



University of Essex

IDEATE

The Undergraduate Journal of Sociology



Introduction

IDEATE: The Undergraduate Journal of Sociology publishes the very best work produced by undergraduate students within the Sociology Department at the University of Essex.

This edition presents work across a wide range of topics, among them for example: the crisis of the penal system, aggression and altruism, Gramsci and the concept of hegemony, the application of Milgram and Zimbardo's work on conformity and obedience, crimes of state, queer masculinities and crime, Du Bois and 'double consciousness', De Beauvoir on women's oppression, African Americans and the criminal justice system, the Rwandan genocide, mental illness and the risk of violence.

All of the work published here has achieved a grade of 85%+ (1st year students), or 80%+ (2nd & 3rd year students). The only exception to this is for SC203 (Researching Social Life) data analysis assignments where the top assignments only are published.

We are pleased and proud to be able recognise our undergraduate achievement in this way.

Congratulations to all and best wishes,

The IDEATE Editorial Team

Contents

Second year essays

Grazia Tuscano: SC201 Continuity and Controversy in Sociology: Sociological Analysis

- [Theories of Totalitarianism in Modern Society](#)

Chloe Mason: SC204 Sociology of Crime and Control

- [A Critical Review of Feminist Criminology](#)

Lana April Fulcher: SC208 Quantitative Research on Social Stratification: Inequalities from Cradle to Grave

- [Do Universalistic Values Differ Between Norway and Spain?](#)

Olivia Schelin: SC213 Social Psychology

- [What is the Social Role of the Super-Ego?](#)

Holly Reader: SC204 Sociology of Crime and Control

- [Queering Criminology – A Critical Review](#)

Andrew Borne: SC213 Social Psychology

- [Nicole Curato suggests that we should critically challenge the idea that Marx, Durkheim and Weber are the ‘founding fathers’ of sociology. Do you agree with her? Why or why not?](#)

Kara Smith: SC291 Sociology of Sexualities

- [What is homonormativity and how has this concept contributed to sociology?](#)

Third year essays

Harriet Willett: SC304 Globalisation and Crime

- [Assessing the Main Challenges in Policing Crime Cross Borders in and Outside of Europe Today](#)

Joshua Hodkin: SC385 Models and Measurement in Quantitative Sociology

- [Confidence and Trust: Pillars of Modern Society? A Study of the Relation Between Political Trust, Social Trust and Education](#)

Lukrecija Balbieryte: SC386 Anthropology of Race and Racism in Latin America

- [Are Indians in Latin America Best Understood in Terms of Race, Class or Ethnicity?](#)

Alisha Kaur: SC304 Globalisation and Crime

- [Should We Criminalise Environmental Crimes and Environmental Harm such as Ecocide Internationally?](#)

Jordan Reynolds: SC362 Visual Cultures: The Social Meanings of Photography and Art

- [A Biography of a Photographer](#)

Lucy Sharp: SC304 Globalisation and Crime

[Should We Criminalise Environmental Crimes and Environmental Harm such as Ecocide Internationally?](#)

Saif Bodhee: SC382 Crime, Policy, And Social Justice

- [To What Extent Does Engagement With the Formal and Informal Justice System Exacerbate Problems of Social Exclusion and Social Death?](#)

Weronika Dolna: SC304 Globalisation and Crime

- [Should We Criminalise Environmental Crimes and Environmental Harm such as Eco-cide Internationally?](#)

Lauren Young: SC362 Visual Cultures: The Social Meanings of Photography and Art

[A Study of Richard Throssel and Native American Photography](#)

Yelaina McFarlane: SC385 Models and Measurement in Quantitative Sociology

[Report on the Relationship Between Gender and Attitude Towards Social Welfare](#)

Theories of Totalitarianism in Modern Society

Grazia Tuscano

Today, social theorists are still focused on understanding how atrocities such as the Holocaust can happen and how human beings are brought to such evil and violent actions. In order to grasp a better understanding of how such events emerge, one must first look at the base of their emergence: totalitarianism. Therefore, this essay attempts to define totalitarianism in social theory and explore the views of influential thinkers, like Hannah Arendt and Zygmunt Bauman, who continue to be sociologically relevant in today's social world. This essay will open with a definition of totalitarianism and how totalitarian movements function, including a brief historical overview of events linked to totalitarianism, such as Nazi Germany. The essay will also consider Arendt's ideas on totalitarianism, showing how her deeply influential work is still relevant in today's social theory. A special focus will be placed on Arendt's concept of the banality of evil that the author presents in her challenge to Adolf Eichmann (Arendt, 1964) and her specific understanding of total domination. The essay will also look at Polish-born sociologist Bauman and his views on the origins of the Holocaust, as well as understanding how his ideas differ from Arendt's theory, despite the major influence the German American has on Bauman's work. Finally, the essay will look at more current events by interpreting Arendt's ideas in the context of undocumented immigrants and their lives as stateless beings, particularly emphasising the author's concepts of total domination and rightlessness in a society where individuals are promised inalienable rights (Krause, 2008).

Totalitarianism and its historical background.

The 20th century did not only see the expansion of sociology as a discipline, but it also witnessed the emergence of specific forms of totalitarianism (Sackmann, 2016). This concept originally dates from the 1920s: Benito Mussolini coins the term 'totalitario' to define fascist Italy at the time, popularising the description of fascist and communist governments as totalitarian (Holmes, 2001).

Totalitarianism is a type of government that attempts to eliminate individual freedom by taking total control over a country's citizens' lives. It is the core of institutionalised obedience in which individuals are deprived of their moral judgment making. The citizens give complete subserviency to the state: they stop thinking for themselves, obeying and conforming without questioning morality. Totalitarianism is a system of united government which holds total authority over the mass, manipulating and controlling both the private and public realms of its citizens (McGowan, 2008). In contrast to democracies, there cannot be a pluralism of parties in totalitarian governments as both executive and legislative power is concentrated into one centralised source authority that has control over everything. It is essential to note the difference between authoritarian and totalitarian regimes: while authoritarian states place power into one single figure, the type of control is purely political. However, within a totalitarian state, the authority figure holds power over all aspects of the country, controlling science, education, art, private lives, resulting in the government's power being limitless. Following this definition, Nazi Germany under Hitler (from 1933 to 1945), the Communist Soviet Union under Stalin (from 1928 to 1953), Fascist Italy under Mussolini (from 1922 to 1943) as well as Spain under

Franco (1936 to 1975) would all be considered types of totalitarian regimes. A particular look must be given to Nazi Germany as it is the focus of many social studies that aim at understanding totalitarian regimes. The Nazi Party originated in 1919, and in 1920 it is led by Hitler, who directs the party to power in 1933 through electioneering and intimidation. Nazism affirmed its power through oppression, mass manipulation and an overflow of propaganda throughout cultural and informational media which was for the regime a device of terror with its pervasive police and atrocious concentration camps (Shirer, 1991). Therefore, it must be asked: how is it possible for such regimes to arise? Moreover, what are the role of the leaders as well as the masses in contributing to the emergence of totalitarianism? These are all questions that many social theorists, especially Hannah Arendt, have tried to answer.

Hannah Arendt (1906-1975) and her views on Totalitarianism.

Arendt is one of the most influential political thinkers of the 20th century. Born into a German-Jewish family, the theorist is deeply influenced by her experiences of the 20th-century atrocities, including the Holocaust, enabling her to introduce revolutionary concepts on totalitarianism to comprehend the mechanisation and acceptance of the genocide that German citizens witnessed in WWII. Her work specifically explores the nature of evil, intending to understand the factors that enable as well as how to shield from the human ability to administer violence on vulnerable populations. In one of Arendt's main works, *The Origins of Totalitarianism* (Arendt, 1951 [1973]), the author argues that Totalitarianism is a novel form of government that varies from other types of political repression, such as tyranny and dictatorship, because of its distinctive use of propaganda and its terror to destroy the possibility of human resistance. In her book, Arendt implies her understanding of the Nazi concentration camps as the ground for totalitarianism's most determined 'experiments' which, according to her, have one purpose: that is, to change human nature and turn human beings into beings without individual action (Villa, 2007). Today, one might think that the brutal racism and the genocidal activity are what was most on display in the camps. Nevertheless, for Arendt, these tendencies do not constitute the essence of totalitarianism: it is not the cruelty or the extermination; rather, it is the making of humans into dispensable and superfluous beings that Arendt defines as the 'radical evil' of Auschwitz (Arendt, 1973). From the author's perspective, the hatred and barbarity are secondary because there is something much darker and disturbing: total domination. Arendt sees 'total domination' as the attempt to reduce the infinite plurality of humanity into one single individual, that is, the effort to undermine the human capability to act as moral beings, preferring individual autonomy over individual action (Villa, 2007). In the last section of *The Origins of Totalitarianism* (Arendt, 1973), the author wants to show that concentration camps are the central institutions of totalitarian regimes. In other words, totalitarian domination tries to achieve the goal of fabricating a kind of human species through ideological indoctrination and extreme fear in the camps. As Arendt continues to explain in her book, the camps are not only meant to kill and degrade humans but also to eliminate, under controlled conditions, human spontaneity while creating a thing that cannot even be seen as animal (Villa, 2007).

Hanna Arendt's 'banality of evil'.

In 1963, the *New Yorker* magazine published a report of the trial of Adolf Eichmann, a criminal senior SS officer who helped supervise the mass deportation of Jews to concentration camps, by the German-Jewish thinker Arendt (Finder, 2016). The concept of 'banality of evil' is a central cause why this report still provokes so much controversy. The phrase alone holds a shocking power that compels one to stop, think and face the forms of evil in societies. (Bernstein, 2008). In the report 'Eichmann in Jerusalem' (Arendt, 1964), Arendt's discussion of 'banality of evil' becomes an icon in the debate surrounding Auschwitz and associated crimes. In short, the concept of the banality of evil focuses on the attention that is given to evil deeds committed by people even when they do not have evil intentions (Bernstein, 2008). The entire structure of the trial report on the banality of evil suggests a particularly distinctive connotation: Arendt presents an encoded textual ground for a recurring Jewish discourse, which is rendered even more acute by its linkage to the Holocaust. Arendt also particularly notes that Eichmann believed that the law found him innocent, despite his crimes during Nazi Germany. Arendt states that "except for an extraordinary diligence in looking out for his personal advancement, he had no motives at all [...] It was sheer thoughtlessness—something by no means identical with stupidity—that predisposed him to become one of the greatest criminals of that period [...] That such remoteness from reality and such thoughtlessness can wreak more havoc than all the evil instincts taken together [...]" (Arendt, 1964, pp. 287-288). By this, Arendt remarks Eichmann's lack of capacity for independent thought, but most importantly, the thinker highlights the main lesson of the banality of evil. An individual does not need to be a sadist, a savage or a dangerous person to commit evil acts (Bernstein, 2008). All normal people, good citizens, respectable public figures can commit horrendous actions. However, how Arendt specifies, being a good person does not lessen the accountability and responsibility of one's crimes. This way, Arendt wants to compel everyone to front the complex question about the meaning of evil in the modern world: the effortlessness with which human beings inflict violence and commit monstrous deeds. These are not issues that are strictly linked to the horrors of the Holocaust; they are still present in today's society, making Arendt's banality of evil an extremely relevant concept in the contemporary world.

Bauman and Arendt on the Holocaust.

Polish-born sociologist Zygmunt Bauman (1925-2017) is strongly influenced by Arendt's views, which can be seen especially in his understanding of the Holocaust and his work *Modernity and the Holocaust* (Bauman, 2000). Arendt is a frequent reference in Bauman's writings; however, there are dissimilarities in their work. Although both Arendt and Bauman draw on Weberian ideas of bureaucratisation to understand the Holocaust's origins, Arendt departs from its bureaucratic rationalisation theory (Bowring, 2011). Another difference is Arendt's belief that sentiments of compassion in civilised public life are more damaging than fruitful, meaning this relation is not a form of action. Arendt also argues that the moral self is not political because of unproductive compassion, but this moral conscience might become a source of political resistance during times of social crisis.

However, Bauman's critique of the conception of morality does not go as far as Arendt's (Bowring, 2011). There is also dissimilitude in their understanding of the Holocaust. While Arendt believes that the Holocaust was dependent on a strong centralised state and effectively managed bureaucratic system, Bauman believes that a strict division of labour with the rise of modernity are the essential conditions for carrying out the Holocaust (Waxman, 2009). In his work *Modernity and the Holocaust*, Bauman argues that the Holocaust is as much a product as it is a failure of modern civilisation as the civilisation process managed to substitute human spontaneity with artificial patterns. It is for this reason that such a scale of inhumanity and destruction are possible (Bauman, 2000). Both Arendt and Bauman demand that critical thinking can be a way out of evil as it is something that they reduce with morality (Waxman, 2009). They both try to show the decline of morality under modernity. Bauman uses this assumption to how cold rationality obscures morality, while Arendt believes that the criminals' lack of thought lays as the basis for her to name critical thinking as a remedy. (Waxman, 2009). Although they argue for more morality, can morality, in fact, disappear, causing a sense of moral culpability?

Total domination and stateless people today.

Arendt's work examines the nature of evil in modern life, arguing that total domination is a type of ongoing evil in today's society. Part of the process of total domination is the denial of the belief that human beings have inalienable rights, so it is the fear that individuals will be treated like a dehumanised outgroup. Therefore, according to Arendt, the goal of the tyrants is to deny individuals their inalienable rights, resulting in denying their humanity (Aharony, 2010). As Arendt says in her 1943 report, 'passports or birth certificates [...] are no longer formal papers but matters of social distinction' (Arendt, 1944, pp. 55-65). In her book *The Origins of Totalitarianism* (1973), Arendt describes how Jewish people were stripped of their identities and their rights, leading them to become rightless and stateless and resulting in the preliminary murder of 6 million Jews by the German government. Her words 'the right to have rights' still resonate today as more people proceed with their lives as *sans papiers*. Arendt recognises that stateless people are highly vulnerable because they lose their right to have rights. Today, with the institution of visa requirements for refugee-producing countries, obtaining political asylum has become almost impossible. For this reason, illegalised work migration is an increasingly frequent choice. However, the consequences find the undocumented immigrants living poorly in foreign countries, without the right to residence and without even being considered denizens. Arendt provides a shift in perspective, looking at 'illegal immigrants' as victims as well as important political actors who expose the contradiction of state-centred citizenship and the incorrect discourse of universal human rights (Krause, 2008). Arendt notes that being stateless means being an outlaw, as the stateless person is forced to continually transgress the law due to their lack of rights to residence and work, living in fear of the threat of deportation (Arendt, 1944). All *sans papiers* migrants share this condition of statelessness as the limit of their political existence in the state, affecting their quality of life. These *sans papiers* share the same rightlessness no matter their different living conditions, rendering them the most vulnerable to exploitation, such as dangerous work conditions, with long hours and low pay. This is the case in the United Kingdom, where it is not uncommon for cleaning services to hire irregular workers to then discharge them without the promised wage (Anderson, 1999). Another problem that affects rightless

people is their risk of deportation, and, even worse, is the detention camps prior to deportation itself. In the United Kingdom, pre-deportation in detention camps is not legally limited in time, causing enormous mental distress in detainees and putting them at risk of staff assaults as detention is ordered by the police (Detention Action, n.d.) Stateless individuals are the proof that elements of totalitarianism can be found in today's democratic governments as these sans papiers are denied their right to have rights, living under the subjugation of total domination (Krause, 2008).

It is essential for social theorists to understand the basis that enabled monstrous events like the Holocaust to happen and how totalitarian governments arise. This essay has defined totalitarianism's functions, a centralised power system that requires complete subservience to the government. This has been achieved through the uses of historical examples such as Nazi Germany and its use of terror and propaganda to gain and maintain control over its population. To better understand the functions and origins of totalitarianism and the Holocaust, the essay has paid particular attention to the political thinker and philosopher Hannah Arendt, who continues to be influential through her work in today's sociology. She sees totalitarianism as a form of government that exercises total domination over populations through propaganda and repression. Her work is still relevant today because, as she explains in her phrase 'banality of evil', anyone can commit horrendous deeds, but they must be held responsible for them even though they repute themselves a 'good person'. The essay has also briefly looked at Bauman's work on the Holocaust and his dissimilarities to Arendt. Finally, the essay has explored Arendt's work in a modern context, finding out that her ideas are still truly relevant in the contemporary world. Her take on stateless and rightless people is still an extremely recurrent topic, as an increasing number of undocumented migrants live in foreign countries in miserable conditions, having no right to have rights and living in the constant fear of being deported or taken to detention camps where there is no guarantee for physical and mental health. Arendt has given the basis for shielding from the human capacity of violent acts however, more research is needed to find solutions to the ongoing inequalities and atrocities that happen in seemingly totalitarian-like democracies.

References

Aharony M (2010) Hannah Arendt and the idea of total domination. *Holocaust and Genocide Studies*, 24(2), pp.193-224.

Anderson P (1999) From the wailing wall to the 'dignified juggler'. Making a living as an undocumented migrant in the United Kingdom. *Migration und Illegalität*. Edited by Eberhard Eichenhofer, IMIS-Schriften, pp.195-212.

Arendt H (1944) The Jew as pariah: a hidden tradition. *Jewish Social Studies*, pp.99-122.

Arendt H (1964) *Eichmann in Jerusalem*. Penguin.

Arendt H (1973) *The Origins of Totalitarianism* [1951]. New York.

- Bauman Z (2000) *Modernity and the Holocaust*. Cambridge: Polity.
- Bernstein R (2008) Are Arendt's Reflections on Evil Still Relevant? *The Review of Politics*, 70(1), 64-76.
- Bowring F (2011) 'Comparing Bauman and Arendt: Three Important Differences'. *Sociology*, 45(1), pp. 54–69.
- Detention Action (no date) <https://detentionaction.org.uk/> Accessed: 15 March 2021.
- Finder H (2016) *The New Yorker Book of the 60s: Story of a Decade*. Random House.
- Holmes L (2001) Totalitarianism. *International Encyclopedia of the Social and Behavioral Sciences*, pp. 15788-15791.
- Krause M (2008) 'Undocumented Migrants', *European Journal of Political Theory*, 7(3), pp. 331–348.
- McGowan J (2008) SUFFICIENT UNTO THE DAY: Reflections on Evil and Responsibility Prompted by Hannah Arendt and Kazuo Ishiguro. *Soundings: An Interdisciplinary Journal*, 91(3/4), 229-254.
- Parietti G (2017) Arendt on Power and Violence. In P. Baehr & P. Walsh (Eds.), *The Anthem Companion to Hannah Arendt* (pp. 197-220). Anthem Press.
- Sackmann R (2016) Democracy, Totalitarianism, and Dead Ends in Sociology. *Seren dipities*, 2, pp.158-177.
- Shirer W L (1991) *The rise and fall of the Third Reich: A history of Nazi Germany*. Random House.
- Villa D (2007). Genealogies of Total Domination: Arendt, Adorno, and Auschwitz. *New German Critique*, (100), 1-45.
- Waxman Z (2009) Thinking against evil? Hannah Arendt, Zygmunt Bauman, and the writing of the Holocaust. *History of European Ideas*, 35(1), pp.93-104.

