victim, who is half the height of his assailant and insubstantially built in comparison to the strong youth, are involved in a tug of war over the bag. A woman at the front of the bus shouts, 'leave him alone'. The teenager lets go of the bag and lands an almighty punch on the Chinese man's face, which cuts his cheek.

This disrupts the fragile situation of non-intervention which had been created. Things have gone too far. I move forward towards the teenager, as do the two other guys who first restrained him. Seeing this, the teenager's two friends, whom I had not previously noted as being with him, grab him by the shirt and direct him off the bus. The bus sighs audibly.

This is not the end, however. The Chinese man moves to return to his previous seat, but the teenager reappears outside the bus and launches an arsenal of sworn abuse at him. The teenager takes two steps back on the pavement and spits. The spit, incredibly (and this peculiarity stays with me most vividly) flies through the open top ventilation panel of the window, and hits the Chinese man in the face. This strikes me as extraordinary in that the ventilation window is opened inwards at an angle of around forty-five degrees, which means that even without a precise calculation of trajectory on entry into the bus, one

would have only a margin of around two or three inches to get the spit through the window in the first place. That the teenager has managed not only to spit through this small gap, but to score a direct hit on his target's face suggests either an unlikely fluke or many long hours of practice at precisely this sort of thing. The woman standing next to me has dialled 999 on her mobile phone. She asks me where we are and I tell her. She relays the information to the emergency operator and while doing so we share a look that says that the incident will be over long before the police arrive.

The teenager gets back on the bus, and is confronted by one of his previous restrainers who is standing at the door. The teenager says, 'what?' with adrenaline-filled menace, and the other man puts his hands up, shakes his head, and backs away. Buoyed on by this minor victory, the teenager approaches the Chinese man, grabs his bag, breaks the strap with two urgent tugs, and makes off with it, shouting behind him: 'You steal my stuff, I'll steal yours'.

The bus is still stationary, and it is only now that I realise that the driver is still in his cabin. An old man is shouting at him through the reinforced Perspex of his locked cabin, 'Where were you? Why did you do nothing?' The driver explains that he has been adhering to his employer's policy for drivers who find themselves in such situations: stop the bus, call the police (which apparently he has done), and stay in your cabin so as not to risk injury. I wonder to myself what the policy says about those of us who do not have personal reinforced-Perspex cabins. The old man is clearly rather annoyed about the policy's prioritisation of employee protection over public safety, and continues to

question the driver. Now, of all times, the driver unlocks his cabin and steps out, making rather threatening gestures to the old man, and shouting, 'You don't know what you're talking about'. The old man shouts, incredulously, 'What, now you're going to fight *me*?'

I leave them to it, get off the bus, and begin my walk home. When I get home my wife asks me about my day.

'Big fight on the bus,' I say.

'Tsk,' she replies, unsurprised, immune.

Second event: intimidation on the bus

It is early autumn 2004. My wife and I get on a bus at Muswell Hill for a short journey to the tube stop at Turnpike Lane. We sit in the first row of seats behind the side doors, on the bottom level. Halfway through the ten minute ride, a black teenager, probably around sixteen years old, walks from the back of the bus to the space beside the side doors. He is wearing a multicoloured baseball cap, worn askew, and American-style basketball attire: singlet, tracksuit bottoms, trainers. He is wearing a thick braided gold chain around his neck, and has a dog with a rope leash. The dog is a monster. I don't know much about dogs, so can't relay its breed, but it is big, thick-built, and has teeth instead of a face: the sort of dog you don't buy for love, but for a purpose. The boy turns round, and faces us; an awkward disruption of civil inattention given there is hardly anyone else on the bus (only a couple behind us, where he has come from).

He stares at us, from my face to my wife's and back again. His dog tries to get us, but he holds it back on its rope. The rope is so taut it works like a rod; like he is poking at us with his dog rather than holding it back. His gaze settles on my wife, although it appears to me that he knows that I am looking at him, holding my ground in this unspoken clash of masculinities and power. He slowly inserts his hand into the front of his tracksuit pants, cracks a sneer, and begins to fondle his genitals. It is not ostentatious, but seems nastier for that. An overt and grandiose display might have lent the act an air of comedy and detracted from its menace; as it is, the affected subtlety with which it is done accentuates the challenge. He leers oppressively at my wife. She does a very good job, once she realises what is happening, of removing herself from the situation by staring out of the window.

