

REVIEWS

E. Stanley and J. McCulloch (eds), *State Crime and Resistance* (London: Routledge, 2013), 242pp, £85.00

Reviewed by Harry Blagg

I decided it is better to scream... Silence is the real crime against humanity.

(Mandelstam 2012: 41)

This handsomely presented collection, edited by Elizabeth Stanley and Jude McCulloch, is a valuable addition to the burgeoning literature on state crime. The editors demonstrate a commendable interest in moving beyond just naming the beast (as the title demonstrates), and have clearly encouraged their contributors to focus attention on forms of resistance to the totalizing discourse of the repressive state, rather than just continue to describe its awesome powers and its extensive reach.

The editors form part of a refreshing new wave of criminologists and socio-legal scholars who are no longer content to perpetuate criminological silence on crimes of the state. Furthermore, in company with the late Stan Cohen (whose work, particularly his seminal study *States of Denial* (Cohen 2001) provides a kind of moral adhesive to the various contributions), they demonstrate that criminology does possess the tools to critique state crime; it has just never (with some honourable exceptions) cared to deploy them in this arena, preferring instead to concentrate on the crimes of the powerless and disenfranchised, or the lifestyles of the individual deviant.

Anyone concerned that criminologists have nothing to say about state deviance and the abuse of power, in all its complex manifestations, need only pick up a recent edition of the *British Journal of Criminology* and read John Braithwaite and Ali Wardak's sophisticated analyses, notable for the application of some tested criminological categories to the current situation in Afghanistan, in a way that demonstrates the impact of the "war on terror" on the fabric of Afghani life, and offers strategies for peace-building based on traditional forms of conflict resolution (Braithwaite and Wardak 2013; Wardak and Braithwaite 2013).

The contributions to the collection reflect the considerable diversity of issues that now come within the orbit of state crime studies and the increasing sophistication of theoretical standpoints of critique. The editors set the scene, and the moral

tone, of the collection when they argue that, rather than simply forming an exotic adornment to the substantive business of criminology, the study of state crime is an urgent and central part of the contemporary criminology project. The capacities of state functionaries, particularly (though not exclusively) the police and military, to perpetuate hideous crimes against humanity increases exponentially. The editors go on to pose the question: how can such crimes be contested, prevented, challenged or stopped? They maintain that unless we acknowledge and name resistance we unintentionally encourage fatalism, powerlessness, even despair. Furthermore, we do an injustice to the countless thousands – often unnamed and forgotten – who have taken the path of resistance. The capacity of the modern criminal and deviant state to eradicate and silence is one of its most lethal weapons. Making unwelcome facts, peoples, places or thoughts disappear into the vortex of forgetting represents its *raison d'être*.

In this context, memory itself constitutes a form of resistance, and bearing witness a kind of insurrection against power. The poet Anna Akhmatova, at the height of the Stalinist purges, recalls the following encounter, standing in the long line of women in Moscow, waiting for news of loved ones lost in the Gulag:

One day somebody in the crowd identified me. Standing behind me was a woman, with lips blue from cold, who had, of course, never heard me called by name before. Now she started out of the torpor common to us all and asked me in a whisper (everyone whispered there):

"Can you describe this?"

And I said: "I can."

Then something like a smile passed fleetingly over what had once been her face.

(Cited in Specter 1995)

Stanley and McCulloch suggest that resistance is a nuanced construct that cannot be restricted to a simple list of political demands (important though they may be). Change may be incremental and iterative rather than radical and systemic. It may involve small "wins", or confirmation of shared suffering (and shared humanity) between those dehumanized by cruelty – as in Anna Akhmatova's poignant encounter. Resistance is about affirming human values of respect and kindness, and about strengthening social relations not dominated by networks of control.