[Return to CONTENTS](#)

A Critical Review of Feminist Criminology

Chloe Mason

This critical review will focus on the topic of 'Feminist Criminology'. By challenging the patriarchal sexism embedded in mainstream criminology, feminist scholars have significantly contributed to criminology's advancement and development. Furthermore, both the departmental lecture by Di Ronco (2020) and the key reading by Chesney-Lind and Chagnon (2016) explore how feminist criminology has impacted research and knowledge through the study of gender and intersectionality.

The emergence of feminist criminology sought to put women at the centre of criminological analysis due to women's general disregard in traditional theories of crime. It advocated for a political commitment to social change based upon the persisting inequalities concerning the social construction of gender (Di Ronco, 2020). Additionally, feminist criminology has explored how gender and other systems of oppression, such as race, sexuality and class, intersect within society to impact and shape people's lives (Potter, 2015). Feminists widely criticised traditional criminology theories due to an inherent male bias: where the focus of criminology was almost exclusively about the commission and criminalisation of crime by men (Carrabine et al., 2009). Feminist scholar Carol Smart (1976) criticised 'malestream' criminology based on how women's experiences had been fundamentally neglected and misrepresented in the study of crime and deviance. Pre 1960's criminology not only ignored women's experiences with offending and victimisation, but further represented women in stereotypical and sexist ways, shaped by a patriarchal view of society (Smart, 1976). Therefore, early explanations of female criminality were proved highly problematic for feminists. Pollak's (1950) theory, for instance, suggested women were capable of concealing their crimes due to their deceitful nature and were treated more leniently and given lighter sentences by the criminal justice system. This implies stereotypical assumptions that women should be passive and maternal, which resulted in women offenders being seen to have transgressed their fixed social and gender norms.

The feminist challenge to mainstream criminology has advanced the concept of gender as a social and relational construction beyond biological reductionism, rendering it an integral aspect of many criminological works since the 1960s (Di Ronco, 2020). Smart (1995) argued the law to be a 'gendering strategy' that represented stereotypical gender norms that underpinned the law and influenced sentencing in the past, suggesting: 'the law silences women and constructs them in accordance with the hegemonic masculinity upon which it is based' (1995: 195). The contribution of feminist thinking has, therefore, challenged the overt patriarchal sexism deeply rooted within criminology in an attempt to break down gender norm stereotypes embedded in traditional theory; whilst asserting that gender is a subjective lived experience within a context of patriarchy and power relations (Di Ronco, 2020).

The development of intersectional approaches – with more diverse and valuable perspectives within society and the academy - has further advanced criminology. Black feminist criminology considers all levels of societal impact to explain the experiences of women who suffer 'double and multiple marginality' (Chesney-Lind et al., 2016: 314). This is supported by Potter (2006), who emphasises black women offenders are marginalised because of their intersectional identity of gender, race, sexuality, class, and so forth, producing an important analytical framework within criminology. Chesney-Lind and Chagnon (2016), in their case study of privilege in the academy, examined gender and racial bias within criminology; it can be seen that Black and Minority Ethnic (BME) individuals are drastically under-represented and marginalised within the field of criminology, with black women arguably being doubly-disadvantaged compared to white women. For example, membership in the American Society of Criminology (ASC) revealed a relatively even gender split; however black women made up only 6.2% of membership compared to white women at 79.2% (Chesney-Lind et al., 2016). This research has shed light on the exclusion of the perspectives of non-whites whilst simultaneously finding a lack of ethnic and racial makeup within the field and BME people, especially women, being further denied proportionate amounts of power (Chesney-Lind et al., 2016). Therefore, whilst feminist criminology has taken huge strides in gaining inclusion and status for women, white men still dominate the major positions of power within the academy to a large extent (Chesney-Lind et al., 2016).

Feminist perspectives, as already discussed, have had an important impact regarding the inclusion of women within criminology. The Femicide Census (2021) signifies the urgent work which remains to be done to warrant the continuing relevance of feminist criminology. Every year, the Femicide Census produces a report of women killed by men in the UK which provides an important analysis of the patterns and trends requiring urgent attention to inform future strategies and policies aimed at reducing femicide (Al-Khalaf and Topping, 2020). The census indicates the importance of understanding the wider system of intersectional inequalities that contribute to the disproportionality faced by women at different levels (Femicide Census, 2021). For example, as indicated by the Femicide Census (2021), there is a disproportionate number of deaths of BME women - perhaps due to the presence of institutional barriers- which increase women's vulnerability and risk of femicide. The improvement of existing systems of research to include intersectional methodologies is essential to better understand patterns, responses to violence against women, and gaps in support for women across diverse communities. The Census further provides evidence for the urgency of further research in order to address and challenge sex inequality and the recognition of the socially constructed gender role stereotypes which maintain it (Femicide Census, 2021). Therefore, the continuation of the feminist legacy within criminology must ensure that women's experiences with crime and crime victimisation remain a central focus in contemporary society.

To conclude, this critical review offers an insight into the major contributions of feminist criminology and their criticism of 'malestream' theory, to suggest the issues of gender and intersectionality - brought into criminology by feminists- have become essential elements for assessing and understanding crime within modern research.

References

Al-Khalaf L and Topping A (2020) Over half of UK women killed by men die at hands of partner or ex. *The Guardian* 20 February. <https://www.theguardian.com/uk-news/2020/feb/20/over-half-of-uk-women-killed-by-men-die-hands-current-ex-partner>. Accessed: 8 January 2021

Chesney-Lind M and Chagnon N (2016) *Criminology, Gender, and Race. Feminist Criminology*. 11(4): 311-333.

Carrabine E, Cox P, Lee M, Plummer K and South N (2009) *Criminology: A sociological introduction*. 2nd edn. Oxon: Routledge.

Di Ronco A (2020) *Feminist Criminology*. Available at: <https://moodle.essex.ac.uk/course/view.php?id=5432>. Accessed: 8 January 2021.

Femicide Census (2021) [online] Available at: <https://www.femicidecensus.org/wp-content/uploads/2020/11/Femicide-Census-10-year-report.pdf>. Accessed: 8 January 2021.

Pollock O (1950) *The Criminality of Women*. Philadelphia: University of Pennsylvania Press.

Potter H (2006) An Argument for Black Feminist Criminology. *Feminist Criminology*. 1(2): 106-124.

Potter H (2015) *Intersectionality and Criminology*. Abingdon: Routledge.

Smart C (1976) *Women, Crime and Criminology*. Abingdon: Routledge.

Smart C (1995) *Law, Crime and Sexuality: Essays in Feminism*. London: Sage Publications.

[Return to CONTENTS](#)

Do Universalistic Values Differ Between Norway and Spain?

Lana April Fulcher

The subject that will be explored in this data analysis is universalism through the use of the survey question “To what extent do you feel a personal responsibility to try to reduce climate change?” (ccrdprs) from the European Social Survey (Round 8, 2016). According to Schwartz, universalism is the ‘understanding, appreciation, tolerance, and protection for the welfare of all people and for nature’ (2012: 7). Universalism suggests that individuals start to accept and correlate with universalistic values once they experience individual or group needs for survival. An example of such behaviour being that they may acknowledge that ‘failure to protect the natural environment will lead to the destruction of the resources on which life depends’ (Schwartz, 2012: 7). Subsequently, individuals may adjust their thoughts on protecting the environment and their own role within this protection. Resultantly, their universalistic values strengthen, and they may strive to do more to benefit the environment.

Consequently, I will be focusing on the extent to which individuals believe they have a responsibility to care for the environment and how this differs between Norway and Spain. This variable has two extreme possibilities, one being a strong universalistic attitude where an individual feels they have absolute responsibility for reducing climate change, and the other being an individual who does not have any universalistic values and feels they have no responsibility at all to reduce climate change.

I expect that countries will have a small difference in attitude, but overall, both will be universalistic.

Pooled Data

The data for this analysis uses a combined sample size of 3361. Norway makes up 1522 of the respondents and Spain 1839. The variable ccrdprs has answers ranging from 0- not at all, to 10- a great deal.

Table 1 presents the mean value for the variable ccrdprs as 6.08 meaning that across the two countries on average respondents corresponded with attitudes of indifference on whether it was their responsibility to reduce climate change. However, as the median value is 7, and the minimum value 0, the average attitude falls slightly towards feeling as though there is no personal responsibility to reduce climate change. A mode value of 7 further supports the sample average attitude of indifference as this was the most common answer choice.

With a 95 percent confidence interval for the mean, we would assume the mean of 6.08 has a 95 percent chance of falling between the lower bound of 5.99 and 6.16. However, a standard deviation of 2.5 suggests a wide spread of data.

Table 1

A Descriptives Table Showing Combined Responses for Norway and Spain to the Question 'To What Extent Do You Feel a Personal Responsibility to Reduce Climate Change?'

Variable	Mean	95% confidence interval for mean		Median	Mode	SD	Range
		Lower Bound	Upper Bound				
To what extent do you feel a personal responsibility to try to reduce climate change?	6.08	5.99	6.16	7	7	2.5	10

Figure 1 shows that the overall distribution of attitudes is slightly left skewed meaning that the majority of respondents tended to feel more so that they had a responsibility to reduce climate change.

The histogram also shows the minimum value to be 0 and the maximum to be 10, giving us the range represented in table 1.

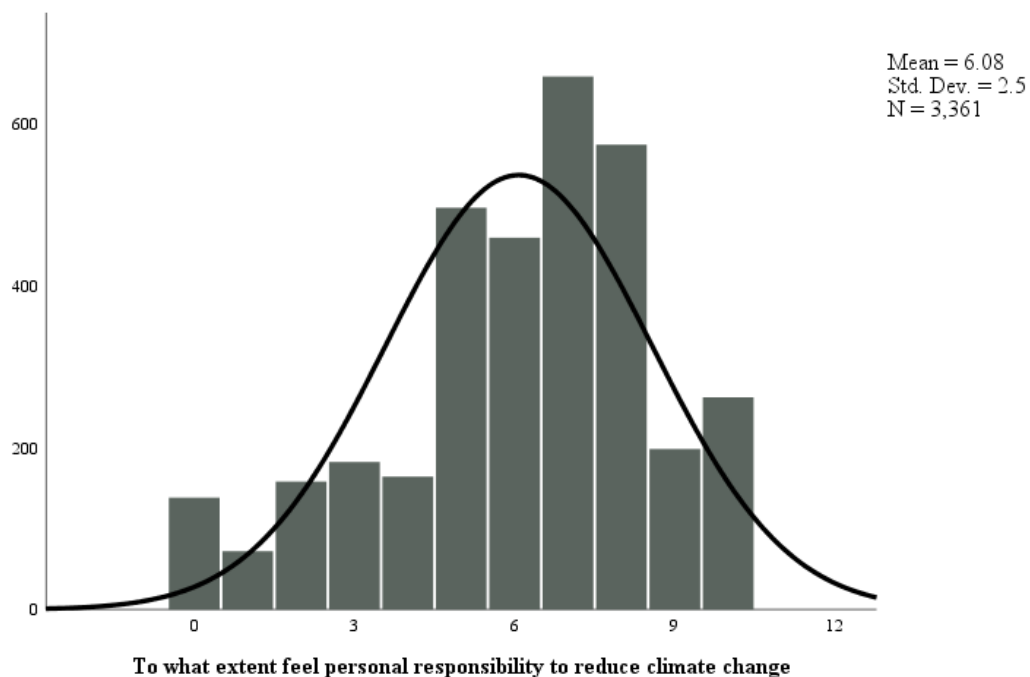


Figure 1. A histogram showing combined responses for Norway and Spain to the question 'To what extent do you feel a personal responsibility to try to reduce climate change?'

Individual Countries

Table 2 presents that Norway has a higher mean value of 6.25 compared to Spain's 5.94. Although this is only a small difference it indicates that on average individuals in Norway feel they have more of a responsibility to reduce climate change than those in Spain. The 95 percent confidence interval for the mean for Norway ranges from 6.13 to 6.36 and from 5.94 to 5.81 for Spain.

The median of 7 for Norway is slightly higher than Spain's 6 which suggests that Norway's data set has more values that represent responsibility to personally reduce climate change. However, both countries have a mode score of 7 suggesting that the most favoured response sides more with having a personal responsibility to reduce climate change. Thus, individuals in both countries show some level of universalism.

A standard deviation of 2.295 for Norway and 2.649 for Spain shows that the data for Spain is more widely distributed.

Table 2

A Descriptives Table Showing Responses to the Question 'To What Extent Do You Feel a Personal Responsibility to Reduce Climate Change?' By Country

Variable	Mean	95% confidence interval for mean		Median	Mode	SD	Range
		Lower Bound	Upper Bound				
		Norway					
To what extent do you feel a personal responsibility to try to reduce climate change?	6.25	6.13	6.36	7	7	2.295	10
		Spain					
To what extent do you feel a personal responsibility to try to reduce climate change?	5.94	5.81	6.06	6	7	2.649	10

When looking at figures 2 and 3, Norway's distribution is more skewed to the left than Spain's with Spain having a higher number of individuals responding with 0, 1, 2 and 3. Consequently, individuals in Spain were more likely to provide responses indicating low or no responsibility.

Figures 2 and 3 also show that Spain had around 150 individuals respond with the extreme '10' response compared to Norway's 100 respondents. With Spain having the most respondents for both extreme answers (0 and 10) it can be interpreted that Spain's distribution of answers is higher and does not have a consistent trend whereas Norway seems to follow more of a curved trend.

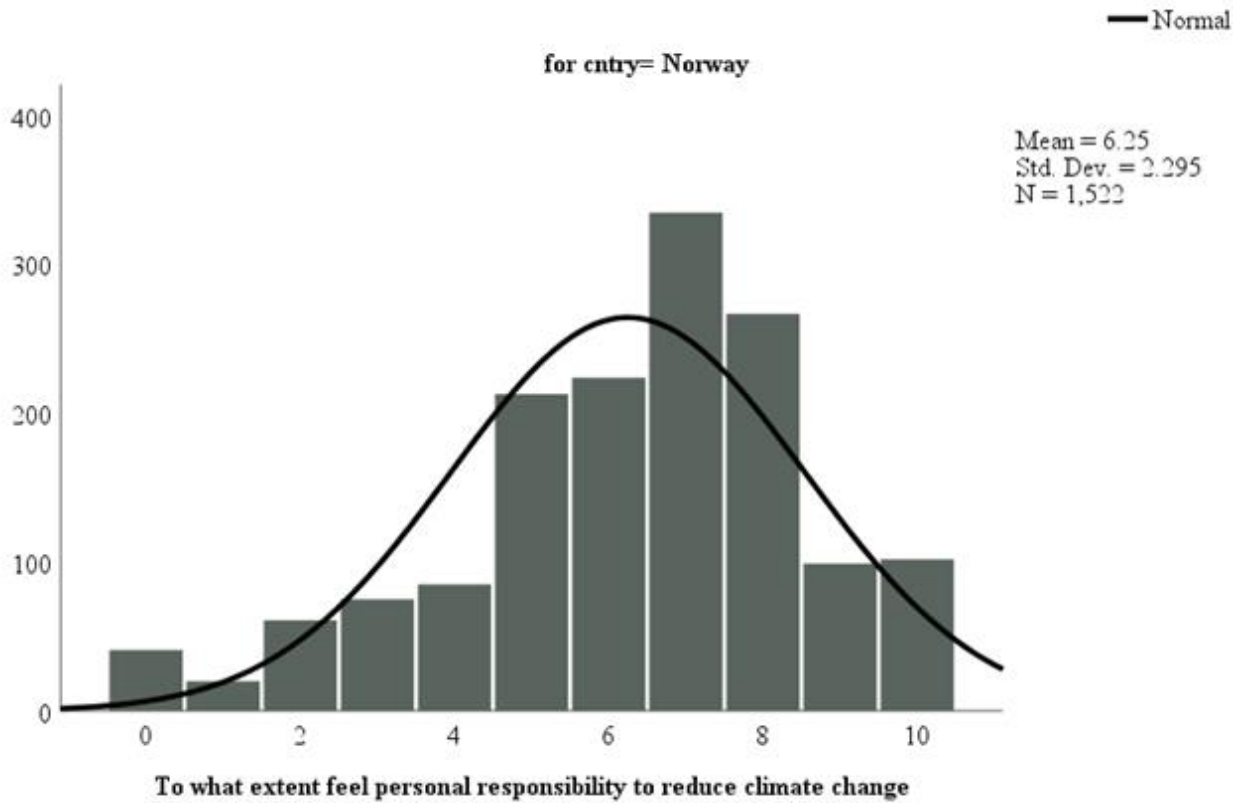


Figure 2. A histogram showing the results to the question “To what extent do you feel a personal responsibility to try to reduce climate change?” for Norway from the European Social Survey (Round 8, 2016).

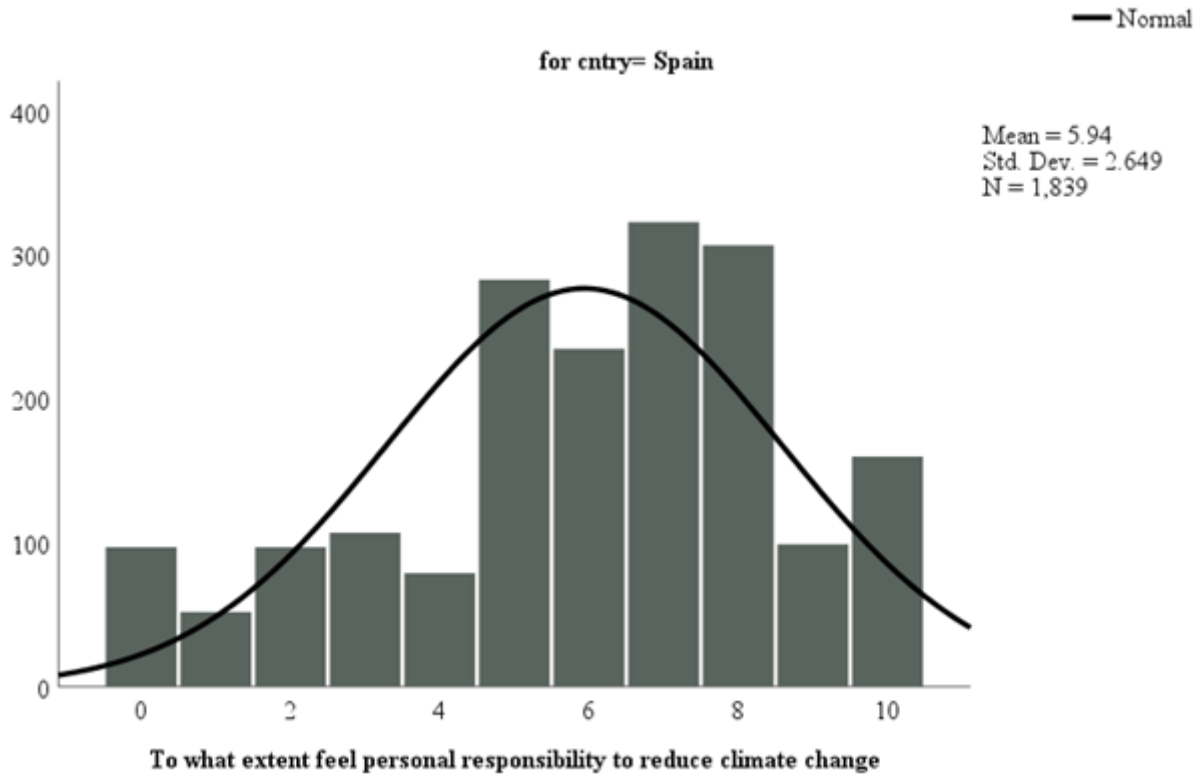


Figure 3. A histogram showing the results to the question “To what extent do you feel a personal responsibility to try to reduce climate change?” for Spain from the European Social Survey (Round 8, 2016).