What his motives are in this encounter I will never know. It is not possible to rule out an explanation for his actions based in a medically-recognised form of mental illness, although this is not how the situation appears to me. I consider thumping him. I am not a fighter, but the constraints of the situation – a situation that *he* has created – strongly suggest to me that I should hit him. That he deserves it. I decide against it, rationalising that one should try to resist fighting even in the face of apparently deserving victims, and (more importantly) that his dog would almost certainly take a chunk out of me before I could get close to him. I let him win. As I experience this encounter there is no in-between. Once the situation has been created we cannot both leave with our fields of power, and therefore to some extent our identities, intact. Either he wins, or I do. He gets off the bus at the next stop. Perhaps, realising he has won, there is no more for him to do.

When he is gone, my wife says that she is happy that he has got off the bus, as he was a bit 'freaky'. She thinks that during the first half of the bus journey he was using his dog to menace the other couple at the back of the bus. I didn't notice that. She expresses disgust that she can be 'intimidated like that' with no recourse to a standard of fairness or of justice that can be immediately enforced.

Third event: selfishness on the tube

It is Spring 2005. I get on the Northern line at Kennington to travel the six stops to work. Most of the trains during the morning rush hour are packed by the time they reach Kennington, but a few start there and so are empty on arrival at the platform. Today the train that arrives is empty, and there are not enough people on the platform to fill all the seats. Even these trains are never quiet for long, though. The first stop after Kennington is Waterloo, where commuter trains from the suburbs arrive and passengers switch to the tube for the final phase of their journeys to work.

The configuration of the seating on either side of the central part of each Northern line tube train is of three regular 'permanent' seats flanked left and right by two 'swing' seats which, rather like theatre seats, are manipulable by a hinge at the back of the base which enables the base to be rendered horizontal by travellers when this extra seating is required. Among several other passengers who board with me at Kennington is a woman

with a suitcase. She occupies a swing seat next to a permanent seat, and stands her suitcase next to her, making the use of the second swing seat next to her impossible.

At Waterloo, as expected, the train fills to capacity. It is standing room only, and quite a crush. All the seats are taken, yet the woman does not move her suitcase to allow the extra seat to become available. Further, she rests her arm on it, as if to signal that should anyone desire the seat, they would have to negotiate the movement not only of the suitcase, but of her too. Why, I wonder, would she not suggest – or even allow – another to sit?

Analysis

There is much that could be said about these incidents, most obviously that the third event did not constitute a crime. It is my suggestion, however, that this non-criminal 'offence' (the term used to signal that action beyond the boundaries of the criminal law may still be harmful) is useful in prompting us to consider a factor which underpins almost all crime. That factor is the momentary absence of 'being for the Other', to use the words of Levinas (1969; 1981). This temporal detachment from the ethical norm of consideration for others should not be discounted from the proper field of study of criminology simply due to the fact that the label 'crime' is not applied to all its manifestations. If we re-write 'an absence of being for the Other' as 'a prioritisation of self-interest', it becomes apparent that the systems of power charged with the creation of the criminal label are rather selective in the categories of self-interest they choose to

penalise. The attention of the criminal law is focussed on 'culpability', which is a signifier for a flexible signified. It is the central paradox of crime in an economy born of Adam Smith's brand of industrialised market capitalism - and now mutating from centralised industrial production to the flexible global movement of capital, executives and risk - that self-interest is at the core of accumulative action which the market and the State encourage, and of criminal action which they do not.

I wish to compare the three events by focussing the discussion on three of their elements: on the dominant emotion which might be seen to characterise the offender's conduct in each case; on the question of informal social control exercised (or not) by travellers present in each case; and on the question of the interaction between macro socio-economic structure and the micro-level exercise of empathy by the offender. It is my suggestion that although these offences may appear disparate on each of these counts, they can in fact be brought together through an acknowledgement of what Bauman has called 'the social production of moral indifference' (Bauman 1993), or to choose a more particular label for this argument in its criminological guise, 'situationally edited empathy' (Mackenzie forthcoming, 2006).

It was acknowledged in the introduction that the methodology employed in recording the data presented here results in a highly subjective view of the events, and this of course has implications for analysis. Whilst I can say with a degree of certainty what I experienced during these events, and can therefore speak with some confidence about my own motivations, I cannot do so for any of the other actors. In respect of all of my

observations, indeed, I do not suggest that the interpretations offered here are the only ones possible. I make no claim as to their unassailable verity, although those which rely on my direct experience, or can be interpreted as a parallel to an action I have performed myself (such as rendering a seat unusable with my bag) are clearly more reliable than those which speculate about the motivation of others based on their observed action. Acknowledging these limitations, however, it appears that each of the events, and my proposed explanations, can be located within a broader thesis that the postmodern condition – characterised by a model of fragmented post-Durkheimian society in which a forced division of labour results in normative conflict – is one in which individual moral choices are made less likely. I do not suggest that this thesis is proven by my analysis of the three events for that would be tautology, but I do observe that none of the events appears obviously at odds with this overall thesis.

