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Special Edition
**Combating Extremism
and Terrorism**

Reviews

Book Review

State Crime

By Alan Doig

Publisher: Willan Publishing (2011)

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Alan Doig is a former Professor of Public Service Management at Liverpool Business School and Teeside Business School, who has also worked on international projects with Council of Europe and United Nations. In this book he attempts to provide an introduction to the issue of state crime, promoting this subject as part of criminological debate. The focus of the book is primarily upon the UK and it draws upon a wide range of contemporary and historical examples that most readers will find familiar and illuminating, including the Iraq War and Bloody Sunday.

Doig discusses some of the core concepts in state crime, exploring what is a deeply contested and academically under-developed area. Broadly, state crime is defined as 'crime initiated, approved, committed or condoned by the state for state purposes' (p.77). However, such a definition carries with it significant uncertainty and imprecision. Even the question 'what is the state' is unclear when one considers that it may encompass not only decisions at a Prime Ministerial, Cabinet or ministerial level, but may also include acts of the executive including the armed services, police, security services, and even the more arm's length work of formal regulators or informal advisors. The reach and composition of the state in contemporary society is itself murky, messy and hard to pin down.

Defining 'crime' in this context is also difficult. Most political decisions do not come within the ambit of the

criminal law, and even when actions include unlawful killing, such as at Bloody Sunday, judgements do not necessarily emerge through the criminal courts. Instead, the notion of crime can be located in a wide range of national and international documents, but also within different political perspectives. As a result, the nature of 'crime' in this context is equally vague and contested. This also means that the monitoring and control of state crime is problematic. Whilst this can be drawn occasionally from civil or criminal courts, it can also be found in the parliamentary process, inquiries and through the campaigning of non-judicial interest groups or citizens.

This book successfully provides the reader with an introduction to the complex issue of state crime. It is a topic that examines the intersection of law, politics and criminology. Doig reveals that state crime is an emerging, inchoate and contested area of study. However, it is a topic that is important as it draws criminology into addressing wider issues of power and the uses of crime and crime control.

Jamie Bennett is Governor of HMP Grendon & Springhill.

Book Review

Balancing liberty and security: Human rights and human wrongs

By Kate Moss

Publisher: Palgrave Macmillan

(2011)

ISBN: 978-0-23023-029-3

(hardback)

Price: £55.00 (hardback)

Kate Moss is Professor of Criminal Justice at Wolverhampton University. In this book she explores

the balance between security and liberty in the UK, particularly in the context of the increased concern with violent extremism following the terrorist attacks in New York in 2001 and London in 2005. She argues that this has created; 'a world that is characterised by fear and subsequently obsessed with security' (p.2).

In her previous book, *Security and liberty: Restriction by stealth* (2009)¹, Moss examined how increasingly restrictive legislation has been used to address various perceived threats including football hooliganism and dangerous dogs. Here, she looks at how the State uses these perceptions to justify expanding its control. In both books Moss considers not only the philosophical ideas which contextualise these developments but a detailed analysis of the law in action as well. In this way she illustrates that the definition of important terms such as 'torture' become blurred and finessed in practice; that judicial interpretation and enforcement are often pragmatic or inconsistent rather than truly principled; and that politicians use their powers and influence to sidestep legal obligations. This careful reading shows why such enquiry is needed and that nothing can be taken for granted.

Human rights and security are central to much public discourse, for example, there have been bitter debates about issues such as the use of surveillance, DNA databases, and the proposed introduction of identity cards. However, it is the perceived threat of terrorism or violent extremism, which has been most important in the debate over the last decade. Moss dedicates three substantial chapters to detailed analysis of the effects on the prohibition against torture (Article 3),

1. Moss, K. (2009) *Security and liberty: Restriction by stealth* Basingstoke: Palgrave Macmillan.

detention without trial (Article 5) and the right to a fair trial (Article 6 — particularly in the context of extraordinary rendition).

What Moss achieves is not a dramatic exposé of a hidden abuse, such as that which occurred at Abu Ghraib², but what could be characterised as the slow and steady way that judicial practice adapts and embraces new ways of thinking about security and liberty. This insidious drift towards a 'culture of control'³ may not be dramatic but it is fundamentally important. For Moss, what is at stake are 'the rights which are generally considered inalienable in any true democracy' (p.220).

Moss should be applauded for her meticulousness and the conviction of her arguments. There

is undoubtedly an important role for those who act as public and intellectual guardians of individual liberties, speaking out against incursions and articulating the risks. However, the weakness of the book is the dualistic tension she perceives between liberty and security. Are the two really mutually exclusive and necessarily antithetical? Is security not an essential component in enabling individuals to enjoy and exercise liberty? These issues were addressed by Ian Loader and Neil Walker in their theoretically bold attempt to reconceptualise liberty and security as a duality⁴.

They argued that security is not a narrow concept aimed at the mitigation or elimination of particular risks, but is instead the

creation of a society in which individuals have the ability and opportunity to self-actualise. This moves the debate away from the old dichotomies and towards a concept of security and liberty as interdependent. In this way security means not only protection from crime or acts of terrorism but also sufficient wealth, education, and opportunity to realise ones potential. In contrast to this, Moss's book remains wedded to the idea of two polar extremes and basically asks readers to choose which side they are on.

Jamie Bennett is Governor of HMP Grendon & Springhill.



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2. Gourevitch, P. and Morris, E. (2008) *Standard operating procedure: A war story* London: Picador.
3. Garland, D. (2001) *The culture of control: Crime and social order in contemporary society* Oxford: Oxford University Press. The term was used in relation to criminal justice but is applied here in relation to broader anti-terrorism measures.
4. Loader, I. and Walker, N. (2007) *Civilising security* Cambridge: Cambridge University Press .