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Book Review of: Crime in an insecure world: By Richard Ericson

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“The goal of nipping every potential threat in the bud, combined with the impossibility of its achievement, sets in motion a continuing expansion of preventative measures, an infinite regress along the chain toward the origins of threats, the heart of darkness” (Dubber, 2001: 841-842). This quote by Dubber brings to light the dominant culture currently present in neo-liberal society, and the four major concepts discussed by Ericson. Crime in an Insecure World by Richard Ericson depicts Western society as a neo-liberal state, that has an impulsive cultural tendency to criminalize all sources of harm through precautionary logic, risk assessment, surveillance measures, and counter law I and II. The counter laws, precautionary logical, risk assessment, and uncertainty are the 4 major concepts discussed by Ericson, and these concepts will be summarized, interpreted, and evaluated within this book review. This book review will initiate by summarizing the main ideas and thoughts discussed Ericson, the 4 major concepts identified above, and in close a critical evaluation of Crime in an Insecure World will take place.

Ericson begins his book by stating that the current neo-liberal political cultural tendency, is to criminalize all sources of harm and potential threats that may foster uncertainty within society (2007: 1). Ericson specifically identifies national security, corporate security, social security, and domestic security as the major societal elements that the government targets in order to reduce uncertainty within society (2007: 1). With that, Ericson argues that Western neo-liberal worlds have become paranoid with the risk of harm, and as a result, adaptational responses such as the implementation of Counter law I and II have been adopted to decrease uncertainty (2007:1). However, Ericson states that in order for people to feel realistically secure they must know the future, but because people don't know the future they have a false sense of

security/certainty (2007: 4). Therefore Ericson perceives security and certainty as a mere imagination, which reflects Charles Taylor's concept of social imaginaries (2007: 4-5).

Crime in a Insecure World implicitly identifies that thriving for safety and security through the reduction of uncertainty, is the universal goal for neo- liberal states (Ericson, 2004). Risk assessment, precautionary logic, surveillance technology, and Counter Laws I and II are the resources society has embraced as a mechanism to reduce uncertainty (Ericson, 2007). Ericson has also identified science and technology as the classification of resources used by neo-liberal states, as a means to adapt to/ overcome sources of uncertainty, which can be seen as external problems or societal concerns such as national security, social security, corporate security, and domestic security (2007: 36, 72, 122, 155). In essence, risk assessment, precautionary logic, surveillance measures, and counter law can be seen as adaptational responses that have emerged to alleviate uncertainty, and achieve certainty, security, and safety within a nation (Ericson, 2007).

Risk assessment is a product of the neo- liberal criminalizing culture, and it is a paradoxical concept as it has the power to predictive potential threats and decrease uncertainty, which can be viewed as an adaptational response to a social concern/ conflict (e.g. Terrorism), and it has the power to intensify uncertainty through the identification of new sources of harms, and finally it has the power to put freedom into practice (Ericson, 2007: 1- 6). Though uncertainty restricts individual freedom in the sense that security enhancements hinder easy travel (e.g. Passport needed to cross border), uncertainty has the ability to influence risk assessment and competitive risk taking (Ericson, 2007: 4-6). For example uncertainty influences the action of cognitive risk taking, which in turn allows for rational decision making (Ericson,

2007). Secondly, uncertainty in the business market allows for growth and competition through investment markets (Ericson, 2007: 5-6). This idea meshes with Anthony Giddens view, that as uncertainty increases the larger the opportunity for profit and growth through risk taking (Ericson, 2007: 5). With that, it is important to note that Neoliberalism emphasizes responsible risk taking, which means investing in stocks/ items that will allow for personal financial security and success, as individual self interest is a product of neoliberalism (Barnett, 2005). However, Ericson makes known that when it comes to decreasing uncertainty and increasing security, decisions are not solely based on rational and responsible risk assessments, as people rely on their morals, values, intuitions, and emotions (2007: 9).