Emotion

One does not, after Katz (1988), have to justify a focus on emotion in an analysis of the criminal act. Theories of choice simply cannot survive without the incorporation of a thorough accounting of the subjective emotional relationship between the actor and the act. There may of course be multiple, sometimes conflicting, emotional triggers in a social event, rendering our 'making sense of emotions' a difficult task. This is particularly so for the researcher-as-observer, who operates without the opportunity to probe the subject through an in-depth interview for accounts of his or her construction of

the situation. However we can, I think, identify an apparently dominant emotion in the offender in each of the events under study.

In the first event, the dominant emotion characterising the offender's display of violence might be thought to be anger. That this anger is apparently motivated by a sense of denial of 'justice', and perhaps of humiliation in not being able to get one's way – characterised in black market situations as a matter of respect (cf Robins's downfall in Pearson and Hobbs 2003) – brings it directly into line with the rage that Katz argues emerges in situations of 'righteous slaughter' (Katz 1988: 22 ff). Righteous, of course, as it seems to the perpetrator. Humiliation, Katz argues, from that actually experienced by battered wives to that only experienced as a perception, spurs actors to perform a 'transcendent project' (Katz 1988: 321) to (re)claim the respect they feel their autonomy deserves. This transcendent rage, we can suppose, can emerge consequent upon humiliation projected by the offender as implicit in the disrespect shown by another actor in a situation where both might characterise their action as righteous.

Synonymous with 'righteousness' is 'entitlement'; one has a right, to which one is entitled. Entitlement, analysed phenomenologically as a feeling rather than legally as an abstract element of the rule of law is, as I have written elsewhere (Mackenzie 2005a, b), a concept which deserves concerted attention from criminologists. A perception of entitlement, fed by the liberal use of that concept in the dominant legal, political and economic discourse of our day, can be both a progenitor of conflict when held by parties in competition for material or social resources, and a strong force arguing against the

following of a known legal rule where that rule contradicts the actor's subjective construction of his 'rights'.

In the second event, the dominant emotion might be thought to be pleasure. On that view, the offender is seen to be involved in a self-initiated existential game; the goal is self-affirmation through power contest. The 'ludic metaphor' Katz uses to explain the thrill of crimes such as shoplifting works well in this situation (Katz 1988: 67-8). There is no material benefit to the offender other than the psychological reward consequent upon competitive victory. He might be exercising a Nietzcheian 'will to power' (Nietzsche 1967) – an assertion of agency in a world where myriad weights hang on our choices, pulling them towards conformity, the perpetuation of existing power imbalances, and the soft determinism of individual socio-economic trajectories. This is a peculiar ethnomethodology of sorts. In rather the same way that Garfinkel inserted himself into social situations and deliberately broke the 'rules' in order to observe reactions, our offender breaks the rule of civil inattention. Whereas Garfinkel observed reactions in order to confirm the existence of invisible normative rules, assumptions, and constructions of sense from an encounter, our offender perhaps observes reactions to confirm his own existence. In that sense might his breaking of the rules be a means to a subjective end which requires a phenomenological understanding: the end of power, the end of being. Garfinkel and his students must have felt some of this power when they broke social rules, upsetting their subjects with such transgressions, but there is little analysis of this aspect of the method in the literature produced. From the transcripts one gets a sense that the experimenters enjoyed their privileged position of knowing agitators

and the power that accompanied the dents they made in the social fabric, but this is not explicitly reported or indeed acknowledged (Garfinkel 1967).

In the third event, the dominant emotion might be proposed to be indifference. We cannot say whether there was any active malice or misanthropy underlying the woman's inaction, and since nobody asked her to move the bag there was no explicit refusal to accommodate the needs of others. Bags on seats are a regular occurrence on public transport, and most are removed when carriages fill or when the owner is asked. This bag was not moved, however, in an uncomfortably crowded carriage. While it is not possible to know the reason, we might consider this situation as one among many apparent examples of indifference to the minor, and sometimes major, discomforts of others. Why should we wait to be asked if a seat is 'free' before making it available to one in need? Should the need of others not be an active consideration of ours, constantly on our minds? Why should we wait for another to declare their need before attempting to accommodate them? Again it is Katz who has brought to the attention of criminology that indifference, far from being an absence of emotion, is sometimes a manifestation of 'front', performative both in respect of others and oneself, that requires considerable psychological effort (Katz 1988). One must often work at being indifferent; work that involves the creation of internal dialogue to justify one's inaction or lack of concern.