The contributors to the text take up the theme of resistance across a range of issues. Space precludes a full examination of each chapter in detail so I will restrict myself to some general points. In his chapter, David Friedrichs (Ch. 2) picks up the topical case of resistance as part of the Arab Spring, suggesting that the crimes of the old regimes and the forms of resistance adopted by actors across the Middle East were explicable within the framework of critical criminology. The chapter by Green and Ward (3) reports on the International State Crime Initiative (ISCI) and

contributes significantly to the theme of the book through an examination of the role of civil society (as espoused in Antonio Gramsci's works) as a "counterweight to state crime and one of the most important sources of the norms that define state crime" (p. 28). Green and Ward's contribution is rich in criminological insight; maintaining a notion of "crime" as a fluid process they take us beyond legal definitions and, involving the violation of social norms, they are able to progress a reading of resistance that takes account of the patchwork of social relationships and associations of all kinds that can act as a buttress (as Gramsci saw it) against state power. The theme is picked up, with a slightly different nuance, in the chapter on global warming by Kramer (4), who identifies the role of non-state-actors in formulating a challenge to state indifference. Grewcock (5) takes on the issue of resistance by unauthorized immigrants, amongst the most negatively stereotyped groups in western societies, and subject to media and political condemnation. Nadarajah and Sentas (6) concern themselves with Tamil resistance to Sri Lankan state crime, in one of the longest running and bloodiest wars in history. Stanley (7) reports on West Papua (ignored by most of the world) whose population has been amongst the "most repressed and exploited in the world" (p. 84) yet who have managed to maintain forms of resistance to Indonesian repression, through engagement with international organizations and maintaining their own distinctive culture.

Cunneen (8), whose work on Indigenous Australians and justice is respected internationally, describes one specific arena of "immiseration" via the perpetration by the Australian state of a massive fraud, made possible through state control of the Indigenous labour market, resulting in theft of wages and other benefits. Pantazis and Pemberton (9) return us to Europe and the now familiar problem of the increasing "securitization" agenda. They see resistance in terms of creating a balance between highlighting both the threat to individual liberties and the damage being done to the fabric of whole communities. White (10) has been amongst the first criminologists to apply critical criminology to the environment and to construct a distinctively "green" criminology. White's chapter details the diverse patterns of global resistance to state-corporate activities that create what he calls "environmental harm" (p. 128). These include a number of NGOs (Friends of the Earth, Greenpeace, etc.) as well as numerous localized organizations. He concludes that we need to constantly expand "democratic space" (p. 139) and respond creatively to the rapidly changing political and economic context. Morrison (11) takes further his work on witnessing Nazi genocide – a criminal state determined to leave no traces of crimes – and makes a plea that we never abandon human empathy, as perhaps the greatest (and often the last) bulwark against inhumanity and the creation of genocidal law and policy. Kauzlarich (12) extends our understanding of resistance by demonstrating how engagement in

music can create forms of resistance to harmful state and corporate activities. His analysis connects the study of state crime to radical and cultural criminology, such as the work of Ferrell and the Centre for Contemporary Cultural Studies, who have highlighted the role of popular cultures in resisting authority.

Taking us back into contact with the law, McCulloch and Blair (13) examine the history of Community Legal Centres in Australia, showing how these organizations played an important role in resisting state crime by championing a range of causes and bringing law to the people. Their modes of resistance included building alliances, collaborating with national and international rights organizations, tapping into the energies and the imaginations of young people and – as the contribution honestly admits – learning from mistakes and failed initiatives. Pickering and Weber (14) have been amongst the most prolific researchers on the subject of state crime. Their chapter deals with the issue of “border protection” and the hardening of law (and attitudes) on the topic in Australia, where “boat people” have become the most vilified of folk devils. Pickering and Weber identify forms of judicial resistance to the increasing tendency of the executive to weaken legal safeguards. Rothe (15) suggests that the international human rights movement is an attempt to minimize crime by nation states and create a new global political consciousness; and Michalowski (16) charts the development of what he calls “supranational law”, including special tribunals and the International Criminal Court, which attempt to deny impunity to state criminals – at the expense of Westphalian state sovereignty. Finally, the editors provide a valuable summary, noting that state crime inevitably creates resistance, the question is how can effective resistance be developed?

All the chapters in this book are excellent. There is a remarkable degree of unanimity, particularly around the need for multiple sites and strands of resistance, and forms of resistance that traverse the legal and the social, and that unite the local, national and international stages. I was impressed by the sheer quality of the research and the attempts to ensure the theme of resistance was centre-stage. Rob White suggests that resistance is like a “dance”. Reading this book will ensure the reader is not dancing in the dark.

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