Risk assessment is a functional and natural part of societal uncertainty, and it is a product of the neo-liberal culture to criminalize all sources of harm. This macro cultural influence on society is seen in the form of inspections, regulations, audits, and surveillance measures that are intended to evaluate the unknowns (Ericson, 2007: 11). Crime in an Insecure World discussed risk assessment as a form of future- oriented rational thinking, and three types of risk related languages were identified: (a) Risk as a scientific language of probability, (b) Risk as a scientific language of management, and (c) Risk as a forensics language (Ericson, 2007: 7- 16). Risk as probability is concerned with calculating the seriousness of a harmful event, and the likelihood that a harmful event will occur (Ericson, 2007: 7- 10). Risk as management is concerned with identifying the potential risks through inspection, surveillance, audits, and regulations as a means to understand the risk and deal with the uncertainty (Ericson, 2007: 10- 14). Risk as management can be associated with the identification of potential terrorist acts, through surveillance technology that would enable proactive counter-terrorism mechanisms. Risk as forensics is a

form of discourse that is based on a cost- benefit analysis, and it serves to identify the most harmful threats/ events in order to prioritize which threats/ harmful events should be given more attention and resources (Ericson, 2007: 14- 16).

In a macro view Ericson is trying to point that, when society as a whole recognizes that law enforcement agencies are constantly engaging in risk assessment as a means to persevere national security, then societal feelings of uncertainty may be alleviated to a certain extent. For example in the mists of President Obama's inauguration, U.S citizens knew of the mass amounts of security preparations that went into securing President Obama's historical inauguration. Therefore, the knowledge that security was in abundance may have allowed individual citizens to feel certain about their own security, and the security of President Obama during his inauguration. Secondly, in light of the war against terror, enhanced security around airports have the potential to alleviate uncertainty/ fears individuals may have, as individuals can tell themselves that law enforcement officials have identified harmful sources through risk assessment / future- oriented thinking. Thirdly, after the Hamas government broke the 6 month cease fire agreement on Dec. 27, 2008, it is evident that risk assessment was used by Israel before their strike against Hamas. Risk assessment had the potential to bring to light the negative consequences of a passive response by Israel, and so an offensive was needed to ensure the security of Israeli citizens, and alleviate feelings of uncertainty regarding life and freedom in Israel. However, Ericson also points out that risk assessment may increase criminalization due to the identification of new sources of harm (2007).

Risk assessment is not the only action that serves to reduce fear, as the laws enacted by politicians also function to reduce uncertainty within society (Ericson, 2007:14-16). "A world of

uncertainty is also a world of necessary decision (Ewald, 2002: 292), and law is at the apex of inner- institutional system of necessary decision” (Ericson, 2007: 17). In relation to this quote, Ericson is reiterating the power of law and the need for law as a means to dictate what powerful actions should be taken (E.g. War), when these powerful actions should be taken, and who has the authority to make the decision to engage in powerful actions against sources of harm (Ericson, 2007: 17).

Ericson’s concept of risk assessment should not be confused with his other concept of precautionary logic. In connection to the uncertainty rooted in societal concerns regarding national, social, corporate, and domestic security threats, precautionary logic is another adaptational resource that has emerged to alleviate uncertainty (Ericson, 2007). Precautionary logic is a natural/ internal suspicion that forces actions/ measures to be taken, before a real threat can established or before a harmful incident occurs (Ericson, 2007: 23- 24). Precautionary logic which is rooted in anticipatory suspicion, is a nonscientific and non empirical proactive mechanism used to reduce uncertainty, and it is the total opposite of risk assessment which is rooted in rationality. “Precautionary logic fuels suspicion” (Ericson, 2007: 23). “It urges everyone to anticipate what one does not yet know, to take into account doubtful hypotheses and simple suspicions” (Ibid: 288- 294) (couldn’t find reference in book reference section). Though precautionary logic is unscientific, Ericson has pointed out that it has lead to many forms of suspicion based criminalization due to counter law (Ericson, 2007: 21- 24). Ericson has identified two types of counter law that thrive off the uncertainty produced by the current neo-liberal criminalizing culture (Ericson, 2007: 24).