It is my contention that the elements of that internal dialogue are drawn from wider social discourses, including increasingly the discourse of the market. The discourse of the market is in part, alongside other discourses, responsible for structuring each of these

emotions proposed to have been experienced by our subjects of study – anger, pleasure and indifference – along with their supposed attendant constructions of the meaning of each encounter – as an expression of entitlement in the first, an exercise and experience of power in the second, and in the third a definition of the situation as one in which there obtained no obligation actively to consider the comfort of others.

In his introduction to *The New Criminology*, Alvin Gouldner identifies Merton as:

> providing a systematic formalization of Durkheim's theory of *anomie*, from which he gained analytic distance by tacitly grounding himself in a Marxian ontology of social *contradiction* (Taylor, Walton and Young 1973: xi, his emphasis).

The contradiction to which he refers is that of 'social institutions that thwarted men in their effort to acquire the very goods and values that these same institutions had encouraged them to pursue' (Taylor et al. 1973: xi). His mention of both Durkheim and Marx in the same breath, however, prompts us to consider another contradiction inherent in capitalist culture: that of the clash between the ethic of individualism and the ethic of care. As Paul Hirst has noted:

> Many of the rich imagine they live in a pure market society… But a market society is an impossibility, for the market is not a society but a series of exchanges. These exchanges are conducted between people whose attributes are

not *wholly* constituted in or by exchanges. Current public policy in the USA seems determined to ignore this fact – it appears to imagine that responsible social agents can be either created by the market or coerced into existence (Hirst 2000: 130-131, my emphasis).

The market, increasingly disembedded from its social roots, provides a reference structure for individuals in their exercise of emotion. Hirst is right that people's attributes are not *wholly* constituted in or by exchanges, but those exchanges and the mechanisms of thought they induce are responsible *in part* for the formation of social actors with a certain set of internalised normative attitudes. These attitudes, in turn, partly govern the exercise of emotion – an exercise that is performed in a social, and therefore also in a market, context.

Durkheim in *The Division of Labour* analysed the modern world as one in which the individuality of citizens was celebrated and encouraged, largely supported in economic ideology by the increasing specificity of worth according to function, and therefore productive of a labour force which divided itself according to the skills possessed by its various workers (Durkheim 1947). This economic specialisation was, to Durkheim, the instigator of a society characterised by groups which became similarly 'specialised' in terms of attitudes, while living under the auspices of a generalised narrative of universal moral values. The contradiction between the growth of a relatively insular individualism against the backdrop of a metanarrative of moral standards and progress was of central interest to Durkheim, and when characterised in this way we can see that Durkheim has

perhaps been done a disservice by Gouldner in the quoted passage above. For Durkheim as well as Marx was aware of the 'contradictions of capitalism', and while Merton may have taken an approach that invited comparisons with the Marxian notion of the ideology of equal opportunity in the free market, Durkheim too presented an analysis of the market's difficult relationship with social solidarity. The strain felt by the Mertonian individual may now have morphed, through several phases of social theorising, into the ontological insecurity conceptualised by Giddens (1991), but the constant theme running through each of these progressions in thought is the continuing tension between the capacities and characteristics of the individual and the creation, observation and perceived validity of social norms and legal rules.

Hirst's quote is also strongly reminiscent of Durkheim in its positing of a society underpinning the market; a social sphere outside the economic. Moral solidarity, according to Durkheim, was essential to a conception of society as more than simply a contractually-bound forum for the formation of economic groups; as a collective view of certain normative standards – an organic conscience – was necessary to presuppose the validity and integrity of any such capitalist contracts as might be formed:

> There is nothing less constant than interest. Today, it unites me to you; tomorrow it will make me your enemy (Durkheim 1947: 204).

The nature of the collective conscience, and the content of its moral prescriptions, is not set in stone, however, and is involved in a relationship of inextricable dynamism with the

individual, as a result of which the substance of both perceived normative guidelines and individual agency decisions might change. Where there is disjunction between the generally-supposed value of the ethic of care and the liberally-cultivated utilitarianism which declares the social benefit of praxis based on an 'every person for themselves' battle for power and resources, there is no guarantee that the former code has the strength to subsist intact.