T-Test Analysis

To identify whether the findings from the sample reflect the population I conducted an Independent T-test.

Null Hypothesis (H_0): There is no difference in levels of universalistic values between Norway and Spain.

Alternative hypothesis (H_a): There is a difference in levels of universalistic values between Norway and Spain.

For this test I will be assuming no equal variance between Norway and Spain as in the Levene’s test $p < 0.001$. Thus, $T(3351.975) = 3.684$, $p = < 0.001$.

Table 3 indicates the mean difference between Norway and Spain as 0.311 with the standard error of the mean difference being 0.085. Consequently, the t value = $0.311/0.085 = 3.648$. This t value is somewhat higher than 0 which tells us that Norway and Spain differ.

If the p-value <0.001 there is around 0 percent possibility that the results from the samples happened by chance. The p-value is below the alpha level of 0.05 so we reject the null hypothesis.

The 95 percent confidence interval of the mean difference tells us that we are 95 percent confident that the true mean lies between 0.144 and 0.478. The null value of 0.00 does not lie within this range so there is less than 5 percent probability that the null value is the true value. Thus, there is evidence to support that there is a significant difference between universalistic values between Norway and Spain.

Table 3

An Independent Samples Table Displaying the T-Test Results for Responses to the Question ‘To What Extent Do You Feel a Personal Responsibility to Reduce Climate Change?’ By Country

Variable		t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
							Lower	Upper
To what extent feel personal responsibility to reduce climate change	Equal variances not assumed	3.648	3351.975	0.000	0.311	0.085	0.144	0.478

In conclusion, we must reject the null hypothesis as the data from the t-test shows that there is a significant difference between the two populations. Resultantly, we can accept the alternative hypothesis of there being a difference in levels of universalistic values between Norway and Spain. This corresponds with the sample results showing that more individuals in Norway feel a personal responsibility to reduce climate change than those in Spain.

References

ESS Round 8: European Social Survey Round 8 Data (2016). Data file edition 2.2. NSD - Norwegian Centre for Research Data, Norway – Data Archive and distributor of ESS data for ESS ERIC. doi:10.21338/NSD-ESS8-2016.

Schwartz, S.H., 2012. An Overview of the Schwartz Theory of Basic Values. *Online Readings in Psychology and Culture*, 2(1). <https://scholarworks.gvsu.edu/cgi/viewcontent.cgi?article=1116&context=orpc> [Accessed December 3, 2020].

[Return to CONTENTS](#)

What is the Social Role of the Super-Ego?

Olivia Schelin

Freud (1926) described the mind in a psychoanalytic theory as working in a structural model that operates both conscious and unconscious in the mind. In fact, Freud explained that only a small part of our psyche is conscious and most of our mental processes, such as thinking and feeling, are processed in the unconscious. The structural model that Freud explained consists of three key components: the id, the ego, and the super-ego.

Freud (1926) explained that the id operates unconsciously and is a reflection of instincts and primarily needs. The id has no conflicts and the different urges in the id pursue their own purposes. The ego is a conscious process that lies between the id and the external reality. The ego mediates between the three components and acts on the reality principle, trying to satisfy the id in a realistic way. The last component, the super-ego, can be explained as an internal judge that watches over us and originates feelings of guilt (Frosh, 2012). Freud (1926) explains that the super-ego is a psychological organisation that confronts the ego. The super-ego operates to punish the ego and is the unconscious sense of guilt. The super-ego is developed through an internalization of different experiences that function as 'ego ideals' (Frosh, 2012). The super-ego aims for perfection standards and punishes misbehaviours in the form of guilt. This process is dependent on the outcome of a child's Oedipus complex. The Oedipus complex was described by Freud as the psychosexual development in which a child establishes an intergenerational transmission of gender norms and domestic structures and an entrance to societies rules of authority. It is additionally a process through which the child develops their super-ego. The idea of the Oedipus complex is that the child develops an internal agency, placed by the child's father. The child then identifies with their father, if he is a boy, or their mother, if she is a girl. The internal agency is an unconscious set of ideals that judges our behaviours and thoughts. The social role of the super-ego is the intergenerational learned rules and ideals. When the child interacts in society, they establish a learnt behaviour to follow societies structures and rules. The child is taught to obey societies laws and listen to authority figures that govern society. By learning and adapting from a parent, children establish their social roles in society. Parents teach their children what is right and wrong, and that reflects the child's super-ego. The internalization of this guidance then influences how the child perceives society. The super-ego is in constant contradiction with the id. The id is selfish and drives on main instincts, whereas the super-ego aims to act in socially applicable manners. People with a strong super-ego can be ruled by only acting on behalf of what the super-ego wants and therefore being strained out of guilt.

Concluding, Freud's idea of the id, the ego, and the super-ego forms an individual and their behaviours, emotions and feelings. The super-ego is the component in the structural model that is intergenerational, learned and adapted, making the existence of the super-ego dependent on social factors. The super-ego then helps us follow societies rules and ideals.

Reference list:

Freud S (1926) The question of lay analysis. In Freud & Strachey (eds) The standard edition of the complete psychological works of Sigmund Freud, volume XX (1925-1926): An autobiographical study, inhibitions, symptoms and anxiety, the question of lay analysis and other works. New York: Brentano, pp 177-258.

Frosh S (2012) A Brief Introduction to Psychoanalytic Theory. London: Palgrave Macmillan.

[Return to CONTENTS](#)

Queering Sociology – A Critical Review

Holly Reader

This critical review will focus on queering criminology; it will address queer theory, the criminalisation of homosexual acts and the future of queer criminology. By doing this, it will engage with the lecture material, seminar discussion and the key reading for this topic – ‘Reflections on the emergence, efficacy and value of queer criminology’ (Dalton, 2016). The contemporary relevance of this criminological perspective will also be discussed.

Queer theory, drawing from deconstructivism and post-structuralism, develops an oppositional stance to ‘the norm’, or standard theory, and is relevant to queer criminology. Initial work relating to this began with Foucault’s ideas, influencing other scholars, for example, Judith Butler, to write/research queer theory (Comstock, 2020). Foucault’s idea looked closer at gender binary within society. This is a social classification people believe in which male and female are the only identifiable genders. Furthermore the gender binary states that people are the biological sex they are assigned at birth and should conform to gender-defined societal roles for instance, females being feminine, and males being masculine (Harmon, 2020). Many people do not fit into these categories and/or conform to specific societal roles which is a problem in day-to-day activities such as going to the bathroom (Comstock, 2020). The lecture covers queer criminology and how it deconstructs and disrupts societal norms regulating gender and sexuality. These are highlighted in Rubin’s ‘charmed circle’ of sexuality: good, natural sexuality is ideally heterosexual, monogamous, coupled, whereas bad, unnatural sexuality is homosexual, alone or in groups (Rubin, 1992). This is interesting because it shows the political stance of sexuality and how society encourages and accepts individuals fitting these categories and punishes others.

The key reading by Derek Dalton, 2016, argues criminology is not as receptive to queer research as it could be. The reading touches on Groombridge’s observation when looking at the relationship between queer theory and criminology; this observation shows queer theory exposes heterosexism (Groombridge, 2012) when applied to criminal justice and activity (Dalton, 2016). Queer perspectives later presented, challenged mainstream perspectives such as feminism. Criminological knowledge had been used to regulate queer lives, over many years, in unjust ways, for instance, queer people were considered sexually deviant for a long period of time (Ball, 2014). Groombridge’s description of the relationship between homosexuality and criminology is interesting because he stated homosexuality has haunted criminology (Groombridge, 2012). The word ‘haunt’ suggests homosexuality caused criminology repeated suffering (Cambridge Dictionary, 2021). People might think this because, for example, incarcerated offenders that are transgender/gender-nonconforming may be put in wrong gender prisons. This happens because many prisons segregate offenders by sex assigned at birth. Therefore, incarceration settings may not collect data regarding offenders’ gender identity (Bromdal, et al., 2019). From the Dalton, 2016, reading, I learnt queer issues were first brought to criminology in the early to mid-1990s. Stephen Tomsen and Gail Mason were amongst the first criminologists to do this.

Earlier queer criminology, especially in Australia, focused on violence, policing issues and heterosexist language installed by law (Dalton, 2016). These queer criminologists and their work gave voice to queer communities which had previously been silenced. Before this, queer community's experiences were neglected by mainstream criminology. Much early work within queering criminology is similar to how feminist crime issues were brought to light as both made criminologists aware of the battles some people, such as the LGBT+ community, face when fighting for criminal justice (Dalton, 2016). Homosexuality is seen, in criminology, as sodomy, therefore marked as a criminal act (Dalton, 2016). Queer criminology has been dismissed and ignored for years in mainstream criminology (Dalton, 2016). While reading the text, I thought this could be because it challenges usual deviance that criminology looks at; this idea links back to the lecture where it states queer criminology criticises 'straight criminology'. Another reason this could be is, much criminological work has/had identified homosexuality as a failed socialisation and deviant this means it has been ignored along with sex diversity.

The seminar discussion included the Tea Room Trade (Humphreys, 1975). This study had ethical issues within queer criminology, for example, participants did not give consent to the research. The future of queer criminology was discussed in the seminar; we talked about how, previously overlooked, queer criminology has more of an impact now, therefore if this keeps increasing like it has, the future of queer criminology is positive. This increasing relevance of queer criminology could lead to more research in the future. The most interesting part of the seminar was when we spoke about the Kray twins. The twins were known for their involvement in different large scale crimes such as armed robbery and murder (Pearson, 1995). This discussion led me to research the twins further to find out more about them. From this I learnt Ronnie, an openly gay man, was sent to a psychiatric wing of Winchester Gaol Prison whereas Reggie was incarcerated in Maidstone Prison (Pearson, 1995). I also learnt, it wasn't until the early 1960s that homosexual acts between consenting adults began to be decriminalised; this means that anyone hoping to have an openly gay relationship and a career had issue. I found King George V's reaction to Lord Beauchamp when he was caught in bed with another man interesting; he said he 'thought men shot themselves for that sort of thing' (Pearson, 2011, p. 99)

Past queer criminology studies are relevant now and therefore able to help us understand recent and future queer criminological issues. Queer criminology has contemporary relevance for example, researching policies towards LGBT prisoners, especially transgender people that are incarcerated, and identifying them as a group with distinct needs. These prisoners are susceptible to abuse particularly in a prison setting (Carr, et al., 2020). Queer criminology also has contemporary relevance when representing diversity of queer communities; this includes victims, offenders, citizens and some criminal justice professionals. A misconception of queer criminology is it only focuses on issues related to gender identity/sexual orientation however, it can include other forms of non-normativity (Walker & Panfil, 2017).

In conclusion, from the lecture, the seminar discussion, reading and further reading of this topic, I learnt that queer criminology has had a big impact on the queer community and on criminology as a whole however, there is still a long way to go. This means that queer criminology still has contemporary relevance within society today and within criminology.

References

Ball, M., 2014. What's Queer About Queer Criminology. In: D. Peterson & V. R. Panfil, eds. *Handbook of LGBT Communities, Crime and Justice*. New York: Springer, pp. 531-555.

Bromdal, A. et al., 2019. Whole-incarceration-setting approaches to supporting and upholding the rights and health of incarcerated transgender people. *International Journal of Transgenderism*, 20(4), pp. 341-350.

Cambridge Dictionary, 2021. *Meaning of haunt in English*. [Online] Available at: <https://dictionary.cambridge.org/dictionary/english/haunt> [Accessed 2 January 2021].

Carr, N., Serisier, T. & McAlister, S., 2020. Sexual deviance in prison: Queering identity and intimacy in prison research. *Criminology and Criminal Justice*, 20(5), pp. 551-563.

Comstock, N. W., 2020. *Queer Theory*. New York: Grey House Publishing.

Dalton, D., 2016. Reflections on the emergence, efficacy and value of queer criminology. In: A. Dwyer, M. Ball & T. Crofts, eds. *Queering Criminology*. Basingstoke: Palgrave Macmillan, pp. 15-35.

Hackler, J., 1971. Tea Room Trade: Impersonal Sex in Public Places, Laud Humphreys. *Journal of Research in Crime and Delinquency*, 8(1), pp. 119-121.

Harmon, A., 2020. *Gender Binary*. New York: Grey House Publishing.

Pearson, J., 1995. *The Profession of Violence: The Rise and Fall of the Kray Twins*. 4th ed. London: HarperCollins.

Pearson, J., 2011. *Notorious: The Immortal Legend of the Kray Twins*. London: Arrow Books.

Rubin, G., 1992. Thinking Sex: Notes for a Radical Theory or the Politics of Sexuality. In: C. S.

Vance, ed. *Pleasure and Danger: Exploring Female Sexuality*. London: Pandora, pp. 267-293.

Walker, A. & Panfil, V. R., 2017. Minor Attraction: A Queer Criminological Issue. *Critical Criminology*, 25(1), pp. 37-53.

[Return to CONTENTS](#)

Nicole Curato suggests that we should critically challenge the idea that Marx, Durkheim and Weber are the ‘founding fathers’ of sociology. Do you agree with her? Why or why not?

Andrew Bourne

Introduction

This essay will discuss Nicole Curato’s concept of challenging Marx, Durkheim and Weber as the ‘founding fathers’ of Sociology, relating this to ideas drawn from Lisa Lowe’s book ‘The intimacies of four continents (2015)’ as well as other pertinent readings. Through reading Lowe’s book I have gained much greater insight into the inequality, divergence and discrimination which occurred during the time of colonialism; of which seems to be neglected within the modern educational system of Britain, failing to provide a true account of the colonial period, in hopes of ignoring their embarrassment and shame for their malevolent acts of violence and conquering. As well as this insight, I have also gained invaluable knowledge into the world of slavery and how such an obscene concept of inequitable treatment can be rationalized through liberalism and teleology, something which was previously incomprehensible to me. As well as the compelling accounts of colonialism brought into light by Lowe, this assignment will first discuss the works of Marx, Weber and Durkheim for a rich understanding of their work; so their ideas are able to be truly and fairly challenged by those who may merit greater acknowledgement, who may have been overshadowed by such founding fathers due to their position of power through privilege. Finally, although understanding the significance of their work, this essay will conclude that the ‘founding fathers’ of sociology do, in fact, deserve to be challenged and whether or not ‘founding fathers’ should be so influential within any form of institution.

For us to challenge the works of Marx, Durkheim and Weber we must first understand their works and how they relate to the colonialism described in Lowe’s book. We will start with the most predominant of the sociological thinkers: Karl Marx. Marxism focuses on the power struggle between the working class and capitalists, and how this relationship is underlined with exploitation of the labour force (Stones, 2008). From this basic principle, we can already see links to colonialism in exploitation and how those who are considered dominant (in this case primarily through force) abuse their power. At the heart of Marxism, we are able to see the concept of ‘commodity fetishism’, which Lowe directly brings attention to within chapter 3 (Lowe, 2015, p. 83). This ‘fetishism of commodities’ suggests that consumers believe that a product is worth its exchange value, opposed to its utility value and the labour put into it, leading to a devaluation of the workforce (Stones, 2008). Lowe gives credit to Marx’s work in grasping the importance of the labour power in creating value, but also identifies how this concept presumes particular forms of production, not those gruelling conditions of violation perceived in colonial labour and trade (Lowe, 2015). At the beginning of chapter 3 Lowe introduces C.L.R James, a West Indian intellectual, who has read Thackeray’s novel and how he exclaims ‘Thackeray, not Marx, bears the heaviest responsibility for me’ (James, cited in Lowe, 2015) in how the events of colonialism could be described and explained. Moreover, Lowe also

goes on to explain how William Thackeray's novel 'Vanity Fair', illustrates the problem of global commodity fetishism and how, despite the transparent devaluing of the Indian workforce, elitists would ignore the colonial Indian exploitation and acts as a much more 'real' explanation of the concept (Lowe, 2015). From Marx's neglect of colonial exploitation, we are able to see evidence of one of Curato's criticisms on the canon's being that they have weak accounts of colonialism, creating limited conception within the modern day, and instead are 'drawing lines of demarcation rather than making connections across (...) societies' (Curato, 2013, p. 272) and are, in term, failing to be universal and further drawing on the views of white, bourgeois men (Curato, 2013). The Marxist component of teleology is also identified within chapter 5 of Lowe's book when investigating Hegel and Marx. Teleology, within the context of colonialism, could be seen as a way slavery and settler colonial dominance was rationalised as a teleological view explains actions from the outcome. Lowe heavily criticised this 'teleological investment' as it 'continues to reconcile subjects to the violence of universal subsuming particulars' (Lowe, 2015, p. 147) whilst denying this harm being done due to their privileged position. Furthermore, Cedric Robinson, observed in *Black Marxism* (1983) explains that Marxism itself is a 'Western construction' (Robinson, cited in Lowe, 2015, p. 149), and explains the term 'racial capitalism'; how expansion and ideology of capitalist society is expressed through racial subjugation and difference, which can be illustrated from settler colonialism and the racial discrimination provided in Lowe's reading (Lowe, 2015). Lowe also explains that this term encompasses the existing capitalism of that time, with the socially constructed differences of race, gender and nationality skewing beliefs of the 'true' concepts (Lowe, 2015), further providing evidence for challenging the so-called 'founding fathers'. However, Marx's work can also be applied to how the colonies became, outlined in Lowe's book. As Britain's settler colonialism occurred on a global scale there was heavy regulation amongst the workers and slaves and, as Marx would suggest, would prevent 'intimacies' between the colonized or unionization and revolt against the British settler colonialism; seen in the Haiti revolution (Lowe, 2015).