Counter Law I is best known as Laws against law, and its purpose is to implement laws

that diminish the power and principle of current laws that prevent precautionary logic (Ericson, 2007: 24-31), which again is an adaptational response to the problem of fear/ uncertainty. In terms of ensuring national security through counter law I, Ericson uses the Patriot Act found in the United States as an example. Ericson states that after 9/11 the U.S government passed the Patriot Act as a means to legalize precautionary logic, and grant high levels of authority to the President and government security agencies (2007: 42- 51). Though the civil rights of American citizens are protected under the U.S Constitution, under certain circumstances identified by the Patriot Act they can be suspended, such as for national security purposes that are in the best interests of society (U.S.A Government, 2008). This illustrates how counter law I (e.g. Patriot Act) is against Law (e.g. Constitution). In addition, laws associated with counter law I are justified based on precautionary logic, not a cost benefit analysis through rational thinking (Ericson, 2007: 23- 25). Further more, when risk assessment as an adaptational response to uncertainty has proven incapable of providing security and alleviating uncertainty, counter law I is further embraced as a resource to ensure freedom, certainty, and security which are the universal goals of a neo-liberal society (Ericson, 2007: 38- 40). It is evident that Ericson is implicitly applying that the failure of risk assessment due to 9/11, enabled the strong embrace of counter law I, namely the Patriot Act.

In relation to Ericson's conceptualization of counter law I, precautionary logic has the ability to easily criminalize suspicious sources of harm, as a preemptive means to attack or neutralize (2007). "The wrong face in the wrong place at the wrong time" (Ericson, 2007: 43). Ericson also stated that Counter Law I has the potential to generate new crimes that target the normal behaviours of select groups of people. In terms of domestic security laws, Ericson

pointed out that the Ontario Safe Streets Act criminalized the normal behaviours of the poor and the homeless, such as begging, transience, and solicitation in specific locations (2007: 172- 174). Ericson views this as a reflection of counter law I as he feels that this law was rooted in precautionary logic, since the government acted to protect society from the harmful threat of the poor and the homeless, before a real threat occurred or could be proved (2007: 173- 174). In terms of laws against law, the Ontario Safe Street Act may potentially be against the Charter of Rights and Freedoms, which allows for many freedoms. Lastly, another example of counter law I reflects the laws governing private security corporations. For example though Black Water was/is operating in Iraq they are under U.S State Department Law not Iraqi Law, which enables Black Water to be immune to Iraqi Law. In terms of precautionary logic, it is possible that this arrangement was geared towards preventing future conflicts that would stem from the different legal values present in both nations, before a real legal conflict occurred.

Counter law II known as the surveillant assemblages are laws that increase the propagation of surveillance equipment, in order to overcome uncertainty (Ericson, 2007: 28- 31). Ericson states that surveillance enables people in society to police themselves, as individuals are more likely to exert self control and prevent the commission of a crime if they know they are being watched (2007). In addition, individuals who know they are being watched will also police other people (Ericson, 2007). “As articulated American dream of total awareness, everyone is to function simultaneously as watchers as well as watched and the bears of their own control” (Shearing and Stenning, 1984) (No page number given). It is important to realize that Ericson’s view on surveillance does not only refer to camera's, as Ericson also refers to criminal data bases and other forms of technology that provided individualizing information. For example

in terms of domestic security, counter law II has enabled the formation of sex offender registers, that provide societal members with the names and addresses of sex offenders (Ericson, 2007:188- 190). In terms of corporate security, corporations have personal identification swipe cards and surveillance camera's to monitor the physical movement of employees, and they have computer software programs that monitor employee web browsing (Ericson, 2007: 143- 144). In terms of crime control, Ericson provides a beneficial fact that has the potential to keep security personnel open minded and alert, as Ericson points out that when surveillance increases tunnel vision also increases, meaning that crime control mechanisms only focus on targeting issues and predicting risks, that can only be seen through surveillance technology (Ericson, 2007: 147- 148). Therefore it is important that security measures are creative and open minded, and risk assessments are based on more than just surveillance.

In a broad sense Ericson is implying that counter laws function as an instrument, that enables society to overcome different external problems such as: (a) domestic security, referring to security against sexual deviants, poor people, delinquent youth, or disruptive neighbours (Ericson, 2004: 156-181), (b) social security, referring to security against unemployment, welfare, disability insurance, or corporate insurance (Ericson, 2004: 87-102), (c) corporate security, referring security against manufacturing defects, medical mishaps, medical supply issues, or chemical products (Ericson, 2004: 128-139), and (d) national security, referring to security against terrorism such as the Jihad movement (Ericson, 2004: 42 - 51). Implicitly Ericson portrays the neo-liberal generation of uncertainty as an integrate element, that allows different institutions to cohesively work together as they all embrace similar adaptational responses, such as implementing counter laws and engaging in risk assessment and precautionary

logic, as a means to achieve the universal goal of certainty and security.

