Leveson uncut

Leveson, politicians and the press: origins of the present crisis

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The storm surrounding the Leveson Inquiry into the culture, practices and ethics of the press has been brewing for at least 30 years. This is certainly not the first time society has collectively revulsed against the ethics of the popular press. As Lord Justice Leveson has himself remarked, it is only ‘the latest in a long sequence of spikes in public concern about press standards’ (Leveson, 2012b, 25).

The history of the twentieth century is littered with attempts to strengthen press regulation – including three Royal Commissions in 1947, 1962 and 1974, the Younger Commission of 1972, and the two Calcutt Reviews of 1990 and 1993. The Leveson Inquiry is the seventh such attempt in less than 70 years. Yet every British government to date – many of whom were responding to reports that they themselves had commissioned – has failed to put in place anything more stringent than variations on the theme of self-regulation. This article gives one account of why this has been the case, and why we are unlikely to see a departure from form in our present situation.

The remit of the Leveson Inquiry is extremely broad, taking in the relationship of the press with the public, with politicians, and with the police; commercial issues like press concentration; and the future of press regulation. Yet only one of these strands – the relationship between politicians and the press – may ultimately hold the key to all the rest.

This article locates the genesis of a new kind of relationship between government and press with the extraordinary intimacy Margaret Thatcher cultivated with the tabloids during her term in office. In 1979, the year she came to power, The Sun was described by The Observer as ‘Mrs Thatcher’s missionary outpost to the working-class voter’ (6.5.1979). By the time she left office a decade later, The Sunday Telegraph was willing to accept that, ‘the support of The Sun can make or break the fortunes of the Tory Party’ (24.6.1990).

Every subsequent Prime Minister, whether Conservative or Labour, has had to come to terms with this doubled-edged aspect of Thatcher's legacy. Thatcher’s relationship with the tabloid press was a powerful weapon for any successor to inherit – but as the scandal-driven collapse of the Major administration vividly demonstrated, it came with a dangerous degree of vulnerability to an ever-mightier media empire.

Together, Thatcher and Major set a double precedent for New Labour in 1997. Whilst Thatcher demonstrated the rich rewards to be reaped from the relationship she constructed with the popular press, Major’s fall illustrated the devastating consequences of disregarding its rules. Against the backdrop of this cautionary tale, it is hardly surprising that subsequent leaders of both left and right have come to accept the terms of this power relationship as a fundamental premise of British political culture.
Backlash: how the sixties set the scene

The relationship between Thatcher and the tabloid press was authentic in a way that none of her successors – not even Blair – were ever able to emulate. In part, this is because their affinity was not the conscious product of any official mechanism, but stemmed from the immediate social and cultural context of previous decades.

Britain in the 1980s was a society ill at ease with itself. Despite the much-heralded ‘revolution’ in social attitudes that came with the 1960s, the vast majority of the British public regarded the sexual liberation movements and ‘permissive’ reforms of that era as the work of a remote political and intellectual elite. As one *Sun* editorial put it as late as 1994: ‘It doesn’t bother MPs that a consistent 75% of the British people want vicious killers to be hanged. It doesn’t impress them that most of us feel deeply uneasy at condoning acts of teenage homosexuality. *Parliamentarians prefer to rely on their own consciences*’ (12.1.1994, emphasis in original). Evidence from the British Social Attitudes survey shows that the proportion of respondents who believed homosexual relations to be ‘wrong’ actually rose to 74 per cent in 1987, up from 62 per cent in 1983. Similarly, the proportion of respondents who believed extra-marital sexual relations to be ‘wrong’ rose to 88 per cent in 1987, up from 83 per cent in 1983 (Smith, 1994, 51).

Recent contributions in the field of media and cultural studies have demonstrated the important function that popular journalism plays in ‘cultural reinforcement’. As a form of ritual communication, it allows us to consolidate a shared identity, and to ‘rehearse our moral sensibilities’ through the constant iterations of repetitive journalistic tropes (Gripsrud, 2004). For the tabloids, the uneasy cultural inheritance of the 1960s opened up a market for stories and tropes which served to bolster and reinforce the ‘traditional’ values that were perceived to be under threat. For Thatcher, popular unease about permissiveness presented an opportunity for her to position herself as the voice of the common man, speaking out against those intellectual elites who had imposed permissive reform on the population against its will.