The following founding father I will be discussing is Emile Durkheim. Durkheim developed various theories including functionalism, the division of labour and, most importantly, collective consciousness (Emirbayer, 2003). The concept of the division of labour developed by Durkheim explains how tasks within the manufacturing process are split up or divided between individuals so they have specialized tasks for efficiency and how this evolution of manufacturing is necessary and inevitable for society to improve and become one with organic solidarity (Emirbayer, 2003). This solidarity essentially leads to a collective conscious, as all individuals within a society rely upon one another and a consciousness is shared (Emirbayer, 2003). However, from the colonialism Lowe illustrated we can see how organic solidarity is not always the perfect outcome. Within slavery, it is common knowledge of the inequality between slave master and slave, with the former exploiting the latter and although the slaves rely on payment from their masters, and masters on the slave labour, there is still a great inequality within the system. Moreover, Durkheim's idea on collective consciousness can be applied to the slave owners encapsulated within Lowe's book. For instance, there is the continual devaluation of slaves throughout the book, from the start of settler colonialism the British would assert their dominance over those they conquered, especially within India and Africa; as well as in the system of 'violence, violation and dehumanisation' (Lowe, 2015), which we call slavery. This collective consciousness and idea of superiority was apparent within the

slave owners, as well as many British people during the eighteenth to nineteenth century, which was used to rationalize their horrific acts undertaken. However, it was also evident how this collective consciousness shifted by a number of influential figures during the end of the colonial period: one of which being a key, yet overshadowed figure: Olaudah Equiano. Equiano was an invaluable individual who Lowe draws attention to within her book, who is usually outshunned by white campaigners such as William Wilberforce, is also an incredible individual I had never heard of. Equiano was a man of colour that was never truly accepted into British culture due to his collar-bound background, despite buying his own freedom and assimilating within society, showing the white-supremacist attitudes of the time. Moreover, it is also the case that – within the modern day – few people learn or even know of Equiano, perpetuating how the dominance of whites is ingrained within our history, where we like it or not; especially when compared to the well-known Wilberforce. On multiple occasions Lowe references Equiano's work 'The Interesting Narrative of the Life of Olaudah Equiano' (1789) where he spoke of the gruelling and barbaric conditions he was put through during slavery. Lowe also continues to explain how within Wilberforce's 1789 speech on the abolition of slavery he directly turns to Equiano's autobiography as evidence towards the captivating life of slaves and, more importantly, how they were human; with their own thoughts, intellect and creativity and were, in fact, not too different from the average British Victorian. From the works of Equiano, put forward by Wilberforce, we were able to see how the collective consciousness slowly changed, through the legislative enforcement of the Slave Trade Act of 1807 and by the following the Slavery Abolition Act of 1833. Through this example of a shift in collective consciousness we have seen the importance of Equiano and, despite this importance, he was not deemed worthy by Marx, Weber or even Durkheim, which could explain why very few people know of his vital work. The fact clearly supports Curato's argument for challenging the 'founding fathers' as it proves that their works are truly incomplete and based off their own skewed perception.

The final 'founding father' of sociology this essay will discuss is Max Weber, studying his protestant ideals. To understand these beliefs, I delved into one of his most renowned literatures, 'The Protestant Ethic and the Spirit of Capitalism' (1930) where he discusses the relationship between religion and capitalism. Within his work Weber explains how religion can be seen as a driving force behind a capitalist ideology, through Protestantism proving a worldly calling and those who follow the religion wish to pursue profit through a modern 'spirit' (Weber, 2001). Moreover, he also discusses Calvinists approach of 'predestination', where God has already determined who is 'saved' and 'damned', with those who are saved being superior (Weber, 2001). His book further investigates Richard Baxter, a puritan writer who moved away from pure Calvinism. Baxter thanked God as being born in England, for he believed that he was a 'saved' by being birthed a white-skinned Briton; the most important factor being the wealth of England itself (Weber, 2001, p. 103). From this belief we are able to discern how, through religious attitudes, slave owners can rationalize their superiority over foreign men of colour, who could be considered 'damned' already, so exploitation would not be unjust and, instead, be their predetermined birth right. Writing concurrently with Weber was American Sociologist W.E.B Du Bois, whose anti-slavery attitudes were pronounced throughout Lowe's book. We can see, during the time of Weber's peak, Du Bois was unheard of in comparison. Whilst the white-privileged Weber looked into the relation between capitalism and religion, Du Bois lived in a continent of segregation and discrimination, with roots caused by settler colonialism

and capitalism, living in a world where he still campaigned for the emancipation of all people of colour (Lowe, 2015) without the world even knowing. Similar to William Wilberforce and Equiano we can observe how the privileged, white figure is much more accepted than the figure of colour by society at the time due to the racial relations and hierarchy which existed and encompassed the Western world, including the 'founding fathers'. Max Weber himself was also considered an imperialist (Zimmerman, 2006), with this ideology shaping his sociological work, and so agrees with the horrific African slavery and worldwide exploitation; making me hope Weber was truly ignorant from his position and not a supporter of what truly happened. It should be noted that imperialism itself is a key concept echoed throughout Lowe's book, taking little thought to understand why. Imperialism is at the heart of colonialism, being a belief of conquer and colonization and is at the root of Britain's settler colonialism and everything related.

Conclusion

Overall, from understanding concepts from the 'founding fathers' we are able to see holes within their theories as well as their character. Reading Lowe's book has given me a greater insight into not only colonialism, but also existing white supremacy which skews colonial history and how it is usually told from the perspective of the white, bourgeoisie, thinkers as opposed to those of colour, who, in my opinion, would have much more prestige and intuition into the ruthless hardships of the colonial era. A key individual I am of course referring to would be Equiano, someone very few people have heard of – myself included prior to reading Lowe's work. This idea of racial division or segregation can be paralleled to those of Marx, Durkheim and Weber; how all three are privileged, white men which perpetuates how this division is ingrained not only within colonialism, but our history and society itself. From this reason, we can see transparent evidence for one of Curato's challenges against the 'founding fathers', that their existence and status as men of privilege hinders their perception on reality, preventing their concept and ideas to truly be universal, which they are usually credited on. Curato also suggests that this lack of universalism can be a detrimental issue when understanding global modernity and what relations between continents were prior to the modern day, calling for a 'de-canonisation' for us to focus on difference works for a greater understanding of society. Personally, I do believe the 'founding fathers' deserve to be challenged, and the focus on their glorified work should be reduced. I do not wish to completely discredit them for their theories and propositions are invaluable to sociology but, especially after reading Lowe's work on colonialism, there are hidden figures with more insightful perspectives perhaps in every field of sociology, and perhaps every field of science itself.

For this assignment we were asked to form book clubs with other second year sociology students, discussing certain aspects of the book within several meetings. At first, I did not truly understand the reasoning behind it as each of us was basically doing the same thing. Since the beginning of reading Lowe's book my opinion has changed. The book clubs were vital for me in understanding certain, complex points Lowe put forwards, even more so on a subject (colonialism) which I have never really been enlightened in. Not only was my understanding of topic clearer, but various perspectives of Lowe's book gave me even greater insight into this assignment and gave me a greater interest into the reading. During our meeting we mainly agreed on points, and discussion consisted of us explain our perspectives of terms between one-another. I was in the fortunate position of having a

foreign student as part of my group, who also explained that they had little insight into the world of true colonialism after reading Lowe's book, which also gave me the impression that Britain is not the only country to shun colonialism in its educational system and that it may be the complete western world. Moreover, the reading itself has helped me understand concepts and material presented in lectures of the SC201 module, as well as vice versa; though Lowe's work was in some places a difficult read due to the terminology and way of writing she uses, I still found it fascinating to see the real side of colonialism.

References:

Curato, N. (2013) A Sociological Reading of Classical Sociological Theory. *Philippine Sociological Review*, 61(2), pp.265-287.

Emirbayer, M. (2003) *Emile Durkheim: Sociologist of Modernity*. Malden: Blackwell.

Equiano, O. (1789) *The Interesting Narrative of the Life of Olaudah Equiano*. Peterborough: Broadview Press

Robinson, C. (1983) *Black Marxism*. North Carolina: University of North Carolina Press.

Lowe, L. (2015) *The Intimacies of Four Continents*. London: Duke University Press.

Stones, R. (2008) *Key Sociological Thinkers*. 2nd ed. Basingstoke: Macmillan Education.

Weber, M. (2001). *The protestant ethic and the spirit of capitalism*. London: Routledge

Zimmerman, A. (2006) Decolonizing Weber. *Postcolonial Studies*, 9(1), pp. 53-79.

[Return to CONTENTS](#)

What is homonormativity and how has this concept contributed to sociology?

Kara Smith

In *Thinking Beyond Homonormativity: Performative Explorations of Diverse Gay Economies*, Gavin Brown highlighted that the concept of homonormativity was initially discussed by Duggan in 2002. She claimed that homonormativity reflects a political stance which does not challenge heterosexual norms and instead attempts to depoliticise gay culture, whilst passing it off as a form of liberation (Brown, 2009). Through this process, a number of LGBTQ+ individuals have found themselves become somewhat respected citizens within contemporary society. This respect is a direct consequence of such individuals conforming to heteronormative societal standards and denying their sexual identities the prospect of escaping the private domestic sphere. While it is easy to assume that homonormativity is a positive concept in terms of LGBTQ+ rights, there are a considerable number of factors which should be acknowledged. This is because, there is no homogenous lived experience of being LGBTQ+ and, therefore, positioning homosexuality as a simple alternative to heterosexuality neglects the negative roles of homophobia and heterosexism in the formation of such identities (Walters, 2014). Hence, in order to understand how homonormativity has contributed to the sociology of sexualities, it should be discussed how such concept impacts the lives of the LGBTQ+ community in a plethora of ways.

In understanding homonormativity, Gavin Brown stated that the nature of gay politics has been reconfigured from the aspiration of achieving sexual liberation and, instead, strives for full and equal citizenship (Brown, 2009). While this, at a first glance, does not appear to be a negative change, Suzanna Danuta Walters argued that 'tolerance traps gays in a different kind of closet' (Walters, 2014: 78). This means that, by treating homosexuality as a symmetrical opposite to heterosexuality, there is a level of assimilation enforced under the guise of tolerance. Therefore, in order to express how homonormativity functions within sociology, it should be understood how it acts in response to the heteronormative society it exists in.

In *Heteronormativity and Homonormativity as Practical and Moral Resources*, Dana Rosenfeld identified that heteronormativity is a means of organising a structured social order and that it not only exists as a means of organisation, but it is the organised norm in itself (Rosenfeld, 2009). This means that the concept of heteronormativity produces heterosexuality as being understood as the natural and normal form of sexuality within society (Rosenfeld, 2009). It is through the standards of heteronormative society that some LGBTQ+ individuals find themselves conforming to these ideals under the justification of homonormativity. Courtenay W. Daum claimed that there is an assumption that all individuals, regardless of sexual orientation, aspire to having a monogamous marriage (Daum, 2019). This suggests that homonormativity functions to promote the acceptance of LGBTQ+ individuals who aspire to this heteronormative social standard. However, it should be noted that 'the pursuit of marriage equality privileges in the interests of elites within the LGBTQ community' (Daum, 2019: 121). This is because, one's social strata can determine the extent by which it is safe for a person to get married to someone of the same gender. Due to the fact that, there are certain risks involved with engaging in such

relationship within a heteronormative society. For example, the legal institution of marriage could result in gay couples being discriminated against by landlords or employers. Which could, in turn, lead to poverty and homelessness for individuals in the community who do not inherit class privileges (Daum, 2019). Hence, for some members of the LGBTQ+ community, assimilation under the homonormative promise of tolerance and acceptance is simply not viable due to other factors of social standing. Therefore, homonormativity allows those who study sexualities to acknowledge the intersections between class and sexuality.

Furthermore, Dana Rosenfeld highlighted that homonormativity prompts certain LGBTQ+ individuals to 'pass' as heterosexual (Rosenfeld, 2009). This in turn causes a sense of fragmentation within LGBTQ+ circles, as the stance of homonormativity suggests that those whom 'flaunt' their sexuality threaten the fragile balance that homonormative homosexuals have achieved between their personal lives and heteronormative dimensions (Rosenfeld, 2009). While this divide might present those, who do not submit to homonormativity as being a threat to equal rights, it should be noted that such individuals serve an important role within the movement. Hannah Dee accentuated that 'being or acting queer was seen as a political challenge to oppression in itself' (Dee, 2010: 131). This is because, due to the incredibly poor handling of the AIDS crisis by the UK government, many LGBTQ+ people saw civil disobedience as the most effective challenge to the system of exploitation and oppression that heterosexism created (Dee, 2010). Therefore, it is important to understand that the politics of visibility for marginalised sexualities stem from a position of challenging an oppressive system. Although Hannah Dee also expressed that 'by creating scandal around gay people's sexuality it undoubtedly made it harder for many people to come out' (Dee, 2010: 132). Hence, homonormativity allows those studying sexuality to discuss both the positive and negative connotations of homonormative assimilation and politicised queer resistance. In the sense that, both stances have led to progression and repression within the movement.

Despite the fact that those who present an open and politicised gay identity can be viewed as jeopardising the rights of homonormative gay people. It should be understood that, in *Thinking Beyond Homonormativity*, Gavin Brown accentuated that Richardson (2005) claimed that as some LGBTQ+ people becoming acceptably visible in society, others experience further marginalisation as a direct consequence of homonormativity (Brown, 2009). This is because, when the attraction one experiences towards the same gender is reduced to a minor aspect of the self, it neglects the history of the LGBTQ+ community and the inherent struggles which are still faced by many (Walters, 2014). This means that, by presenting those who conform to heteronormative standards as being worthy as being worthy of acceptance; those who face the greatest marginalisation, due to experiencing struggles that do not fit this normalised narrative, continue to be exploited by the oppressive system. Suzanna Danuta Walters highlighted that until compulsory heterosexuality and the assumption that heterosexuality is the norm are fundamentally changed in society, being anything but heterosexual will always be present in the culture and politics of LGBTQ+ identity (Walters, 2014). Hence, despite homonormativity being portrayed as a positive outcome for LGBTQ+ rights, it fails to acknowledge the inherent politics involved in such identities. As well as the fact that, all individuals in the community, regardless of how they present themselves, should be worthy of societal acceptance and respect.

In discussing the political aspects of homonormativity, it should be noted that the concept maintains a strong relationship with neoliberalism. In *Homonormativity or Queer Disidentification*, Ruby Grant claimed that 'neoliberalism is a key factor in influencing these shifts from collective, politicised sexual identities towards their more specific individualised identifications' (Grant, 2019: 593). This means that neoliberal policies produce some forms of sexual identity and certain sexual cultures can intervene in neoliberal ideologies (Grant, 2019). Furthermore, neoliberalism functions as a politically neutral stance, which in turn places LGBTQ+ people in a position of either oppression or repression. Due to both conformity and resistance being painted as a negative outcome for such identities. Danuta Walters claimed that 'Being 'too out' (too noticeably, markedly, queer) has long been the display of self that even liberal allies cannot tolerate' (Walters, 2014: 78). This means that homonormativity is enforced under neoliberalism as their political neutrality fails to respect those who favour visibility over conformity to heteronormative ideals.

Although, despite the intervention of the neoliberal politics of homonormativity, there is a neutral middle ground between assimilation and the opposition of hegemonic identity structures (Grant, 2019). Grant referred to this concept as disidentification. She claimed that disidentification is strategic, in the sense that, it avoids labels in favour of ambiguity and argues that, by forming a neutral stance, LGBTQ+ people can re-define their own sense of normality in avoiding identity-based discrimination (Grant, 2019). However, despite it supposedly a middle ground between heteronormative structure that homonormativity justifies and the highly visible politicised resistance of the LGBTQ+ community, it should be noted that disidentification still conforms to neoliberal politics. This is because, political neutrality commonly leans in favour of the oppressor rather than the oppressed. Such ideas are evident within Ruby Grant's argument that, when homonormativity frames individuals as being neutral and the nature of identity politics as being for those considered to be 'others', the idealised image of the ordinary citizen is influenced by race, class, and gender hierarchies (Grant, 2019). This means that it is often the case that, because white heterosexual men are considered to be the ideal citizen with no distinct identity of their own, white homosexual men are expected to conform to this normalised neoliberal image, abandoning more marginalised LGBTQ+ people in the process (Grant, 2019). Hence, homonormativity is important within the study of sexualities as it reflects the political dynamics of sexuality, in the sense that, homonormative ideals are largely present in neoliberalism and, in turn, create divisions between different intersections of identity in their relationship to sexuality. Therefore, this concept provides a strong basis for discourses regarding intersecting identities and political neutrality.

Moreover, referring back to the idea that visible and politically charged LGBTQ+ identities are not tolerated within liberal discourses. It should be understood that, despite the fact that neoliberal politics claimed to promote tolerance, the belief remains that 'heterosexuality is the default, the assumed, the preferred, the promoted' (Walters, 2014: 43). This accentuates the fact that, heterosexuality is never placed under the same scrutiny as homosexuality. Danuta Walters argued that, due to heteronormative ideologies, it is never questioned if gender-normative heterosexuals are flaunting their sexuality, despite portrayals of heterosexuality being overwhelmingly reproduced in all aspects of everyday life. Therefore, homonormativity functions to maintain this reproduced image of a normative lifestyle, whilst any other 'flaunting' is considered deviant. One way in which homonormative LGBTQ+ individuals reproduce the image of heterosexuality is through the institution of marriage. This is because, when such individuals present equal marriage

as being the pinnacle of gay rights, the requests of 'the young homosexual who rejects marriage' (Foucault, 1976: 110) are viewed as an abnormal opposition to the hegemonic structure of society. Hence, while neoliberal politics claim to reflect tolerance and acceptance, their aim to be politically neutral results in the conservation of the status quo through the reproduction and preservation of heteronormativity.