This recognition of a fragility in the seemingly robust notion of a collective morality can be studied in particular in relation to what Durkheim identified as the rise of the 'cult of the individual' (Durkheim 1947: 172); the increasing division of labour tending towards a sphere divorced from the collective conscience in which the relationship between capital and wage labour tends towards anomie and the value-free pursuit of utilitarian ends. Insofar as Durkheim saw work as the central individualising force of a society in transition from the mechanical to the organic, and insofar as that work has become the site of a particular conscience collective which promotes the value of certain traits antithetical to a Keynsian welfarism, we may choose to disagree with Durkheim's anomic conception of capital relations, in favour of a conception of a particularly capitalist conscience collective, which promotes values some of which are quite different from the traditional ethics of the wider conscience collective. And if this is the case, an interesting question arises: what is the relationship, in terms of affect, between these two collectives which we might shorthand the 'moral' and the 'capitalist'? Might we see an influence of one on the other, leading to a rather less benign view of the relationship between collectivity and difference than that which Durkheim at times leant towards? As the

ethical support structure of an ethereal zone of shared understandings about right and wrong, and about good and bad, becomes eroded, actors are presented with a choice of collective value structures: they may, depending on their definition of the social zone within which the action takes place, *choose* to apply one set of standards of action, and discard the other. Insofar as empathy is not identifiable as an emotion promoted by what we have called the capitalist conscience collective, it will be absent or diminished when the standards of that collective, rather than the moral, are employed as guidelines to decision making. In other words empathy, an emotion central to the moral decision, may be situationally edited.

Informal social control

One common theme of all three 'events' is the relative absence of interested or energetic bystander intervention. Some intervention occurred in the first event, it being the most ostentatious display of interpersonal violence. Even here, however, the intervention was minimal and short-lived. In the second and third events there was no exercise of informal social control whatsoever.

It is quite conventional now to argue that mechanisms of informal social control have become emaciated (e.g. Skogan 1990; Crawford 1998; Young 1999; Bauman 2001; Garland 2001). Fear of the violent consequences of attempting to exercise this sort of unofficial control is no doubt a primary reason for the observed emaciation; a fear certainly exacerbated and perhaps also in many respects created by media focus on

dangerous criminals, gruesome crimes, and unfortunate outcomes for innocent citizens caught up in the carnival (Sparks 1992; Ericson 1995; Kidd-Hewitt and Osborne 1996; Presdee 2000). Alongside this undoubtedly important mediation, and inflation, of public perceptions of personal risk, we can perhaps detect a linked phenomenon: security as a consumer issue. The media-informed citizen no longer sees it as his duty to participate in the mutual enforcement of generally-agreed normative standards of conduct. The State has adopted the role of formal policing with such publicity and vigour that the individual no longer sees it as their 'job' to deal with visible infringements of the moral or legal order. The language of the workplace – my 'job' – signifies a seepage of the economic sphere into the social; we find an obvious parallel here to the division of labour in the market. Once social control is marked out as a job, and a job that is given to an official body, it is open to the individual to neutralise her possible role in the keeping of order in society with reference to other elements of the discourse of capital. In the language of exchange, there will be no 'payback' for intervention; one is 'doing someone else's job for them'; one is taking on 'risk without reward'; and perhaps most importantly of all one might rationalise not intervening in a situation to help another on the basis that, 'nobody would do the same for me'.

This latter is most important, I would suggest, as it draws attention to a tipping point in informal social control which is based entirely in an understanding of exchange as definitive of morality. If everyone does their part, and can be expected to do their part, in maintaining a culture of informal social control, the perception of fair exchange dictates that I should too. Once the free rider problem arises, however (Olson 1965) – a problem

that can only occur when the situation is defined in terms of exchange rather than, for example, in terms of general altruism – I begin to suspect that my effort will not form part of a complex network of mutually agreed action that might in the future lead to a greater likelihood of personal security for me. It is in this way that my perceptions of appropriate response have been altered by living in London. My perception of London, perhaps mistaken but certainly real, is of a geographical zone of general moral indifference, where insulated lives are played out with as little overlap as the city's limited space will allow, where any public interaction is only an instant away from being over, and ever forgotten. My daily experiences and inadvertent observations have led me to believe, rightly or wrongly but certainly honestly, that unlike my previous cities of residence, any interventions I make into unfolding harmful social events will be an aberration on the backcloth of general inattention to others. Thus do I divest myself of feelings of responsibility to others, a barren and inhuman truth confessed: with reference to a metaphor of exchange, a palpable fear of harm brought about in large part by the sensationalist crime reports which feature in all of London's local newspapers and television broadcasts, and the prospective rationalisation that the longer I do nothing the sooner the event will conclude and thereafter become just one of a million memories of mass human interaction which necessity has trained me to forget.