Like the reassuring rhetoric of the tabloid press, Thatcherite policy deftly channelled popular suspicion of these elites and the permissive values they condoned. Section 28 famously banned the ‘promotion’ of homosexuality in schools as a ‘pretended family relationship’, in stark contrast to the sexual normalcy and nuclear family structures that would restore the nation to moral health. It managed to present homosexuality as a kind of Politically Transmitted Disease carried by the ‘loony left’, and by so doing, imbued the moral backlash against the gay rights movement with a sense of national urgency.

Perhaps the most ingenious of all Tory constructs, the ‘loony left’ furnished the tabloids with a rich and never-ending seam of entertaining stories: in the mid-1980s it was reported that Labour-controlled local authorities had banned the nursery rhyme ‘Baa baa black sheep’ and black dustbin liners as racist (Thomas, 2005, 94). Moreover, in its repetitive and unrelenting association of the left with unpopular permissive causes, this tabloid trope carried the Conservative message beyond the traditional Tory heartlands, and into the new, remoter electoral provinces of the Murdoch empire. At the 1994 local elections, *The Sun* was still officially endorsing the Conservatives against Labour councils who ‘hand out YOUR cash to barmy politically correct causes like lesbian and gay clubs’ (4.5.1994). Arguably, the strength and insistence of this association did more to advance the Conservatives’ party-political strategy than their own pronouncements on such matters.
The political capital of moral panics

Later Tory leaders have all played to these resonances in one way or another – and in this they have been joined by many Labour leaders too. Conservative politicians in particular have a habit of lapsing into moral hyperbole when there is political capital to be gained from a wider sense of social anxiety. Upbraiding a ‘broken’ society and urging national regeneration through stronger family life has proven to be an effective – and cheap – way to reap mass support at times of social unease or moral panic.

Just as Thatcher responded to popular anxiety about permissive reform, David Cameron built his 2010 election campaign (with the help of The Sun) around the motif of ‘Broken Britain’, and John Major produced his ill-fated ‘Back to Basics’ campaign in the wake of Black Wednesday and the murder of James Bulger. Indeed, some historians have gone so far as to argue that ‘Back to Basics’ was ‘the political and ideological reaction to the Bulger case’ (Franklin and Petley, 1996, 149). Whilst this is probably an overstatement of the importance of the Bulger incident relative to other imperatives like Black Wednesday, it highlights the ease with which a single symbolic event can be exploited for political gain. More specifically, it demonstrates how the presentation of such an incident as indicative of social, moral, and familial decay can be an expedient and unifying strategy when faced with challenging political conditions and unpopular policy decisions.

This strategy was explicitly acknowledged by Tony Blair in a fascinating article for The Guardian written shortly after the riots of August 2011. Reflecting on the similarities between the public reaction to the riots and the public reaction to the Bulger case, he condemned those who ‘elevated’ the riots ‘into a high-faluting wail about a Britain that has lost its way morally’, before admitting that, ‘In 1993, following James Bulger’s murder, I made a case in very similar terms to the one being heard today about moral breakdown in Britain. I now believe that speech was good politics but bad policy’ (Guardian, 20.8.2011).

Major’s fall: the exception that proved the rule

Though subsequent leaders have all shown themselves willing to capitalise on the political benefits facilitated by Thatcher’s media revolution, some have been less willing to recognise the higher expectations that came with the new status quo.

Thatcher created a political culture in which the personal was political and the political was personal. This was something that Major was prepared to accept whilst extolling ‘those old, commonsense British values that should never have been pushed aside’ (Major, 1993), but took on quite a different complexion in the midst of the notorious string of sexual and financial scandals that plagued nearly a dozen Conservative ministers and MPs during the 1990s. By trying to claim that the personal lives of erring ministers like David Mellor and Tim Yeo were ‘purely private matters’, Major refused to acknowledge the extent to which years of stories by these very tabloids on ‘private matters’ like sexual morality had served to bolster his party’s standing with the electorate. To Major, ‘Back to Basics’ may well have been a cynical communications exercise – but for the press, it was deeply intertwined with one of the defining news agendas of the era.

This disparity underlines a key dimension of what went wrong for Major – rhetoric which he deployed, sometimes successfully, for short-term political gain, was amplified by the much more insidious moral tropes which continued to embed themselves in the popular press. The very discourse that had thrived to the Conservatives’ advantage in the populist political climate of the 1980s and early 1990s ultimately proved to be the instrument of the Major government’s destruction.
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As is well known, the disintegration of the Conservative-Murdoch alliance under Major was swift and brutal. The devastating effectiveness with which the tabloid press dismantled Major’s hopes of re-election in 1997 revealed the unassailable position of strength to which it had ascended during the Thatcher years. Though sleaze was not the only issue at stake in Major’s twilight hours, it was the means by which the tabloids were able to control the news agenda and drown out any attempt by the government to regain the political initiative. The Sun’s headline on Black Wednesday, ‘Now we’ve ALL been screwed by the Cabinet’ (17.9.1992), is a brilliant example of the way in which it kept sleaze at the forefront of political consciousness. By keeping the issue of sleaze perpetually in the public eye, the tabloid press made it impossible for the Conservatives to make a lasting and positive political impact on any other issue.