Furthermore, it is considered that LGBTQ+ individuals who engage in homonormativity are the most privileged from the community. Gavin Brown highlighted that 'same-sex couples engaged in privatised domestic consumption are becoming socially accepted' (Brown, 2015: 549) within both the public and private spheres. This means that, while such lives have been improved, this acceptance is predominantly a result of affluence and whiteness (Brown, 2015). Within the study of sexualities, one particular focus is on urban gay life. Such is the case that those who engage in domesticity and consumption, much alike their heterosexual counterparts, are located in urban spaces. This in turn encourages many LGBTQ+ people to move to such areas in order to find a sense of security, as so little is done to help gay people in rural locations (Brown, 2015). However, Kath Weston claimed that 'individuals were differently positioned within relations of gender, race, age and class, they entertained the urban space of the gay imaginary from very different trajectories' (Weston, 1998: 49). This is because, when LGBTQ+ people search for like minded people in the form of the urban gay, homonormative, lifestyle, it can be identified that increasingly problematic categories of community and identity are present due to gay people not being a homogenous group (Weston, 1998). Hence, homonormativity provides researchers with the basis of understanding how the intersections of various identities can affect and reflect the politics of place and space on LGBTQ+ lifestyles and experiences.

As well as this, one such example of the politics of place and space in forming LGBTQ+ identities is 'The Great Gay Migration'. This concept refers to the process of thousands in the community moving from rural to urban areas (Weston, 1998). While it might come across as a positive means of such individuals forming community bonds, Gavin Brown claimed that gay urban migration is a conservative process constructed by the complex intersections of class, cultural capital and normative gender-performance (Brown, 2015). This means that, while these people move in search of a better life, it is not only accessible to those who have the privilege to afford it, but such urban lifestyles are based on the heteronormative social standards which homonormativity justifies. Therefore, despite the idea of forming a community, the homonormative practices of the great gay migration require a level of assimilation to pressure the conservative heteronormative ideologies. In *Femme on the Streets, Butch in the Sheets*, Alison Murray accentuated that 'lesbians develop strategies of time, space and appearance to adapt to different contexts' (Murray, 1994: 60). This in turn, means that lesbians who would otherwise be masculine presenting, portray a more feminine image in spaces where it is safer for them to do so. Murray argued that while feminine lesbians can often avoid homophobia, such performative images of gender fail to destabilise heterosexuality (Murray, 1994). Hence, in preserving heteronormativity through the idealised urban gay community, certain individuals have to assimilate to such standards in order to avoid discrimination, while the concept of equality is presented as being active within such communities. Therefore, homonormativity provides an understanding that contemporary LGBTQ+ discourses are far more complex than the simple need for acceptance, but rather normative ideas shape the place and space of every interaction the LGBTQ+ people undergo.

To conclude, homonormativity as a concept has provided a great deal of contributions to the study of sexualities within sociology. Due to the fact that, homonormativity highlights the dynamics of heteronormativity and how certain individuals within the LGBTQ+ community respond to it. It is often the case that homonormativity justifies a level of assimilation towards a heteronormative social standard, which in turn reflects ideas of repression and privileged social standing. The concept of privilege within the context of homonormativity is derived from the racial and class dynamics which are incorporated in the ideal image of the affluent white gay, who bases their homosexual identity within the private sphere of domestic monogamy and consumerism. This in turn accentuates that homonormativity highlights a preservation of idealised hierarchies within society, whilst presenting the society as being accepting of LGBTQ+ individuals. Hence, homonormativity is beneficial to the sociology of sexualities as it expresses ideas surrounding the intersections of race, class, gender and sexuality, as well as identifying the influence of neoliberal politics on the understanding of how institutionalised systems of hegemony can enforce both oppression and repression of certain identities. Therefore, homonormativity has made significant contributions to sociology.

References

- Brown, G. (2009). Thinking Beyond Homonormativity: Performative Explorations of Diverse Gay Economies. *Environment and Planning Vol 41*, 1496-1510.
- Brown, G. (2015). Rethinking the Origins of Homonormativity: The Diverse Economies of Rural Gay Life in England and Wales in the 1970's and 1980's. *Geographies Vol 40*, 549-561.
- Daum, C. W. (2019). Social Equity, Homonormativity, and Equality: An Intersectional Critique of the Administration of Marriage Equality and Opportunities for LGBTQ Social Justice. *Administrative Theory & Praxis*, 115-132.
- Dee, H. (2010). *The Red in the Rainbow: Sexuality, Socialism & LGBT Liberation*. London: Bookmarks Publications.
- Foucault, M. (1976). *The History of Sexuality: 1 The Will to Knowledge*. Penguin Books.
- Murray, A. (1994). Femme on the Streets, Butch in the Sheets. In G. V. David Bell, *Mapping Desire: Geographies of Sexualities* (pp. 59-66). London: Routledge.
- Rosenfeld, D. (2009). Heteronormativity and Homonormativity as Practical and Moral Resources: The Case of Lesbian and Gay Elders. *Gender and Society Vol 23*, 617-638.
- Ruby Grant, M. N. (2019). Homonormativity or Queer Disidentification? Rural Australian Bisexual Women's Identity Politics. *Sexualities Vol 23*, 592-608.
- Walters, S. D. (2014). *The Tolerance Trap: How God, Genes and Good Intentions are Sabotaging Gay Equality*. New York: NYU Press.

Weston, K. (1998). *Long Slow Burn: Sexuality and Social Science*. New York: Routledge.

[Return to CONTENTS](#)

Assessing the main challenges in policing crimes cross-borders in and outside of Europe today

Harriet Willett

International terrorism is widely considered to be the most significant threat to the United Kingdom's national security (Bamford, 2004). The UK Crown Prosecution Service defines terrorism as 'the use or threat of action, both in and outside of the UK, designed to influence any international government organisation or to intimidate the public' and it must also be performed to advance 'a political, religious, racial or ideological cause', thus conveying its global scale (CPS, 2020). When discussing international terrorism, it is difficult to avoid considering 9.11, the reverberations of which were felt globally (Omand, 2012; Field, 2009). The September 11 attack on New York's World Trade Center is perhaps a quintessential example of international terrorism, conveying the intrinsic nexus between the lexis of terror and violence, as well as the diffused impact of international terrorism globally, and may therefore be understood as a watershed moment for Western defence and security. In light of the inexorable threat of Islamist terrorist groups, the response from the UK was profound, emulating that of the US in galvanising a war on terror in UK policy and discourse (Bamford, 2004). As such, preventative strategies have emerged as the fundamental means of policing international terrorism, and more explicitly Islamic-based terrorism, within the UK.

Encapsulated within this framework is a marked proliferation of intelligence services tasked with anticipating this global threat to national security, defined within criminology as the orientation of policing towards 'pre-crime' forms of policing (Zedner, 2007: 261). Salient to this means of policing is the gathering of intelligence, but with the UK currently negotiating its exit from the European Union, access to EU intelligence bases is set to be compromised (Whitman, 2016). Therefore, while this new form of pre-emptive policing inevitably gives rise to novel challenges when policing terrorism in the UK, it is arguable that this may be compounded by its decision to leave the EU. This essay will therefore take route through a consideration of the main challenges to policing international terrorism in the UK in a post-9.11 context; a view to the ways in which these challenges may be augmented through the UK's impending exit from the European Union; and a deliberation as to how the threat of COVID-19 may pose new obstacles for policing terrorism in the UK.

An evident challenge posed by international terrorism is its threat to national security (Bamford, 2004), which Omand defines as 'as a state of confidence on the part of the public that the major risks, be they malign threats or natural hazards, are being satisfactorily managed so that people can get on with making the most of their lives, freely and with confidence' (2012: 6). Such concepts correspond with one's feeling of Ontological Security, which can be understood as the ways in which individuals create stability and feelings of security through the routinisation of practices (Giddens, 1991), thus managing to 'bracket out' forms of 'existential anxieties' (Browning, 2018: 338). As such, when the threat of terrorism (an existential anxiety) presents significant risk to one's stability, ontological *in*security may ensue. In this sense, 9.11 can be understood as impacting the ontological security of the UK public in positioning itself as a threat to national security, thus

instilling an intense 'fear of the enemy waiting to strike' and demanding an immediate response from the UK police force (Omand, 2012: 8).

The need for immediacy in response to 9.11 left the UK police force with a difficult task and invoked pressure for pre-emption and anticipation (Zedner, 2007), with a general consensus that the most efficacious means of prevention could be achieved through the gathering of intelligence (Bamford, 2004). This led to significantly increased funding for intelligence gathering, with £1 billion pledged in 2001, rising since to £2.5 billion in 2003 and projections of £3.5 billion for 2010/11 (Cabinet Office, 2008). However, unprecedented challenges have merged with these new forms of policing. For example, Hindle (2007) has argued that the growth in funding for new forms of intelligence gathering services like the Metropolitan Police's Counter Terrorism Command (SO15), as well as specialised forces in locations such as Leeds and Manchester, have created a need for coordination among forces which is not fully sufficient. Moreover, Hindle continues by adding that 'there currently exists no nationwide database for the sharing of counter terrorism intelligence', with forces instead being dependent upon personal relationships which create 'vulnerability' for the UK police force (2007: 7).

Similarly, while welcoming the rising expenditure on intelligence gathering, Field (2009) posits that just using the money to increase specialised intelligence services may be redundant and argues that there is a need to address the technological and organisational deficiencies within the intelligence gathering community. This is exemplified by the 7/7 London attacks where the disjointed nature of systems of intelligence encumbered efforts to collate information and prevent the attack (Field, 2009). As such, key challenges to policing international terrorism in the UK can be understood through the following: threats to national and ontological security have generated forms of pre-emptive policing which have, in turn, created a rise in intelligence services that have not yet developed a sufficient means of disseminating data. Unless inter-agency communications improve, these issues will remain a prevalent challenge to policing terrorism in the UK. Nevertheless, this is not the only challenge posed through pre-emption, and it is on this note that we now turn our attention to the UK Prevent Strategy.

There are emerging concerns within counter-terrorism discourse regarding the tension between how the government can best fulfil its duty to protect the public from the threat of terrorism, while also conserving democratic values. This tension is referred to as an issue of 'thermodynamics' (Omand, 2012: 11). Boutin (2018) considers the matter through querying how the restriction of one's liberties can be justified while implying that several counter-terrorism policies are not impermeable and may in fact perpetuate radicalisation and extremism. These ideas can be applied to the Prevent (2011) strategy which has been justified as necessary on the basis that 'through preventative work Government aims to contain and challenge radicalisation and extremism and minimise the risks it may present to national security' (Carlile, 2011 cited in Awan, 2012). This quote is indicative of the above-mentioned means of policing intent on anticipating threat whilst the potential for Islamist extremism, according to experts, pervades within Britain. (Grierson, 2019).

However, the repercussions of Prevent (2011) have been exposed as more pernicious, thus engendering further challenges to policing international terrorism in the UK. The core aims of the strategy are as follows:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
- work with sectors and institutions where there are risks of radicalisation which we need to address.’ (Home Office, 2011: 7).

While seemingly innocuous, a further glance at the document reveals the risk they are identifying is that of Islamic terrorism specifically. The document cites Islamist ideas as the main culprit of terrorism in the UK on several occasions, evincing how the ‘the ‘greatest threat to the UK as a whole is from Al Qa’ida and groups and individuals who share the violent Islamist ideology associated with it’ (Home Office, 2011: 6). Such statements can be understood as problematic in amplifying the idea circulating since 9.11 that Muslims are a ‘suspect community’ to be regarded with caution (Pantazis and Pemberton, 2009: 646). Awan (2012) adopts these ideas, delineating how Prevent has perpetuated hostility, thus contradicting its own principles. For example, it has been suggested that Prevent has produced a negative relationship between the police force and the Muslim community, thus undermining trust and ‘failing one of Prevent’s core objectives and aims concerning partnership work’ (Awan, 2012: 1162). This can be understood as a key challenge to policing when considering Boutin’s (2018) conjecture that legislation may promulgate hostility and radicalisation, with a demarcation between the West and Islam worsened by the thermodynamics challenge, invoking conflict between the two groups (Omand, 2012).

The above ideas are encapsulated by Edwards (2018) in relation to more recent counter-terrorism legislation which has been vindicated by the government as a means of ensuring police are equipped with the appropriate powers to protect the public (Home Office, 2019). The legislation in question is the Counterterrorism and Border Security Bill, which criminalises the viewing of terrorist material online, as well as articulating views conducive to or sympathetic of terrorist organisations. These ideas may be understood as a form of criminalising the future, aligning with the concept of preventative policing, with Edwards stating that between 2006-2016, there were 155 successful counter-terrorist prosecutions, and each of the suspects within these trials were guilty as a ‘precursor’ to the offence (Edwards, 2018). Moreover, Edwards argues that there is a tendency for this kind of legislation to work in opposition to Muslim communities due to the ‘sheer breadth of such laws’ enabling the selectivity and discretion of police forces, thus creating a ‘permanent zone of suspicion’ for British Muslims (Edwards, 2018). The Counterterrorism and Border Security Bill was given royal assent in February 2019 and was justified by Sajid Javid as a means of punishing individuals who seek to threaten UK national security (Home Office, 2019). Nevertheless, taking the above into account, it is arguable that such legislation is not preserving the safety of British Muslims, and this is a challenge that the UK police must arguably counteract.

Quite unsurprisingly perhaps, a recent YouGov poll with Conservative Party members found that 47% saw Islam as a threat to British life (Wittenburg, 2020), while Murray et al.’s (2015) research has found that Muslims tend to have lower levels of confidence in the police. Therefore, a key challenge to policing terrorism in the UK is the ways in which

it can incite discriminative attitudes towards Muslim communities, even within the government, thus impacting trust in the police force. It was for this reason that Javan Mahmood resigned from his position as Home Office terrorism advisor in 2015, arguing that the UK's counter-terrorism strategy means that many young, British Muslims are detained more out of police feeling the need to be showing alacrity in acting to prevent terrorism than legitimate reasoning. The result of this, argued Mahmood, is the production of hostility and the heightened malleability of these individuals to radicalisation based on the poor treatment they receive from police in the UK (White, 2015).

In addition, it could be argued that this creation of suspect communities (Pantazis and Pemberton, 2009) generates further issues for the police in terms of exacerbating crime rates. For example, the Home Office reported that 'in year ending March 2020, where the perceived religion of the victim was recorded, half (50%) of religious hate crime offences were targeted against Muslims' (Home Office, 2020). It is possible to postulate that this could be, in some part at least, related to the negative stereotypes emerging from counter-terrorism policy. Therefore, a key challenge to policing international terrorism in the UK is how counter-terrorism policies adversely impact Muslim communities, thus creating and perpetuating hostility, radicalisation and, arguably, hate crime. Nevertheless, it is important to note that these policies, particularly Prevent, are indicative of a 'European-led counterterrorism strategy' (Awan, 2012: 1162). Thus, they are emblematic of a time pre-Brexit in which the UK adopted policies in congruence with its membership of EU when policing terrorism. While the pitfalls of these previous strategies will endure, new challenges to policing terrorism present themselves in a post-Brexit Britain. It is this point to which we will now turn our attention.

It has been argued that terrorism influenced the decision to leave the EU through the 'anti-foreigner sentiments' visible in the legislation discussed above (Bove et al. 2020: 3). Consequently, and perhaps ironically, there is a creeping fear that in leaving the EU, the UK has been left exposed to greater threat, with no real model existing that determines the future of the security relationship between the UK and EU (Whitman, 2016). Prior to the UK's 2016 referendum on membership of the EU, the US Obama Administration openly vocalised its opposition to the UK electing to leave. The Obama Administration argued 'Brexit removes from the Union the influence of a major counter-terrorism actor sympathetic to US priorities' as well as reducing 'the intelligence that the United Kingdom will have to share', thus showing the ways in which the challenges to policing posed by Brexit transcend Europe (Rees, 2017: 563). Similarly, Inkster recognises the 'obvious threat' Brexit poses to UK security, relaying the impact it would have on the intelligence relationship between the UK and US, meaning that the UK would have to put in greater work to present itself as an ally within global intelligence (Inkster, 2016: 23).

Given the aforementioned emphasis on intelligence as the intrinsic means of preventative policing, already a quandary presents itself, with the Home Office conceding that it would lose its membership to Europol, thus impacting UK access to essential intelligence databases for the prevention of terrorist activities. Given the clear interest of the UK to maintain access to counter-terrorism databases, Theresa May has previously professed the UK government's dedication to creating a robust security partnership within its trade deal (Merrick, 2018); although, as Duke (2019) points out, negotiating these kinds of deals can be arduous. This rings true, with a recent report from a police chief stating that the EU is continually refusing access to shared databases from non-members (BBC, 2020). The

article reiterates the value of these large datasets when identifying individuals or groups posing a threat to security, thus conveying the challenges to policing terrorism in the UK in post-Brexit Britain where counter-terrorist organisations are denied access to essential intelligence (BBC, 2020). There has recently been some progress in the backing of a Brexit security deal which contains the agreed measure of ‘continued operational co-operation with Europol and Eurojust’ which reflects the scale of the UK’s contribution to these organisations to enable the effective combating of terrorism (Home Office, 2020). However, the treaty is only to be applied on a provisional basis pending a formal ratification, and it does not fully disclose the full extent to which the UK will maintain access to their databases (Boffey, 2020). On that basis, the challenges to policing international terrorism in the UK emerging from Brexit cannot be deemed obsolete just yet.

Simultaneously, there is another global threat which may be understood as augmenting the challenges posed by Brexit: COVID-19 (Sengupta, 2020). Ackerman and Peterson (2020) argue that the repercussions of COVID-19 have presented new opportunities for terrorists through the inevitable transition to the online realm in the midst of a pandemic – while the UK is working from home, terrorists are doing the same thing. For example, the ontological insecurity which the pandemic is likely to galvanise is being utilised by terrorists who are intent on preying on ‘the uncertainties, anxieties and disruptions caused by the pandemic—as well as a newly captive online audience—in order to feed into and, they hope, broaden the appeal of their narratives’ (Ackerman and Peterson, 2020: 61). As such, being forced to remain online creates greater risk of exposure to online terrorist organisations.

Additionally, government resources are being directed at COVID-19 related issues such as recovering the economy, creating future competition for funds that would have usually been dedicated to counter-terrorism efforts (Sengupta, 2020). In relation to Brexit, it is important to note that these challenges are arising at a time when the UK is potentially eschewing its own access to cybercrime and counter-terrorist databases, which could be problematic when policing international terrorism that is taking place online. As such, the threat of a global pandemic is an unavoidable challenge to policing terrorism in the UK, the repercussions of which we may not yet have fully realised.

In recognition of the above, the main challenges to policing international terrorism in the UK today can be recognised as emerging from the 9.11 attacks, the psychological ramifications of which were felt on an international scale, thus transforming the UK’s national security itinerary (Omand, 2012; Bamford, 2004). This ‘problematic shift to pre-emption or interception’ has evoked serious challenges in terms of intelligence sharing within the UK (Hindle, 2007: 39), with increasing services and rising funding not necessarily equating to efficacy when policing terrorism (Field, 2009). Concurrently, the preceding policies focused on prevention have produced a ‘suspect community’ of Muslims (Pantazis and Pemberton, 2009: 646) which can be understood as exacerbating the challenge of terrorism through engendering hostility and producing radicalisation as well as hate crime (Awan, 2012; CSEW, 2020). These issues are compounded further by Brexit, creating ambivalence surrounding the status of the UK’s access to EU intelligence databases (Whitman, 2016) which, as this essay has conveyed, are seen as paramount when tackling the threat of international terrorism within the UK. Moreover, these challenges go beyond Europe, with scholars expressing fears for the security relationship the UK will have with the US post-Brexit (Inkster, 2016; Rees, 2017).