The infrequency of the exercise of informal social control, its exchange value depleted through this market metaphor with its many attendant facets, can be seen to be influential in increasing an offender's capacity to feel 'at home' with the offence. An absence of informal social control in situations such as these three events allows the behaviour to

become routinised. The offender is vested with a perception, formed through experience, that bystanders are unlikely to intervene during the offence. The routinisation of behaviour is a process which results in that behaviour being seen as normal and unremarkable by the offender (Matza 1964, 1969), and implies that as the behaviour is repeated it is performed in an increasingly unreflective fashion. The possibility of informal sanction is discounted with reference to past experience, and self-control deteriorates in correlation with anticipated social control.

With the automation of ticketing there are now no conductors to provide a level of surveillance and control on London buses. In the words of routine activities theory (Cohen and Felson 1979), 'capable guardians' are increasingly absent from transport situations in the city. There are CCTV cameras mounted at the front of buses, but these did not seem to deter the offender in the first event. Neither were there any officials on underground trains prior to the bombings on 7 July 2005. Such a total absence of traditional methods of passenger protection is indicative of the increasing use of technology in surveillance, but provides little comfort to fearful passengers who are invited to be spirited away into the depths of the city on trains unpopulated by officials other than an unseen driver, and otherwise filled only with hundreds of potential aggressors. In such isolated situations the decreasing likelihood of assistance by other passengers in the event of a criminal incident will quickly make journeys intolerably frightening for some travellers.

Transport for London, the operators of the tube and bus network, appear to be aware of this. Rather, however, than choosing to increase formal mechanisms of control through the expensive provision of human officials on the transport system, they have opted to try to activate the (free) resource of their (paying) passengers in exercising informal control. In 2004 an advert was posted in many tube trains imploring customers that when they travelled every day the tube was as much 'their space' as their own front room, and they should exercise levels of tolerance of behaviour accordingly. In other words, crime on the tube isn't our problem (TfL); it's yours (the passenger), and you had better begin to do something about it.

Although it might be healthy to encourage a little more public 'policing' of the space around us, it is plainly unreasonable for TfL to disown responsibility for the safety of its passengers. In this respect, the organisation has tried to blur the boundaries between public and private space. Public transport is perhaps a misnomer in that increasingly transport networks are run by private companies. Adverts such as the one mentioned above, which portray the tube as 'public space' are therefore rather disingenuous. The tube is a private space. It is owned and run by a body which takes passengers' money and then allows a certain amount of use of the network. It is to be implied in that contract for services that the services will be provided in as safe a manner as is possible. The situation currently pertaining – where sizeable groups of passengers are locked in a confined space with ample opportunity for aggressive or criminal conduct to take place due to the absence of capable official guardians – might be read as an indication that transport providers, like their passengers, do not see matters of crime prevention as their 'job'.

The situational editing of empathy

> It is they, these relationships within man between the drives and affects controlled
> and the built-in controlling agencies, whose structure changes in the course of a
> civilizing process, in accordance with the changing structure of the relationships
> between individual human beings, in society at large. In the course of this process,
> to put it briefly and all too simply, "consciousness" becomes less permeable by
> drives, and drives become less permeable by "consciousness" (Elias 1982: 286).

Elias, therefore, sees the civilising process as characterised by the incremental divorce of
our powers of rational decision making from our natural pre-social drives. If pre-social
man is characterised – as he has been in all orthodox post-Durkheimian thought – as an
amoral monstrosity, under-socialised and therefore lacking in a progressive internalised
normative framework, we can easily sympathise with Elias' portrayal of the socialisation
of man away from his primitive drives as 'civilization'. However, if we agree that the
process of socialisation has the capacity to inculcate in the individual all sorts of norms,
some of which may be socially harmful, the beneficence of the move to civilization is
less clear.