Major’s landslide defeat in 1997 was a cautionary tale for future leaders on the perils of estranging the Murdoch empire. As the later efforts of Blair, Brown and Cameron to curry favour with News International have shown, Major was the last Prime Minister to fail to appreciate the power of Murdoch and the tabloid press. After his example, no leader would make that mistake again.

‘One last chance’ for self-regulation

Such pragmatism on the part of party leaderships has not, however, tended to penetrate the party ranks. Parliamentary debate on statutory regulation of the press has always been lively, but within this wider tradition there has been a continuous body of cross-party support for stiffer regulation. The 1980s saw a steady stream of Private Members’ Bills from both sides of the House proposing greater protections for victims of press intrusion. This was bolstered by a rising tide of anti-press sentiment in the public at large, provoked in particular by a series of high-profile stories involving members of the royal family. Andrew Morton’s biography of the Princess of Wales, which was serialised in The Sunday Times in June 1992, revealed to the public her struggle with bulimia and depression, her suicide attempts, and the relationship between the Prince of Wales and Camilla Parker-Bowles. This was swiftly followed by The Sun’s publication of transcripts of a bugged telephone conversation between Diana and her friend James Gilbey known as the ‘Squidgy tapes’. In the same month, The Daily Mirror published photographs of the Duchess of York sunbathing topless with the American financial adviser John Bryan.

The wave of anxiety about press standards triggered by this series of revelations – perhaps the greatest of the ‘spikes in public concern’ Leveson refers to in the introduction to his report – culminated in the two Calcutt reviews commissioned by the Conservative government in the early 1990s. The first of these reports recommended the replacement of the Press Council with a new Press Complaints Commission (PCC), which was given 18 months to prove that self-regulation could work. Both the Committee and the government indicated that this was ‘the last chance for the industry to put its own house in order’ (quoted in Leveson, 2012a, 211).

By the time Calcutt was commissioned to review the performance of the PCC at the end of this period, the press had succeeded only in intensifying the demands for statutory regulation now stridently ringing out from parliament and the public. Even the broadsheet press was beginning to endorse some form of privacy legislation to curb the excesses of the tabloids and protect the reputation of ‘serious’ investigative broadsheet journalism. Writing for The Guardian following the announcement of the first Calcutt review, Hugo Young argued that it was time ‘to end the professional blackmail by which it is pretended
that the interests of The Sun have anything in common with the interests of The Guardian’ (quoted in Shannon, 2011, 22).

Here, then, was a near-perfect storm for action. So why, with widespread support for reform converging from across the political spectrum, the public, and even some sections of the press itself, did a British government once again shrink from reform?

At the very point at which the political momentum behind statutory legislation was at its height, a handful of revelations briefly but significantly exposed a rather less clear-cut relationship between public figures and the press than had been assumed by many of those on the side of reform. Despite Princess Diana’s claim not to have co-operated with Morton’s biography ‘in any way’ (Mirror, 8.6.1992), the Executive Chairman of News International privately disclosed to PCC Chairman Lord McGregor that she had in fact liaised directly with a number of newspaper editors about the serialisation of Morton’s biography, heavily annotated Morton’s draft, and even arranged for photographs to be taken of herself leaving a friend’s house in tears with her children (Shannon, 2011). This information was leaked to the press before the publication of the second Calcutt report and, as The Times acknowledged, ‘effectively killed the prospect of statutory control of the press’ (13.1.1992). McGregor himself admitted that, ‘the Princess of Wales had made a mockery of his attempts to protect her against the worst excesses of the tabloid press’ (Times, 13.1.1992).

Diana was not the only skilful self-publicist operating from inside the royal family; Prince Charles, too, was known to have fed stories to friendly journalists in the ongoing media war between the royal couple (Pimlott, 1998). As a Times investigation later found, ‘far from being exaggerated, press reports about the death of the royal romance were systematically planted by courtiers operating with scant regard for the health of the fourth estate’ (13.1.1993). The Morton controversy revealed a deeply symbiotic relationship between the press and the royal family which political accounts of declining press standards had preferred to gloss over, and, as press historian Adrian Bingham notes, ‘drew attention to the way public figures sometimes conspired to invade their own privacy’ (2007, 86).