With Brexit negotiations still ongoing at the time of writing this essay, the ambiguity surrounding UK security is unlikely to dissipate. This is perhaps worsened by the uncertainty upon which terrorist organisations are preying in the midst of a global pandemic, intensified by the current orientation towards the online world to maintain work, studies, communications with family and friends, and so on (Ackerman and Peterson, 2020). Therefore, the ontological security of Brexit Britain is ostensibly declining (Browning, 2018), but the challenges to policing international terrorism seem to be doing the exact opposite.

References:

Ackerman A and Peterson H (2020) Terrorism and COVID-19: actual and potential impacts. *Perspectives on Terrorism* 14(3): 59-73. <https://www.jstor.org/stable/26918300>.

Awan I (2012) 'I am a Muslim not an extremist': how the prevent strategy has constructed a 'suspect community'. *Politics & Policy* 40(6): 1158-1185. <https://doi.org/10.1111/j.1747-1346.2012.00397.x>.

Bamford B (2004) The United Kingdom's 'war against terrorism'. *Terrorism and Political Violence* 16(4): 737-756. <https://doi.org/10.1080/095465590898660>.

BBC (2020) Brexit: UK 'will be less safe without EU security deal' – police chief. *BBC News*. 19 November.

Boffey D (2020) EU states unanimously back Brexit trade and security deal. *The Guardian*. 28 December.

Boutin B (2018) Do counter-terrorism measures work? Appraising the long-term and global effectiveness of security policies. *T.M.C Asser Institute for International and European Law, Policy Brief*: 1-6. <http://dx.doi.org/10.2139/ssrn.3285860>.

Bove V, Efthymoulou G and Pickard H (2020) Did terrorism affect the Brexit vote? *British Journal of Political Science*: 1-47. <http://eprints.whiterose.ac.uk/168601/>.

Browning C S (2018) Brexit, existential anxiety and ontological (in)security. *European Security* 27(3): 336-355. <https://doi.org/10.1080/09662839.2018.1497982>.

Cabinet Office (2008) *The national security strategy of the United Kingdom: security in an interdependent world*. Norwich: Cabinet Office.

CPS (2020) <https://www.cps.gov.uk/crime-info/terrorism>. Accessed: 22 December 2020.

Duke S (2019) *Will Brexit Damage our Security and Defence? The impact on the UK and EU*. London: Palgrave Macmillan.

Edwards P (2018) Britain's new counter-terrorism legislation will undermine the rule of law even further. *The Conversation*. 29 October.

Field A (2009) Tracking terrorist networks: problems of intelligence sharing within the UK intelligence community. *Review of International Studies* 35(4): 997-1009. <https://www.jstor.org/stable/40588099>

Giddens A (1991) *Modernity and self-identity*. Cambridge: Polity.

Grierson (2019) Islamist extremism remains dominant UK terror threat, says experts. *The Guardian*. 10 December.

Hindle G (2007) Policing terrorism in the UK. *Policing: A Journal of Policy and Practice* 1(1): 38-42. <https://doi.org/10.1093/police/pam014>.

Home Office (2011) *Prevent Strategy*. London: Home Office.

Home Office (2019) Counter-terrorism and border security bill given royal assent. *Home Office*. 12 February.

Home Office (2020) Home Secretary hails security agreement with EU. *Home Office*. 25 December.

Home Office (2020) <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020#hate-crime-from-the-csew> Accessed: 30 December.

Inkster N (2016) Brexit, intelligence and terrorism. *Global Politics and Strategy* 58(3): 23-30. <https://doi.org/10.1080/00396338.2016.1186974>.

Merrick R (2018) Brexit: UK admits it will leave Europol and fears 'major drop' in crime-fighting co-operation. *The Independent*. 14 November.

Murray A, Muller-Johnson K and Sherman L (2015) Evidence-based policing of UK Muslim communities. *International Criminal Justice Review* 25(1): 64-79. <https://doi.org/10.1177/1057567715574384>.

Omand D (2012) The terrorist threat to the UK in the post-9/11 decade. *Journal of Terrorism Research* 3(1): 6-12. <https://research-repository.st-andrews.ac.uk/handle/10023/4000?show=full>.

Pantazis C and Pemberton P (2009) From the 'old' to the 'new' suspect community: examining the impacts of UK counter-terrorist legislation. *The British Journal of Criminology* 49(5): 646-666. <https://doi.org/10.1093/bjc/azp031>.

Rees W (2017) America, Brexit and the security of Europe. *The British Journal of Politics and International Relations* 19(3): 558-572. <https://doi.org/10.1177/1369148117711400>.

Sengupta K (2020) Britain at risk of terrorism surge after Brexit and Covid, ex-military chief warns. *The Independent*. 11 November.

White M (2015) Police terror tactics 'radicalising' Muslims. *Sky News*. 9 December.

Whitman R G (2016) The UK and EU foreign, security and defence policy after Brexit: integrated, associated or detached? *National Institute Economic Review* 238: 43-50. <https://doi.org/10.1177/002795011623800114>.

Wittenburg D (2020) Almost half of Tory members believe Islam is a 'threat to British way of life', poll finds. *The Independent*. 30 September.

Zedner L (2007) Pre-crime and post-criminology? *Theoretical Criminology* 11(2): 261-281. <https://doi.org/10.1177/1362480607075851>.

[Return to CONTENTS](#)

Confidence and Trust: Pillars of Modern Society? A Study of the Relationship Between Political Trust, Social Trust and Education

Joshua Hodgkin

Introduction

The world we live in today is surrounded by claims of fake news and misinformation, leading to serious concerns over what one may trust. From tabloid newspapers to Twitter, people throughout society are unsure whom to turn to and whom to trust, particularly when it comes to important decisions such as picking a candidate to vote for in an election. The present study aims to investigate the factors which are more likely to enable someone to have a higher level of political trust through the analysis of social attitudes data. Two research questions present a number of hypotheses, as follows.

RQ1: What is the relationship between political trust level, social trust level and education?

H1: Social trust has a positive effect on political trust.

H2: Having a degree has a positive effect on political trust.

H3: Older people have a lower level of political trust.

RQ2: How is political confidence affected by social trust, political trust and education?

H4: Political and social trust have positive effects on political confidence.

H5: Having a degree has a positive effect on political confidence.

H6: Males have a higher level of political confidence than females.

Data and Methods

The present study makes use of data from Round 8 of the European Social Survey (ESS). The ESS is a biennial survey which asks questions of a sample of households across 24 European countries on a variety of topics. A subset of this dataset featuring only UK respondents has been prepared, with 1,959 valid respondents in this subset.

Table 1.

A table showing the variables and descriptions included in the 'polscore' and 'socscore' trust aggregate scores.

Political trust		Social trust	
Variable name	Variable description	Variable name	Variable description
trstprl	Trust in country's parliament		Most people can be trusted, or you can't be too careful
trstlgl	Trust in legal system	ppltrst	
trstplc	Trust in police		
trstplt	Trust in politicians	pplfair	Most people try to take advantage of you, or try to be fair
trstprt	Trust in political parties		Most of the time people helpful or mostly looking out for themselves
trstep	Trust in European Parliament	pplhlp	
trstun	Trust in the UN		

The aim of this paper is to examine the relationship between social trust, political trust and education through the use of the ESS data. It has been necessary to identify variables from the dataset that represent these concepts. As there is no one variable that denotes either social trust or political trust outright, it has been necessary to create a 'score' for each, which aggregates various measures together. Detailed in Table 1 (above) are the variables used to generate the scores. The political trust measure has been named 'polscore' and the social trust measure 'socscore'. All of the variables in both measures are on scales of 0 to 10, where 0 is least trusting and 10 is most trusting, therefore the general equation for calculating the scores is simply [aggregate score = $(var_1+var_2+...+var_{n-1}+var_n) \div n$] where n is the number of variables included in the score. The SPSS syntax for the computation of this variable can be found in Appendix A.

'Polscore' will form one of the dependent variables, which as a continuous variable will be measured in an OLS regression. The second dependent variable will be binary so as to allow the fitting of a binary logistic regression to answer RQ2. The ESS survey questioned

respondents on their views on various measures of political confidence as detailed in Table 2. The four variables have been recoded into an aggregate score variable 'polconfidence'.

Table 2.

A table showing the variables making up the 'polconfidence' score variable.

Political confidence/efficacy		
Variable name	Description	Scale
psppsgva	Political system allows people to have a say in what government does	1 = "not at all" to 5 = "a great deal"
psppipla	Political system allows people to influence politics	„
actrolga	Able to take an active role in a political group	1 = "not at all able" to 5 = "completely able"
cptppola	Confident in own ability to participate in politics	1 = "not at all confident" to 5 = "completely confident"

I have taken 'confidence' to mean either the confidence in one's own political knowledge, or the confidence in the system to allow expression of opinions. This has created a new continuous variable which was then recoded into a binary variable (binaryconfidence): 'confident' = values of >3, 'not confident' = values of <2.999. This concept is also known as *political efficacy* (ESS, 2016b).

Table 3.

Descriptive statistics for dependent variables 'polscore' and 'binaryconfidence'.

	polscore	binaryconfidence
<i>n</i>	1789	1959
μ [95% CI LL,UL]	4.8791 [4.7965,4.9617]	.2430 [.2239,.2620]
σ	1.78059	.42898
Min	.00	.00
Max	10.00	1.00
Median	5.000	----

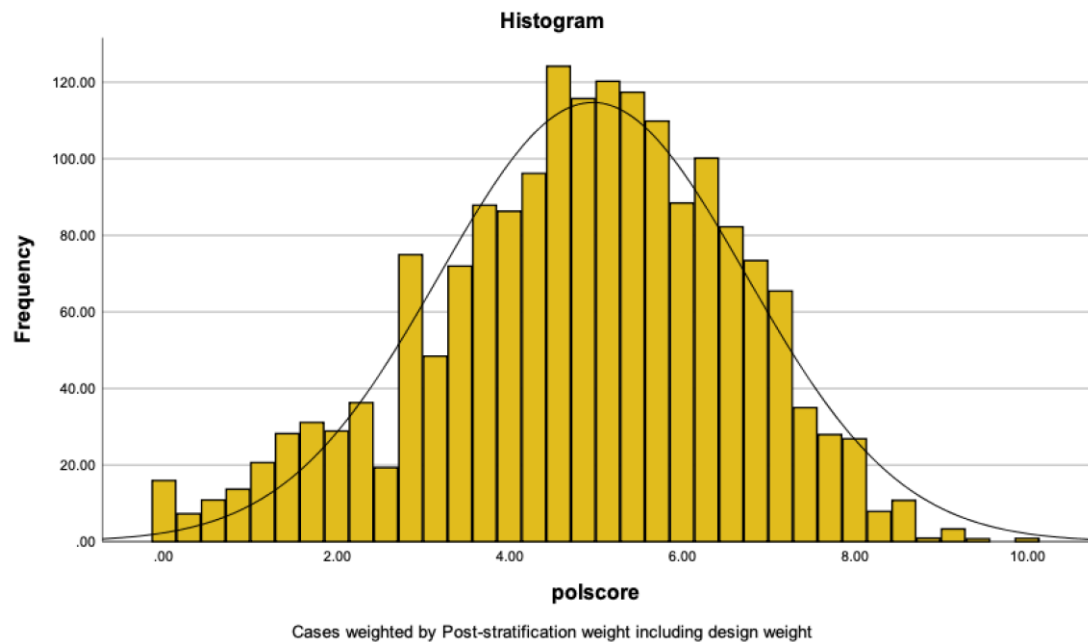
Skewness -.379 ----

Table 4.
Frequency table of the variable 'binaryconfidence'.
 binaryconfidence

	Fre- quency	Valid %
.00 (Notconfi- dent)	1483	75.7
1.00 (Confident)	476	24.3

The distribution of the dependent variables is displayed in Tables 3 and 4. The mean political trust score is 4.8791 with a confidence interval of 4.7965 to 4.9617 indicating a small standard error (.00969), thus implying that the mean is accurate. It has median 5.000 and a slight negative skew of -.379. The binary confidence variable has a mean of .2430 with confidence interval .2239 to .2620, with 75.7% of respondents falling into the 'not confident' category.

Figure 1.
Histogram showing the distribution of the 'polscore' variable.



The variables in each step of the models are given in Table 5.

Table 5.

Outline of the independent variables under examination within nested regression models.

Step	polscore (OLS)			binaryconfidence (binary logistic)		
	Ind. variables	Desc.	Scale/coding	Ind. variables	Desc.	Scale/coding
1	hasdegree	Respondent has a degree at BA level or above	0 = no, 1 = yes	socscore_c	Social trust score, centred around mean	0 = mean
	socscore_c	Social trust score, centred around mean	0 = mean	pol-score_c	Political trust score, centred around mean	0 = mean
2	hasdegreexsocscore_c	interaction variable between hasdegree and social trust score	Interaction variable in units of social trust score	hasdegree	Respondent has a degree at BA level or above	0 = no, 1 = yes
3	polconfidence	political confidence measure	1 = least confident, 5 = most confident	gender_1	Gender of respondent	0 = female, 1 = male
4	agea	Age of respondent	Interval variable, age in years			

*as these are nested models, only new variables added at each step are included below.

Results

Table 6 depicts the results of a nested OLS regression model fitted to answer RQ1, examining the relationship between political trust, social trust and education. The R² of Model 1 is .199, meaning that education level and social trust, controlling for other factors, count for 19.9% of the variance in someone's political trust. The constant of Model 1, at 4.762, indicates that holding constant other variables in the model (i.e., no degree and mean social trust), their political trust score will be 4.762. The statistically significant coefficient of *hasdegree* is .413, meaning that when someone has a degree, their political trust score is likely to be .413 points higher. The social trust score variable, centred around its mean of 5.622, has a positive impact upon the political trust score. When one's social trust

score changes by 1 point, their political trust score will increase by .451 points. Of these two effects, according to the standardised β coefficients, social trust score has a greater overall impact upon one's political trust.

Model 2 has an R^2 change of .002 as compared to Model 1. Therefore, there is little difference between the predictive power of Models 1 and 2. The constant of the model is 4.766, and having a degree increases political trust score by .447. A 1-point increase of social trust score increases political trust by .477. The model adds an interaction effect between having a degree and social trust score [hasdegreexsocscore_c]. At this point, the interaction effect is non-significant ($p=.054$), meaning that there is no significant interaction between social trust and education regarding their effect on education. In the remaining models, the effect of the interaction becomes significant.

Model 3 has considerably higher predictive power than Model 1 and 2, with the R^2 for the model being .285. This means that 28.5% of variance in the political trust score can be explained by the model, a change of .085 as compared to Model 2. The value was cross referenced with the adjusted R^2 , .283 (28.3%), similar to the R^2 , to ensure the value was not inordinately inflated. The new variable in this model, [polconfidence], is significant at $p<.001$ with a value of .788 and is the factor behind the increase in model fit. For a 1-point increase in the political confidence measure (scale 1-5), there is a .788-point increase in one's political trust. The variable has a small standard error of .055, allowing one to assume the sample of political confidence measures gathered accurately reflects the wider population. The social trust measure has a significant coefficient of .398: for a 1-point increase in social trust, there is a .398-point increase in political trust. The political confidence and social trust measures have a similar effect relative to one another, with the β coefficient for the former being .314 and for the latter being .367. The interaction variable between education and social trust is significant at ($p < .05$) with a coefficient of -.120. Therefore, the social trust of someone who has a degree is less likely to impact their political trust level. However, this effect is not very strong in context of the others, considering that the β coefficient of interaction is -.055, accompanied by a wide confidence interval of [-.223, -.017], meaning that one cannot be truly certain of the magnitude of the effect.

Model 4 adds the age of the respondent to the model. For each additional year of age, one's political trust score decreases by -.010 points. The R² of the model is .011 higher than Model 3 at .296, meaning that the inclusion of age explains 1.1% more of the variance than Model 3. Once again, the standalone education variable is non-significant, also carrying a β coefficient of .034, which further clarifies that education is much less useful at explaining political trust level than other factors. According to the β coefficients for the model, political confidence [β =.298] and social trust score [β =.378] have the largest relative impact upon the political trust score of all other variables. One of these more powerful factors is the social trust score, which has a coefficient of .410, thus the political trust score will increase by .410 for a 1-point increase in social trust. The interaction variable between education and social trust score is significant at p =.040, with a coefficient of -.108, again suppressing the effect of social trust score upon political trust score for those who have a degree. Political confidence has a coefficient of .749, meaning that each point on the political confidence scale corresponds with a .749-point increase on the political trust scale.

Table 6.

Regression coefficients of political trust score as predicted by the independent variables.

Step		B	SE B	β	t	95% CI		F
						LL	UL	
	Constant	4.762***	.046		104.537	4.673	4.852	
1	hasdegree	.413***	.085	.106	4.842	.246	.581	214.856***
	socscore_c	.451***	.024	.415	19.038	.405	.498	
2	Constant	4.766***	.046		104.600	4.677	4.856	144.699***
	hasdegree	.447***	.087	.114	5.134	.276	.618	

	socscore_c	.477***	.027	.439	17.586	.423	.530	
	hasde- greexsocscore_c	-.107	.056	-.049	-1.927	-.217	.002	
	Constant	2.947***	.134		22.000	2.684	3.210	
	hasdegree	.145	.085	.037	1.704	-.022	.311	
3	socscore_c	.398***	.026	.367	15.208	.347	.450	172.748***
	hasde- greexsocscore_c	-.120*	.053	-.055	-2.277	-.223	-.017	
	polconfidence	.788***	.055	.314	14.341	.680	.896	
	Constant	3.520***	.173		20.400	3.181	3.858	
	hasdegree	.133	.084	.034	1.571	-.033	.298	
	socscore_c	.410***	.026	.378	15.716	.359	.461	
4	hasde- greexsocscore_c	-.108*	.052	-.049	-2.053	-.210	-.005	145.702***
	polconfidence	.749***	.055	.298	13.599	.641	.857	
	agea	-.010***	.002	-.107	-5.206	-.014	-.006	

* $p < .05$. ** $p < .01$. *** $p < .001$.

R² for Model 1 = .199. model ΔR^2 : 2 = .002, 3 = .085, 4 = .011.

Adj R²: 1 = .198, 2 = .199, 3 = .283, 4 = .294.