The next segment of this book review will focus on evaluating the work of Richard Ericson. This evaluative portion will draw on previously mentioned topics and concepts in order to critically and clearly evaluate Crime in an Insecure World.

The neo-liberal tendency to criminalize all sources of harm was mentioned by Ericson, and this idea can be framed as a hegemonic cultural force with respect to the critical framework. For example, Gramsci stated that the ruling class injects their own hegemonic culture into society, as a means to control society through a false consciousness (Dr. Towes, Semester 5, 2007). When integrating Gramsci's view with Ericson's the ruling class can be seen as the government, and due to the governments impulsivity to criminalize all threats as a means to reduce uncertainty (Ericson, 2007), a false consciousness linked to the level of insecurity, harm, and uncertainty within society has been produced. Foucault's observation regarding the power of the government is also evident, as Foucault viewed the government as a culture generating institution. A culture generating government was evident in Ericson's book, as the neo-liberal tendency towards impulsive criminalization fostered the uncertainty culture within society (2007). Though Ericson explicitly identified the current neo-liberal culture and the culture generating source (e.g. Government), he failed to analyze whether or not the generation of an uncertainty culture and the impulsive criminalization tendency/ culture found in society, was a conscious or unconscious process.

In analyzing risk as a forensics language, it is evident that the power of risk assessment is not only rooted in rational thinking, but also in language it self when taking a Habermasian view.

For Habermas who is associated with the Frankfurt School of Thought, communication is executed through language, and language is what allows for understanding (Burkart, 2007). Therefore without language/symbolic meaning, the adaptational response of risk assessment would not be communicated let alone comprehended by individuals. Therefore the power of risk assessment is rooted in both rationality, and the transmission of symbolic meaning through language.

In relation to the popular illustration of surveillance technology mentioned above (e.g. Security camera's), Ericson stated that surveillance technology has enabled people and/or areas to be kept under constant watch at any given time (2007). Surveillance technology can be linked to Jeremy Bentham's concept of the panopticon, as Bentham used the panopticon concept to describe a prison in which offenders could always be seen by the prison guard (McLaughlin, John, & Gordon, 2005). Bentham's panopticon concept can be applied to modern societies surveillance society, as the proliferation of surveillance technology in the form of cameras and RFID's (Radio frequency identification) is evident. For example, the panoptic effect is evident in the United Kingdom due to the proliferation of CCTV cameras within society, which is a product of the uncertainty regarding terrorism (Ericson, 2007). Increased surveillance is also evident in South Africa a mid the 2010 World Cup, as the South African government has invested in sophisticated surveillance technology, as a means to target uncertainty issues concerning domestic security and the safety of vulnerable foreigners (Curnow, 2009). This piece of evidence points out that despite the cultural differences that exist between the U.S and South African, surveillance technology is still being used as a tool/ adaptational response to overcome uncertainty in a technological world. Though some may argue that South Africa has been

assimilated by Western materialism.

Ericson's idea that surveillance is more likely to prevent crimes and reduce uncertainty, can be linked to the routine activities approach which states that 3 elements have to be present in order for a crime to occur. Element 1 is the lack of a capable guardian, element 2 is the presence of a vulnerable target, and element 3 is a motivated offender. With respects to this theory surveillance would eliminate a vulnerable target and the lack of a capable guardian, as surveillance would become the guardian and surveillance would ensure that a target would no longer be vulnerable, as police could be called immediately if a crime was seen. With that, the offender may no longer be motivated to commit a crime if they know they will be seen and potentially caught. However, when referring to the seductions of crime idea presented by Katz, it is possible that surveillance may increase or have no effect on the crimes committed by non rational individuals, who get a psychological high/ excitement out of committing crimes.

A positive contribution made by Ericson reflects the social constructionist element of law that he identified. Ericson pointed out that the law itself is uncertain though it tries to reduce uncertainty, as laws can be easily changed depending on what society interprets as being a source of harm (Ericson, 2007). In terms of social security, at one point in time people felt that same sex marriage was a source of moral insecurity, and due to a mass consensus it became illegal. However over time interpretations and perceptions changed, and the old law was taken down by a new law that legalized same sex marriage. In terms of domestic security, depending on the current moral panic plaguing societal members, police agencies will begin cracking down on specific types of crime, and target specific laws such as mandatory minimum sentences may emerge along side the dominant moral panic.