The Paddy Ashdown affair revealed a similar dynamic at work, this time implicating the government itself. Alongside the supposed victimisation of the Princess of Wales, the exposure of the Liberal Democrat leader’s affair with his former assistant Tricia Howard had been the other key catalyst in the build-up of support for statutory legislation leading up to the second Calcutt review. The affair had been extensively reported, most memorably by the Sun with its famous ‘Paddy Pantsdown’ headline (6.2.1992). Shortly after the announcement of the second Calcutt review in July 1992, Sun editor Kelvin MacKenzie publicly revealed that Ashdown had been the victim of an attempted smear by a senior cabinet minister, who had approached MacKenzie with the names and addresses of three women who had allegedly been involved with the Liberal Democrat leader. In a front-page editorial, The Sun proclaimed:

Well we’ve got news for Mr. John Major … Before he accuses the press of unscrupulous behaviour he should look closer to home. In the second week of the General Election campaign, a prominent member of the Cabinet phoned The Sun with names and addresses of three women. He claimed they had been having affairs with Mr Ashdown. (Quoted in Snoddy, 1992, 215)

Having given the press ‘one last chance’ to put its house in order, the government’s own house was exposed as being none too orderly itself.
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In both cases, then, public figures who had been held up, either individually or collectively, as victims of press intrusion, had been revealed to be strategically exploiting this dynamic for political gain. MacKenzie’s action briefly exposed a symbiotic relationship that had hitherto been hidden, but also hinted at the damaging consequences of conflict with the tabloids that statutory legislation would undoubtedly provoke. This aspect of the regulation debate was not lost on the Conservatives – indeed, even before MacKenzie’s revelation, Lord Deedes acknowledged in the House of Lords that,

... at the risk of causing hurt looks from my own front bench, I see no likelihood of this government giving much encouragement to legislation which will antagonise the press ... The press did the government pretty well in the previous election ... No government in their senses bite the hand they feel has fed them. For that and other reasons ... this talk of legislation carries with it a great deal of bluff. (Parliamentary Debates (Lords), vol. 538, 1.7.1992, cols. 779–81)

The belief that the Conservatives could not afford to alienate the tabloids, and in so doing risk losing the support that many believed had been instrumental in winning them the 1992 general election, was widely held both within the party and amongst the press. As one ‘top Fleet Street executive’ put it, ‘The Tory Party and Tory Central Office owes a debt. It may be a debt that has to be called in’ (quoted in Shannon, 2011, 95).

Statutory legislation: a Damoclean sword

What we have seen of David Cameron’s response to Lord Leveson’s recommendations places him firmly in this line of previous leaders, all of whom have, in the words of Lord Mandelson, been too ‘cowed’ by the press to risk taking action that might jeopardise their electoral standing. Even the thinly-veiled implication of horse-trading hinted at by the ‘top Fleet Street executive’ quoted above is not melodramatic in the present circumstances. Just weeks after the publication of the Leveson Report, The Telegraph reported that an aide to Culture Secretary Maria Miller had explicitly ‘flagged up’ her minister’s role in implementing Leveson’s recommendations in direct response to a Telegraph investigation into her parliamentary expenses (11.12.2012). Such incidents offer tiny insights into how the threat – but never the implementation – of statutory legislation has been used by governments as a direct bargaining tool for keeping revelations of ministerial scandal in check. In many ways, the threat of statutory legislation is the one remaining power that governments still wield over the press – making the prospect of surrendering that power ever more unpalatable.

At one point in his Report, Lord Leveson suggests that ‘the response to this Report will itself open a new chapter in the history of the relations between politicians and the press’ (Leveson, 2012b, 29). Yet historical precedent – and Cameron’s disinclination to part with it – suggests that the next phase of this story will be marked more by continuity than change. Indeed, the Report is full of hints that Leveson himself is only too aware of the fragility of his recommendations. It is significant that the Report summary ends on a clear note of warning, sounded through a carefully selected quotation from John Major’s evidence to the inquiry:

It is important that whatever is recommended is taken seriously by Parliament, and it is infinitely more likely to be enacted if neither of the major parties decides to play partisan short-term party politics with it by seeking to court the favour of an important media baron who may not like what is proposed. (Quoted in Leveson, 2012b, 31)
The Leveson inquiry may yet prove to be the final reckoning in a saga that has spanned three decades and five premierships. However, the realisation of reform will ultimately depend on the ability and willingness of party leaders to break free of the power relationship that has dominated the last 30 years of British politics.

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References