Bauman, following Levinas, takes this latter point to the extreme, arguing for an
inherently moral construction of pre-social man, who may subsequently be socialised
away from this ideal beginning (Bauman 1989). For him, therefore, the separation of

consciousness from drives in Elias' civilizing process marks a disastrous abandonment of the moral self. We might here retreat somewhat from that strong humanist position while still preserving the essence of the argument, though. Whatever man's pre-social drives, the Eliasian process involves their subjugation to a socially-informed consciousness. The structure of that consciousness is refined, according to the passage quoted, 'in accordance with the changing structure of the relationships between individual human beings, in society at large'. If labour has a role in changing the structure of the relationships between humans, as it certainly does, then its dictates will become part of the normativity of the decision-making consciousness, and the treatment of emotions in the workplace will be a formative influence in the 'civilising' of society.

Situationally edited empathy is in many ways conceptually close to a technique of neutralisation (Sykes and Matza 1957). Yet it differs from those techniques in that it is not a mode of internal organisation of morality. It does not provide the actor with a mechanism to construct a moral definition of the criminal act through the use of justifications and/or excuses. It allows the actor to perform an act without thinking of the moral considerations. It removes morality from the field of concern of the actor altogether. The crime does not, in these moments, deserve to be seen by the offender as good or bad, and no psychological trauma is caused to the offender in this failure consciously to confront and rationalise the moral aspects of the action. Amoral action has become situationally normative.

Thus can the micro-level existential project of identity creation be linked to macro-level socio-economic structure. The postmodern narrative of free self-creation – that we can be what and who we want to be – must be read alongside the phenomenological acknowledgement that this process of self-construction is performed in a socially referential way. That phase of social reference will include a consideration of the current economic structure, its philosophy, and the messages included in all of its most obvious manifestations: the workplace, the personal bank account, the housing market and so on. At each turn, the individual meets the marketplace and is confronted with a picture of everyone for himself in a competitive field structured towards accumulation with minimal practical, artificial or moral bounds. In fact, of course, the market prefers those with a financial pedigree, thus creating both practical and artificial bounds on accumulation for those who would enter without credentials. When our current prime minister charges the citizenry with the task of increasing 'respect' among its number (BBC News 2005), this political narrative appears in stark contradiction to the dominant ethos of the economy, which respects only money. It is a conflicted stance indeed to ask individuals to absorb the disrespect shown them by the market and through a process of ethical cleansing re-introduce it into the world as personal respect shown to the Other.

Durkheim identified the central crisis of the modern age in morality. His employment of the concept of anomie in his analysis of this moral crisis led to a diagnosis of modern society as one in which the increasing dominance of economic relationships was problematic (Giddens 1971: 99). Anomie, for Durkheim, was a state resulting from the dominance of economic over moral discourse: the rise of the cult of the individual,

presaged as the recognition of and respect for 'freedom' by liberal progressives such as Mill (1992), was identified by Durkheim as of prime importance for regulators who wished to consolidate an increasingly fragmented moral code. Moral individualism – freedom not to do as one pleases, but 'to be master of oneself' (Durkheim 1956: 90) – was to Durkheim both intrinsic to the evolution of society, and problematic in its dislocation of agents from the (religiously-founded) structure of moral constraint which had been characteristic of pre-modern societies. This argument, central to Durkheim's major work (1947), is summarised by Giddens thus:

> …the main trend of development, as societies become more complex, is towards the progressive emancipation of the individual from subordination to the *conscience collective* (Giddens 1971: 101).

Since in the Durkheimian model, man wins his freedom *through* his membership of society, rather than *over* it, individualism is seen as limited contextually in its development by the need for the individual still to respect in some degree, however diluted, the moral authority of the *conscience collective*. Yet increasingly in late modern society we see not only the unity of that collective revealed as illusory, but also the dissolution of the very idea of a need for a neo-religious system of shared (by however many) moral values and constraints. Moreover, the dismissal of such 'old-fashioned' ideas as morality appears to be led by those who lead our society in terms of economic success. In other words, as the most 'progressive' members of our late modern culture become 'masters of themselves', they are increasingly free of the bind to social

conscience which would restrain them from taking from society more than they give to it. The regulation of the relationship between the individual and society which Durkheim envisaged as a social necessity, and which he sought to inform, has simply not happened in the degree necessary to prevent a fundamental change in that relationship occurring. The new morality is economic individualism, and the actor can fit into society not through any respect for moral dictate but by the politically-sanctioned and systematically-approved pursuit of individual success.

Conclusion: the improbability of postmodern morality

Bauman's works on postmodern morality (1993; 1995) contain a wonderful and noble hopefulness that the dissolution of the modernist tendency towards a State- and/or religion-sponsored ethical metanarrative might, rather than signal a turn towards individual amorality, re-introduce a Levinasian 'being for the Other' into human relations. As the fractured structure of a universal ethical code crumbles, man discovers that there is more to morality than simply following agreed rules. Moral ambivalence is re-introduced; a confronting, testing, challenge to the individual to make a decision in respect of what is the moral course of action. The death of ethics signals the rebirth of morality.