Ericson associates counter law I with anticipatory suspicion, in order to present how suspicion alone can justify the criminalization of suspicious sources of harm, as a preemptive means to attack or neutralize a threat (2007: 21- 24). The negative consequences of counter law I can be linked to the Marxist assertion, that laws criminalize the normal behaviours of different groups/ classes of people, which in turn generates new types of crime (Chambliss, 1974). With that, Marxism would state that counter law I has generated news crimes such as begging and transience, which are normal and rational behavioural aspects of the poor, homeless, and/ or squeegee kids. “Criminal and non criminal behaviour stem from people acting rationally in ways that are compatible with their class position” (Chambliss, 1974: 252).

With regards to Ericson’s view on the Patriot Act which is an example of counter law I, I disagree that the Patriot Act was solely based on precautionary logic or McCarthyism (implicit point by Ericson). In terms of the Patriot Act, I feel that the rational and logical risk assessments that were based on the threats and intelligence information at hand, played a role in the formation of this counter law under the dominate culture generated by 9/11. The the act of sacrificing certain freedoms and liberties for national security purposes was appropriate at the time, and it can still be an adaptational tool that serves to uncover and neutralize terrorism, as terror plots have been prevented due to increased preemptive outlets. Crime in an Insecure world failed to illustrate terrorist missions that were prevented, due to the security measures that were implemented post 9/11. Secondly, Ericson failed to discuss precautionary logic in relation to his belief that decisions are based on values, intuitions, and morals. This application would have painted counter law I and precautionary logic as less naive and less like McCarthyism, as intuitive decisions made by counter-terrorist experts may arguably be more logical than risk

assessments made by intelligence personnel. However, it is important to point out that certain counter laws such as laws governing the rights of private policing and insurance corporations, do diminish certain historical values such as justice, equality, and due process because precautionary logic is not impartial (Ericson, 2007). Thirdly, though Ericson asserted that risk assessment may increase criminalization and uncertainty as result of new sources of harm being identified (Ericson, 2007), he did not provide adequate examples and explanations to prove this point, as he failed to discuss concepts such as disproportionate fears and moral panics.

Lastly, Ericson argued that western Neo-Liberal worlds have become paranoid with the risk of harm, and this is evident due to the proliferation of counter law I and II. In contrast to this argument by Ericson, I feel that the risk of harm conceived by western nations cannot be conceptualized as a form of paranoia, instead, it should be conceptualized as vigilance. In today's nuclear armed world, a sense of uncertainty about the safety of the world and one's nation is not at all delusional, especially when rogue states such as North Korea has them and Iran is trying to build them. Throughout Crime in an Insecure World Richard Ericson repeatedly identified the problems he found within the current neo-liberal society, however due to his governmentality stance, Ericson failed to propose solutions that would target each of the identified problems.

Ericson asserts that there is an over emphasis on the necessity to have a surveillance society, due to the neo-liberal impulse to criminalize all sources of harm through counter laws, risk assessment, and precautionary logic as a means to ensure national, corporate, social, and domestic security (2007). For Ericson the good society would consist of a society not paranoid with uncertainty, and a society not devoted to technological innovations and counter laws that would enable illogical and rapid criminalization. In contrast, I feel that in some parts of the world

a surveillance/ panoptic society is in the best interest of a nation's national security (e.g. Afghanistan, Iraq, U.S, Canada, U.K, etc.). In light of the pending closure of Guantanamo Bay, it is plausible to assume/ suspect based on precautionary logic and risk assessments, that those released may have formed hatred and hostility toward the Western worlds, and as a result they may contemplate revenge. Under the current security issues linked to middle eastern instability, rising tensions between Israel and pro-Palestinians, North Korea's nuclear potential, Iran's secret agenda to build nuclear weapons, China's cyber spying projects, non state and state sponsored terrorist groups, and the uncertainty surrounding other rogue governments such as Syria, Gaza, Iran, and Russia, it is in the best interest for the Western worlds to invest in a surveillance society.

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