To answer the second research question, how is political confidence affected by social trust, political trust and education, a series of nested logistic regression models was fitted. The results of this are presented in Table 7.

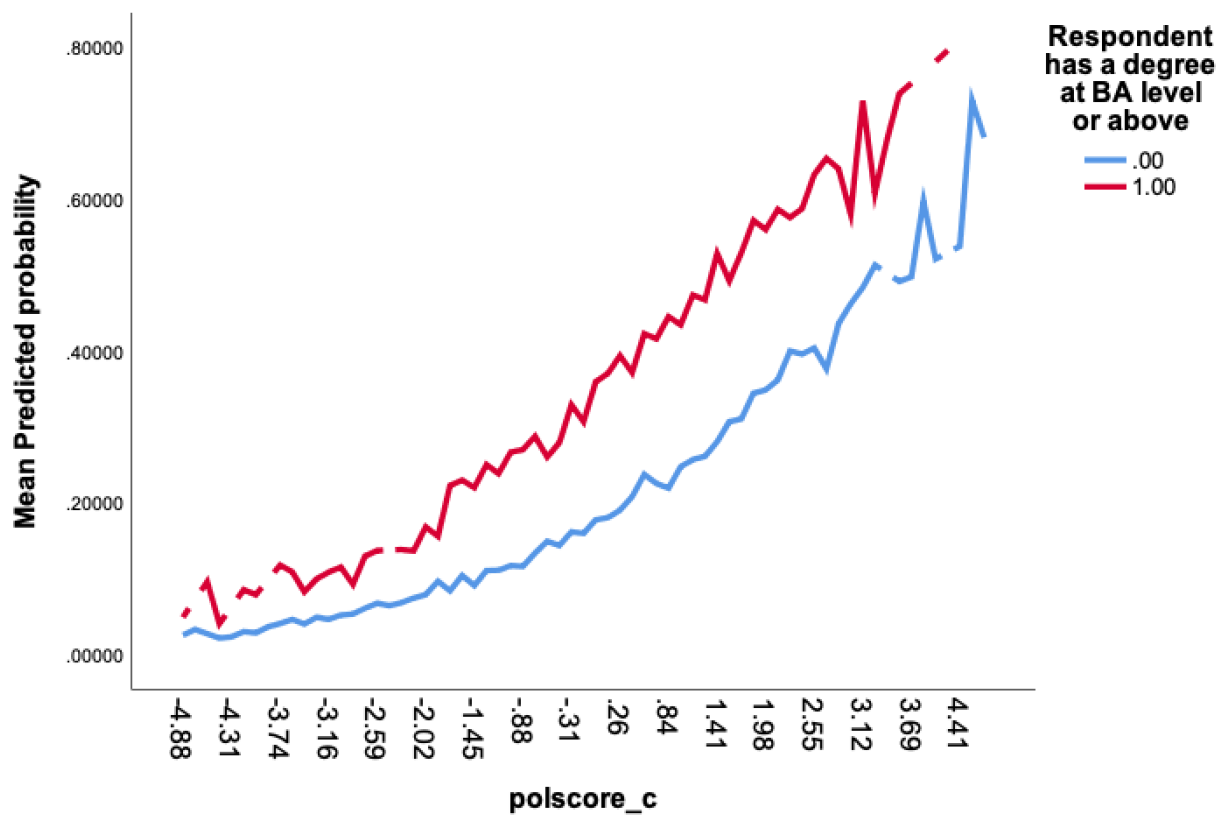
Block 1 of the regression model has a Nagelkerke pseudo-R² value of .155, meaning that the model correctly explains 15.5% of the variance in the dependent variable, *binaryconfidence*. This model has a significant Hosmer and Lemeshow test at the .05 significance level, meaning that this model with only two predictor variables fails to fit the model accurately. With that said, the case classification table suggests a correct classification of 75.2%, meaning that 75.2% of cases are accurately classified by this model. The ExpB

(odds ratio) for the predictor variables suggest that both the social trust score and the political trust score have a positive impact upon one's political confidence. An increase of 1 point on the social trust score variable means that the odds of having a high level of political confidence will increase by 14.2% as compared to someone with the mean level of social trust. An increase of 1 point on the political trust score variable means that these odds will increase by 54.3% as compared to someone with the mean political trust level.

Block 2 introduces the education level variable *hasdegree*, measuring whether or not one has a degree at BA level. The Nagelkerke pseudo- R^2 of the block is .192, meaning that this model explains 3.7% more variance in political confidence than the previous model. On this occasion, the Hosmer & Lemeshow test is nonsignificant at $p=.167$, meaning that the model is an accurate fit for the sample population. Furthermore, the classification tests for this block shows that it correctly classifies 76.3% of cases into their categories. This is an increase of 1.1% from the previous model. All independent variables in the model are statistically significant, therefore there is a notable effect upon the dependent variable from all of them. In this case, the ExpB of social trust score is 1.107, meaning that for an increase of 1-point on the social trust scale compared to the mean, there is a 10.7% increase in the odds that someone will have a high level of political confidence. For political trust, there is a 51.9% such increase in odds for a 1-point increase in the score. For those with a degree, the odds of having a high level of political confidence increase by 137.6% as compared to those who do not. It must be noted that the confidence interval surrounding this variable is quite wide, with the odds increase ranging from 87.6% and 200.8%. Whilst there is a significant increase in odds based on the status of having a degree or not, the magnitude of this is unclear.

Figure 2.

Line graph showing the predicted probability of political confidence by political trust split by education level.



Block 3 adds a dummy variable representing gender to the analysis, with male = 1 and female = 0. The Nagelkerke pseudo-R² for this block is 20.4%, symbolising a 1.2% increase in the explanatory power of this model compared to the previous. The Hosmer & Lemeshow test once again returns non-significant, meaning the model is a good fit for the sample population. A 1-point increase in social trust score corresponds to a 11.5% increase in odds of having a high level of political confidence. For the same increase in political trust score, the odds of a high level of political confidence are 49.9% higher, and those who have a degree have a 146.2% increase in odds. The new variable, gender, is statistically significant at the p<.001 significance level and has an odds ratio of 1.616. This means that males are likely to have 61.6% higher odds of a higher level of political confidence as compared to females.

Figure 3.

Line graph showing the predicted probability of political confidence by social trust split by gender.

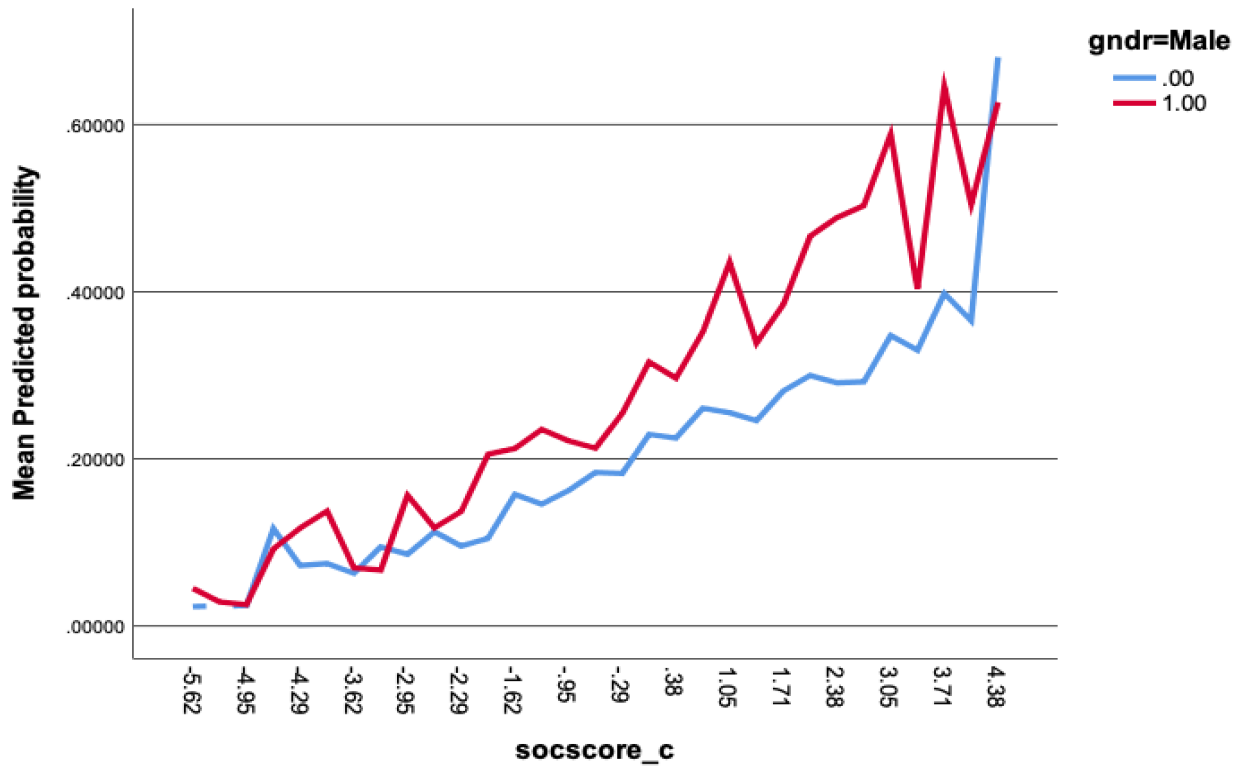


Figure 4.

Line graph showing the predicted probability of political confidence by political trust split by

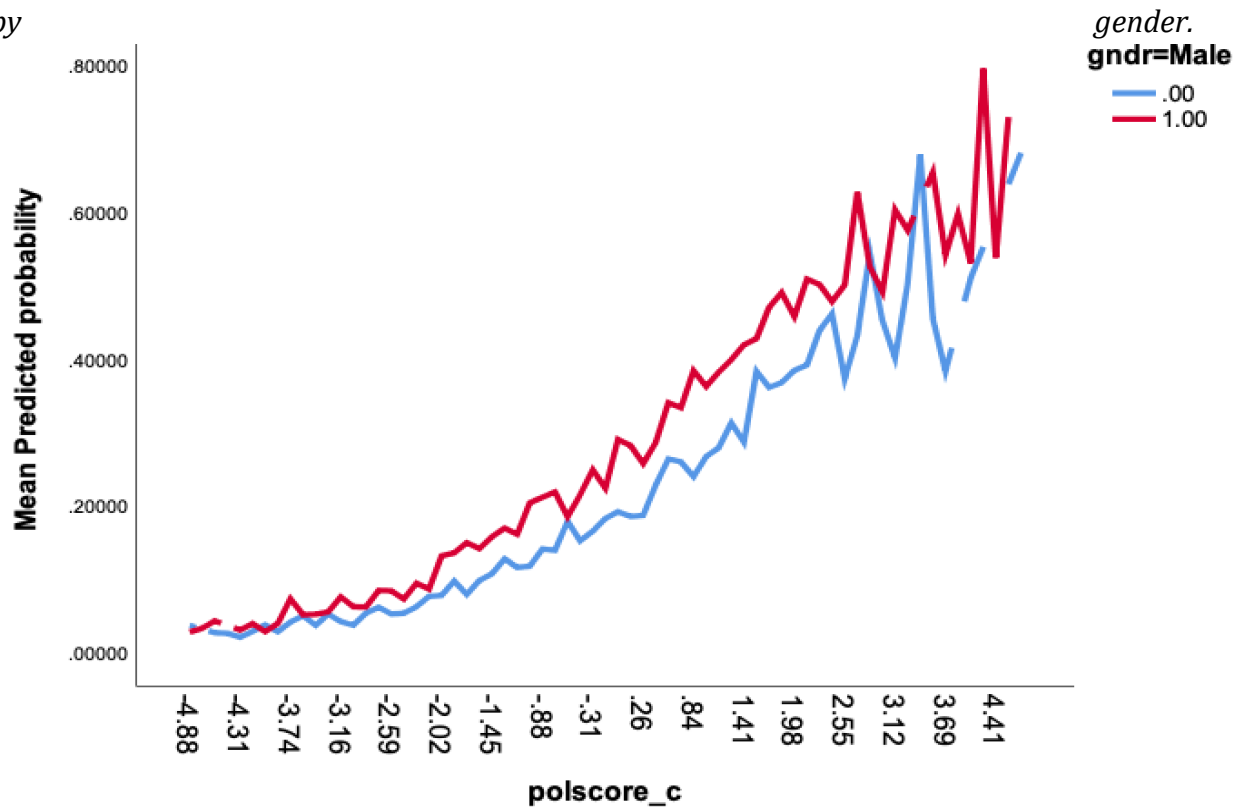


Table 7.

Results of a binary logistic regression with dependent variable 'binaryconfidence'.

	Block 1			Block 2			Block 3		
	B	SE	ExpB	B	SE	ExpB	B	SE	ExpB
Constant	-1.244***	.063	.288	-1.533***	.078	.216	-1.792***	.104	.167
socscore_c	.132***	.041	1.142 [1.053, 1.238]	.102**	.042	1.107 [1.020, 1.203]	.108**	.042	1.115 [1.026, 1.211]
polscore_c	.434***	.041	1.543 [1.425, 1.671]	.418***	.041	1.519 [1.401, 1.647]	.405***	.041	1.499 [1.382, 1.626]
hasdegree				.865***	.120	2.376 [1.876, 3.008]	.901***	.122	2.462 [1.939, 3.125]

gender_1			.480***	.119	1.616	[1.281, 2.040]
Nagelkerke pseudo-R ² :		Nagelkerke pseudo-R ² :		Nagelkerke pseudo-R ² :		
.155		.192		.204		
Hosmer & Lemeshow: p = .024		Hosmer & Lemeshow: p = .167		Hosmer & Lemeshow: p = .178		

ExpB is followed by 95% CI [LL, UL] | * $p < .05$. ** $p < .01$. *** $p < .001$.

Summary

As per Step 1 of the first model, there is a significant positive effect of social trust on political trust, similarly is the case for having a degree. However, this does not provide the full picture. Upon the introduction of an additional variable (political confidence), we observe that this explains the variation in the political trust score to a greater degree than education level. The moderating effect of education upon the relationship between social trust and political trust is negative, meaning that having a degree suppresses the effect of social trust upon political trust. The model demonstrates that older people are more likely to have a lower level of political trust, which could be owing to increased scepticism garnered over increased life experience. The model fails to reject the null hypothesis for H2, however rejects the null for H1 and H3.

Moving onto political confidence, there is a significant positive effect of political and social trust upon political confidence, meaning that those who have a higher level of political and social trust are more likely to have a higher level of political confidence. Furthermore, the antecedent variable regarding education demonstrates that there is a positive effect of education upon political confidence: if you have a degree, you are more likely to have high political confidence. Finally, the odds of having high political confidence increase as a result of being male. Therefore, the null hypotheses for RQ2 may be rejected, and there is evidence that political confidence is influenced by political and social trust, along with education and gender.

References

European Social Survey. (2016a). *ESS Round 8: European Social Survey Round 8 Data*. (version 2.2) [Data set]. doi: 10.21338/NSD-ESS8-2016

European Social Survey. (2016b). *ESS Round 8: Question Design Template – Political Efficacy*. https://www.europeansocialsurvey.org/docs/methodology/core_ess_questionnaire/ESS8_political_efficacy_final_template.pdf

Field, A. (2018). *Discovering Statistics Using IBM SPSS Statistics*. (5th ed.). Sage.

Kaminska, O. (2020). *Guide to Using Weights and Sample Design Indicators with ESS Data*. Institute for Social and Economic Research, University of Essex. https://www.europeansocialsurvey.org/docs/methodology/ESS_weighting_data_1_1.pdf

[Return to CONTENTS](#)

Are Indians in Latin America best understood in terms of race, class, or ethnicity?

Lukrecija Balbieryte

Spanish and Portuguese colonialism has significantly impacted the history, culture, politics and socio-economics of Latin American. Colonialism refers to a scenario in which a state or group has power over another territory and its people. The practice of colonialism typically encompasses the development of political policies used to dominate or control a subjugated people and geographic area, the occupation of the territory with settlers, and the economic exploitation of the territory (Mercadal, 2019). While colonialism existed long before, in contemporary discussions it usually refers to the European colonial period – from the sixteenth century to the mid-twentieth century (Mercadal, 2019). Colonialism influenced the identity of Latin American Indians as well as their socio-economic situation, culture and lifestyle. Colonialism also impacted the formation of local understandings of concepts of race, class, and ethnicity as well as the relations between these concepts. When questioning whether Indians in Latin America would be best understood in terms of race, class, or ethnicity, it is important to understand that these concepts are interdependent and interconnected and therefore all of them contribute to the understanding of the Indian identity, lifestyle and worldview. In the course of my essay, I will examine how Latin American Indians and non-Indians define race, class and ethnicity as well as the anthropological definitions and perspectives. I will discuss how these concepts are interrelated and contextual. I will also explore the role of culture regarding race, class and ethnicity and how it contributes to shaping the Indian identity.

A number of anthropologists acknowledge bodily aspects as indicators of racial difference. Orlove states:

Skin and hair, the external surfaces of the human body, play a crucial role in many racial theories as the immediately visible signs of racial difference. Such bodily substances can be taken to show that racial differences are inherited and inherent; passed on from parent to child by the bodily act of reproduction, they express themselves for the entire course of an individual's life (1998).

The specific types and combinations of skin colour, hair and facial features are often viewed as racial signifiers (Wade, 2010). However, race is not defined only by bodily aspects:

When I asked the villagers to define what it meant to be Indian in Hueyapan, nobody suggested that Indians were descended from a distinct race [...] official definitions focused on culture—whatever that meant—not on physical traits (Friedlander, 2006).

As noted by Friedlander, race is interconnected with culture which further connects race to ethnicity and class. According to research done by van den Berghe and Primov (1977), when asked to describe the Indian identity, people usually refer to economic, class, educational and cultural differences, but very few of respondents answered purely on racial terms. It is evident that race is not a strong distinguishing factor.

Furthermore, race is a socially constructed aspect and depends on the context. This is well-illustrated in the contrast between the North American and Latin American understanding of race. In North America, anyone is considered to be 'black' if they have a drop of black blood (Wade, 2010). That means that anyone with a distant black relative will be considered

to be black. In Latin America, it is more complex as there is a wider spectrum of terms and definitions regarding race. In simple terms, people whose appearance is considered to be more African will be identified as black and people of evidently mixed origin will usually be classified by a variety of terms that are between black and white (Wade, 2010). It is clear that the meaning of the term 'black' varies contextually and does not have a simple definition.