Such a hope, however, does not take due account of the social pressures weighing against the free exercise of moral choice. The central difficulty for the postmodern moral being in this regard is the mediation of their existence, and therefore identity, through a social

structure which operates primarily on the basis of reward. Moral individuals, in the Durkheimian sense, have in some ways become masters of themselves but not in the way that he hoped. They have become increasingly free to make individual, rather than ethically-prescribed and publicly-visible, moral choices but also increasingly less likely to make those choices due to their exposure to the pressures and temptations of the market.

In describing the erstwhile attractions of the modernist submission to a code of ethics, Bauman notes:

> Having reduced the vague, notoriously underdefined *responsibility* to a finite list of duties or *obligations*, it spares the actor a lot of anxious groping in the dark, and helps to avoid the gnawing feeling that the account can never be closed, the work never finally done. The agony of choice (Hannah Arendt's 'tyranny of possibilities') is largely gone, as is the bitter aftertaste of a choice never ultimately proved right (Bauman 1995: 4).

One often hears, in discussions of the balance of pleasure and pain in classical theory, the argument that sacrifice and philanthropy may increase the happiness equation on both sides, due to the satisfaction the sacrificer or donor derives from the supposed morality of their act. This satisfaction would presumably stem in part from the pleasurable box-ticking of a well-followed rule in Bauman's construction of modern ethics, and in part from the pleasurable exercise of autonomy to a beneficent end in his construction of

postmodern ethics. This latter, an adherent to this view would argue, approximates the 'choice proved right' in Bauman's terms.

The reliance on gratification at the making of moral or otherwise empathetic choices as a credit in utilitarian book-keeping exercises, however, renders the whole process fictitious in an increasingly nihilist and secular society where the politically almost unquestioned adoption of a model of society based on competitive conflict presents tempting and perfectly licit rewards in the realm of amoral, unempathic, behaviour. There may be small tax advantages structurally afforded to charitable donors, but these are slim external reward for a moral choice when compared to the advantages to be gained in contemporary society by 'being for oneself' as opposed to 'being for the Other'. To argue that even the making of an apparently selfless moral choice can be self-interested is a fatuous avoidance of the evident truth that to try to live one's life by adhering even to mid-range moral decisions today (as opposed, for example, to taking the line of the extreme moral purist) is a course which is made structurally infelicitous perhaps to the point of being entirely impossible. The contradictions inherent in such a choice of lifestyle militate against its practicability. Finances are likely to be slim for those who choose to work only in the moral marketplace; in other words in a job which neither involves direct social or environmental harm, nor perhaps can be linked through some stages of removal to exploitation or amorality on a structural level. The moral employment choices made by the nurse, the social worker, the development volunteer or the environmental activist make other moral choices unattainable. Organic food and green electricity are still considerably more expensive than their morally-inferior

competitors, and therefore those on meagre budgets must subsidise battery farming and corporations who profit from the use of fossil fuel pollutants.

We all, therefore, sacrifice our morality to some extent in the decisions that we make, and the structure of economic rewards in Anglo-American society results in the palpably recognisable outcome that those who make the largest sacrifices in this regard will prosper the most in terms of finance, status and comfort. The discourse of free market capitalism creates economic zones in which morality is not seen to be a relevant decision-influencing concept. This situational editing of morality, and of the empathy upon which any truly moral decision must be based, is replicated in the social world, as participation in, observation of, or exposure to the market has a normative influence on psychological systems which diminishes the attraction and imperative value of morality by setting it alongside 'real' practical issues such as reward. The social institution of reward militating against the application of a moral evaluation of social situations, situations which can be characterised as competitive and reward-based (as well, no doubt, as some other types of situation) can also be characterised as zones from which empathy may be legitimately edited. Thus can the three events relayed in this paper be portrayed as psychologically unproblematic for their respective offenders: the use of violence on a bus to realise a perceived entitlement; the use of menacing behaviour on a bus to realise the pleasure of an exercise of power; and even the casual inattention to the plight of others that results in our prioritisation of very minor components of personal gratification, like keeping a seat for one's bag on the tube to the detriment of another passenger. The invisible hand of the market passes through moral structures like a ghost; it does not demolish them but

leaving them in place it goes about its business indifferent to their presence, subtly suggesting that should we wish to follow we too should transcend their obstacle.

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