Another important aspect is that in some communities, race is defined by the actions, worldview and lifestyle of a person, rather than appearance, origin or other aspects. In the Andean community of Wila Kjarkeños in Highland Bolivia, the terms *jaqi* and *q'ara* are often used in distinguishing oppositional characters: *jaqi* simply means 'people' and *q'ara* means 'peeled' or 'bare' ('can be glossed as someone bereft of essential culture' – Canessa, 1998) in the Aymara language of Wila Kjarkeños. In contrast to the Western understanding, the racial (or ethnic, class) differences are based on an understanding of what it means to be human (Canessa, 1998). Simply put, people are considered *jaqi* if they live and work as Indians. The outsiders who have a different worldview, lifestyle, lack reciprocal relations with people and the tellurian spirits, are considered to be *q'ara*. It is important to note that one can become white(r) or (more) Indian by certain actions and taking part in the life of the community.

Canessa shares his personal experience on this. Being a European anthropologist, he seemingly would belong to the outsiders of the Wila Kjarkeños community. However, engaging in social and physical processes by working in the fields, wearing *whisku* sandals, eating Indian food, chewing coca and engaging in appropriate rituals with the spirits, he became more Indian and therefore non-*q'ara*. In contrast, if an Indian moves to the city, changes diet and labour practices and loses the connection with the spirits, he or she will become less Indian and therefore more *q'ara* – white.

It is evident that one's actions shape one's mind and body and that way the social and physical processes one engages in construct one's identity and contributes to the construction of race as well. In addition, it is important to note that race is often a foundation and justification of socio-economic inequalities:

Race naturalizes economic inequality and establishes a social hierarchy that spans the continent. Within specific social contexts, it operates not merely as a negative principle - the ritual casting of aspersion upon one's putative inferiors - but also as an expression of confidence that seals every successful consolidation of property and power with the name "white" (Weismantel, 2010).

Racialized social hierarchy, which has roots in colonialism, exists as a part of Latin American society with white being at the top. This is one of the reasons why the outsiders of the Indian communities are distrusted and are considered non-*jaqi*. The myth of the *kharisiri* well illustrates the problem. As Canessa (2012) highlights, the *kharisiri* is a mythical creature that appears in different forms, usually as white outsiders such as foreigners, priests, etc. The creature steals fat which is seen by the Indians as a life force. It is used to connect with the spirits, as medicine, cooking, as a source of light (candles), and contributes to the sustainability of the community's reciprocal relations. The *kharisiri* stealing fat translates into the stealing of Indian culture, values, identity and, ultimately, the existence of Wila Kjarkeños. In addition, *kharisiris* are often interpreted as an image of 'the other' – colonizers, slavery, government abuses, capitalism, various institutions and systems of violence and exploitation, etc. (Canessa, 2012; Weismantel, 1997, 2001). The *kharisiri*, and the Indian's fear of it, illuminates how whiteness, foreignness and 'otherness' is understood by the Indians, but also helps to understand how the *jaqi* understand themselves. Based on the definitions and the

interpretations of the *kharisiri*, the *jaqi* are non-white, poor, their life and culture are not as connected to the capitalist system nor do they take part in oppressive and exploitative institutions. In a way, everything related to the *kharisiri* can be seen as inhuman, 'the *kharisiri* in his person and activities is the antithesis of what it is to be human, *jaqi*' (Canessa, 2012). In Indian understanding, the abuse, oppression, and violence, whatever form it might take, is the non-human, but it is also synonymous with the white race. It can be seen how fear constructs definitions of racialized identities. Race as a concept carries many different meanings in Latin America and these are not limited only to origin and appearance. Culture, history, social context, and one's actions play a vital role in the construction of race.

Ethnicity, as a concept, is compounded of multiple aspects. Similar to race, it is not bound to be defined only by descent:

One central problem in this debate is that in the Andean context, ethnicity is not easily assimilated to descent. Being descended from a particular indigenous group neither makes one a member of that group or even a generic Indian — the South American highlands are replete with people of 'full-blooded' indigenous descent who are not considered either by themselves or others as Indians (Canessa, 1998).

In the case of the Wila Kjarka community, ethnicity is defined by what one does and one's relationships as it is the actions that construct the Indian personal identity:

[O]ne's status is not something that is simply achieved once and for all in the same way that birth in Bolivia makes one Bolivian in the eyes of the state. Being *jaqi* is not what one is but what one does (Canessa, 1998).

The concept of Latin American Indian ethnicity is interconnected with the cultivation of culture. For example, the distinguishing factors of Sonqo *runakuna* Indians from their non-indigenous neighbours consist of multiple cultural factors. One of them is speaking their native language Aymara or Quechua, '*Runa* speak Quechua, the Incas' language, and they cultivate, respect, and preserve the power of the spoken word' (Allen, 2002). Another factor is distinct clothing, 'the Incas would recognize as their own only people wearing *Runa p'acha*' (Allen, 2002), 'The cheap, sturdy sandals made from discarded automobile tires and known as *ojotas* are also worn almost exclusively by Indians' (van den Berghe and Primov, 1977). It is also worth noting that the tradition of chewing coca leaves is also an important part of their cultural identity, 'Although their speech no longer moves boulders or changes the course of rivers, they still know how to communicate with their landscape through the medium of coca leaves' (Allen, 2002).

In another Indian community in Hueyapan, food and diet are also emphasized as an important part of the Indian ethnic identity:

The villagers considered the "simple" food they ate and the way they prepared it to be Indian. Here, of course, they were right. Their basic diet of tortillas, beans, and chile peppers had deep roots going back into prehispanic times. After the conquest, these foods remained staples of the national cuisine, thereby ensuring their survival in Hueyapan (Friedlander, 2006).

In addition, economic relationships are also worthy of consideration as an aspect of the Indian culture:

Whereas relationships with townfolk are always mediated with cash in an immediate exchange which, when completed, terminates the obligations of both parties, economic relationships between people in Pocobaya are mediated with labour or goods in a form of delayed exchange known as *ayni*" (Canessa, 1998).

It is both *mink'a* and *ayni* that contribute to the balance of these reciprocal give-and-take relationships, '*mink'a* someone is to call home a debt or to exercise a right; to do *ayni* is to repay the debt and tip the balance in one's favour' (Allen, 2002). Such favour or labour exchanges create positive energy, while sinful behaviour wastes energy and directs it to destructive channels. Therefore, the web of reciprocity is a part of a social responsibility of every member of the community. It is also a part of a bigger picture – it represents the local cosmology and value system that all things are interconnected and responsibility is inherent in life (Allen, 2002).

In addition, Indian identity is also sustained by maintaining relationships with the community and the ancestral mountain spirits, 'The people who live in other indigenous communities are recognised as *jaqi* because they too have these reciprocal relationships with each other and with the ancestral mountain spirits' (Canessa, 1998). Another aspect that contributes to the concept of ethnicity is location, 'ethnicity is, of course, about cultural differentiation, but that it tends to use a language of place (rather than wealth, sex, or inherited phenotype)' (Wade, 2010). Therefore, in a way, ethnicity can be viewed as people of a certain culture in a specific place. Many Indians are strongly connected to their land and its surroundings. If they leave the place, they experience a loss of personal and cultural identity, 'In a profound sense, the people of Pocobaya are of the land; to leave it is, for many, a traumatic process; one that changes their conception of themselves' (Canessa, 1998).

Additionally, certain gender roles and the complementarity of the sexes can be seen as a part of the ethnic and cultural dynamic. In the *runakuna* community, there is a gendered division of tasks. As described by Allen (2002), female tasks include taking care of the home, cooking, taking care of the children, weaving, and sewing, etc. Male tasks consist of going for water, bringing firewood, working in fields, making ropes, doing some simple carpentry, and travelling and working to obtain money. However, while these tasks are gendered, they are complementary as both men and women share the workload and help each other. This reflects the *runakuna* understanding of the relationship and balance between men and women – each person is complete but can possess the qualities of the other sex. This is represented in the Andean *kintu* ritual. A *kintu* is a small bunch of coca leaves, composed of eight leaves that are divided into four *k'intus* of two leaves each, one leaf representing male and the other leaf representing female. The eight-leaved *k'intu* illustrates a general principle. Each individual is a microcosm within which male and female qualities are combined. Each individual can, however, provide the male or female element of another pairing to form another individual, a microcosm of a higher order. Thus, while each man or woman is a complete individual with both male and female qualities, the two unite to form another individual of a higher order, a *warmi-qhari*, the nucleus of the household. These gender complementarities, while consisting of everyday life aspects, are a part of a larger context as they illustrate the *runakuna* values in terms of gender relations. Cultural values are another important part of the ethnic identity. Actions, lifestyle, language, clothing, diet, economic and personal relations, spirituality, location, gender, and values all contribute to the ethnic and cultural identity of Latin American Indians.

Class is another aspect that contributes to the formation and construction of the Indian identity. Due to the consequences of colonialism and many other historical, political, political and

social processes, many Indians are of low socioeconomic status, '[s]ince early colonial times the villagers have served as a source of cheap labour for the upper classes' (Friedlander, 2006). Just being Indian ensures a person is considered uneducated and of low socio-economic status, '[f]or the villagers, however, a far better way to describe their identity was to talk about what they did not have. More than anything else, being Indian, in their eyes, meant being poor and uneducated' (Friedlander, 2006). A distinction of the lower class is not only socio-economic conditions but also the level of education. Indians are often illiterate and do not speak fluent Spanish as mestizos do, "Another old woman repeated that the villagers were Indians because they did not know how to speak Spanish well and this embarrassed them (Friedlander, 2006). It is also considered by some that Indians are uncultured:

People with culture, they continued, had education and money. They could read and write. They knew how to speak with "respect" (addressing one another with honorific titles—Engineer Juan, Architect José—and flowery phrases). People with culture had confidence in themselves. They could speak in public before large crowds and use a microphone. Dressed like urban Mexicans, they lived comfortably, in homes furnished with store-bought beds, tables, and chairs. Unlike Indians, people with culture owned televisions and trucks, to name but a couple of status symbols frequently mentioned (Friedlander, 2006).

Another important aspect that contributes to Indian class inferiority is where they live and the work they do:

Indians live in rural areas, unlike the mestizos, who are town-dwellers. Indian work, the raising of crops and the herding of livestock takes place out of doors, literally on the earth, while mestizos are employed indoors in such activities as commerce, office work and urban trades (Orlove, 1998).

However, these aspects that put Indians in the lower class are socially constructed western (etic) standards of what is educated, civilized and cultured. Some Indians themselves, while aware of their social standing compared to mestizos, do not perceive themselves as such and take an emic perspective, 'social groups are what they define themselves to be, and that commoners are not a class because they do not see themselves as such' (Gose, 1994). Additionally, in the Indian Quechua language, there are no terms that would be equivalent to 'class' (nor 'race' and 'ethnicity') (Gose, 1994). Evidently, there are different understandings of class with regards to the etic and emic perspectives. While class can be seen as a part of the Indian identity, it is often based on Western definitions and therefore it does not include all perspectives.

Latin American Indian definitions and features of race, ethnicity and class are interconnected and overlap and therefore they as people and their identity can be understood best in a combination of racial, ethnocultural and socio-economic frameworks. Race is not defined only by bodily aspects, it also depends on the context and one's cosmology and lifestyle. Ethnicity is also not bound to descent, but one's connection with the local community and contribution to local cultural practices such as speaking the indigenous language, wearing appropriate clothing, having a specific type of diet and participation in the community's spiritual practices. In terms of class, Indians are often seen as inferior and of the lower class because of their poor background, illiteracy, lack of fluency in Spanish and appropriate manners, rural living conditions and agricultural occupations. It is essential to consider their own perception on who they are as the emic viewpoint can be different from the etic belief. The etic perspective often considers Indians as backwards and inferior. However, such

notions are based on Western socially constructed ideas of what should be considered 'superior,' 'civilised,' 'cultured,' and 'educated,' etc. It is worth considering the fact that what is different and does not necessarily accord to Western standards is not inferior.

References:

Allen, C., 2002. *The Hold Life Has: Coca And Cultural Identity In An Andean Community*. Washington, D.C.: Smithsonian Institution Press.

Canessa, A., 1998. Procreation, Personhood and ethnic difference in Highland Bolivia. *Ethnos*, 63(2), pp.227-247.

Canessa, A., 2012. *Intimate Indigeneities: Race, Sex, And History In The Small Spaces Of Andean Life*. Duke University Press Books.

Friedlander, J., 2006. *Being Indian In Hueyapan*. Basingstoke: Palgrave Macmillan.

Gose, P., 1994. *Deathly Waters And Hungry Mountains: Agrarian Ritual And Class Formation In An Andean Town*. Toronto: University of Toronto Press.

Mercadal, T., PhD (2019) 'Colonialism', *Salem Press Encyclopedia*. Available at: <http://0-search.ebscohost.com.serlib0.essex.ac.uk/login.aspx?direct=true&db=ers&AN=87322696&site=eds-live> (Accessed: 16 January 2021).

Orlove, B., 1998. Down to earth: Race and substance in the Andes. *Bulletin of Latin American Research*, 17(2), pp.207-222.

van den Berghe, P. and Primov, G., 1977. *Inequality In The Peruvian Andes: Class And Ethnicity In Cuzco*. London: Univ. of Missouri Press.

Wade, P., 2010. *Race And Ethnicity In Latin America*. London: Pluto Press.

[Return to CONTENTS](#)

Should we criminalise environmental crimes, and environmental harm such as ecocide internationally?

Alisha Kaur

Introduction

There has been greater criminological, legislative and judicial attention addressed to the rights of the environment, reflecting the efforts of eco-rights activists in changing perceptions and laws regarding the environment. It also reveals the growing recognition that centuries of industrialisation and globalisation of resources are transforming the basis of the world's ecosystem; global warming and other environmental damage threatens everyone irrespective of where we live or our specific socioeconomic state. Since the 1990's the focus of criminology and the significance of crimes and harms concerning the environment and both human and non-human beings have been recognised (Lynch, 2006). This is a form of transgressive criminology as it oversteps traditional criminology allowing for the development of a global perspective on environmental crime and harm. Environmental crimes are any act that violates an environments protection statue or law, whereas environmental harms are any illegal/immoral acts that directly harm the environment. Some examples of such crimes and harm include pollution (air and water), corporate criminality and its impact on the environment and health and safety within the workforce where there are environmental damages. Criminologists tend to adopt either a legal-procedural approach to environmental issues (conservation criminology), retaining a traditional focus which seeks to integrate criminology with natural resource disciplines and risk in the exploration of environmental crime as legally defined; or a more critical or socio-legal approach (critical criminology), investigating environmental harms that are not statutorily proscribed but considered as equally or more destructive than some legal offences. Ecocide is a substantial environmental harm that severely damages and impacts the world. This is referred to as the mass destruction of (or loss of) ecosystems that has occurred many times throughout the history of a given territory- whether by human agency or other causes, to an extent where peaceful enjoyment by individuals of that territory has been diminished (Higgins, et al., 2013). Therefore, this essay aims to explore environmental crime examples and harms damaging to both human and non-human beings, particularly those of ecocide, and whether these crimes and harms should be recognised internationally as a crime.

First, a variety of work approaches heavily contribute to what is known as 'green criminology', which refers to the study of environmental crimes and harms through conservation and critical criminology affecting human and non-human life ecosystems and the biosphere (Lynch & Stretesky, 2003). Green criminology encompasses the dimensions of damage, social harm and injustice neglected by criminal law and by the criminal justice system (CJS). It further assesses diverse narratives that stipulate an interface with social movements and green politics, exploring environmental harm issues being utilised by many analytical tools in producing information that is theoretical and politically active (McLaughlin & Muncie, 2012). While green criminologists are interested in harms to the environment, there are two distinct green perceptions of harm: anthropocentric and eco-centric harm. Anthropocentric harm is considered from the perspective of humanity; for example, climate change is an issue due to its impact on people and the economic loss of dealing with it. Eco-centric harm sees harm to any aspect of the environment as harm to all of it, thus crime such as animal cruelty is a green crime regardless if there was any specific human cost (White, 2008). However, eco-crime is defined by Walters (2010) as existing legal definitions of

environmental crime and sociological analyses of those environmental harms not necessarily specified by law. Examples of environmental crime can be organised into two distinct types according to South (2008): primary, which is classified either resulting from the destruction and ruin of the Earth's resources - there are four suggested main primary green crimes/harms that negatively affect the environment, humans and other non-human species as a result of human acts, examples will be analysed below; and secondary green crimes/harms which ascend from the exploitation of conditions that follow environmental damage or from the abuse of rules that endeavour to regulate environmental harm and response to a disaster. These can include both major and minor preparations, whereby states violate their regulations and thus contribute to environmental harm. The following examples aim to illustrate and emphasise the extensiveness of both primary and secondary crimes/harms.

Secondly, primary green crimes are crimes that constitute harm imposed on the environment and those imposed on human and other non-human species due to the destruction and degradation of Earth's resources as a direct result of human acts (Carrabine, et al., 2013). Four main categories of primary green crimes were recognised: crimes of air pollution, crimes of deforestation/land, crimes of animals and non-human species and lastly, crimes of water pollution. Air pollution affects all individuals who live and work in centres of high industrial concentration. All populations such as humans, wildlife, and water agriculture are subject to the effects of climate change at a great financial and environmental expense, which are predominantly driven by air pollution. Walters found that the World Health Organisation (WHO) estimates the annual premature death of around two million people worldwide due to respiratory infections, heart disease or lung cancer are enhanced by the direct result of poor air quality (air pollution) (Walters, 2013). Therefore, it is seen as a significant contributor to climate change, causing an increase in 'natural disasters' (UNDRR, 2008). Crimes/harms of deforestation/land have huge implications for the environment; for example, the impact of illegal logging, both for need and greed, is destructive for the rainforest and tribes such as the nomadic hunter-gathering tribe Awá. Logging companies are keen to exploit Brazil's rainforest, going against human rights by using gunmen to murder the Awá, which was labelled as a 'real genocide' by the Brazilian judge (Chamberlain, 2012). This is causing excessive direct harm to human beings and the environment, therefore, proving why environmental crimes should be criminalised to prevent further harm from being constructed.

Furthermore, mistreatment or abuse towards animals may be stark in farming cases that may be less visible and socially acceptable, for example, illegal trading in wildlife is a major environmental crime being committed in the black market (Brack & Hayman, 2002). This is evident in Clinard's (1952) *The Black Market* book that exposes how the meat and poultry industry may signify deceptive and dangerous practices of animals from the wild. He focused on white-collar crimes associated with the slaughter and distribution of meat in the US during the 1939-45 war in participating in cruel practices (Clinard, 1952). Lastly, green crimes of water pollution are also damaging to the environment; this is seen through oil spills which cause rivers and lakes to become polluted by wastewater triggering harm towards fish. A prime example of this is the 2010 explosion of the BP Deepwater Horizon oil spill, which killed 11 people and injured 17 others, causing an immense ecological disaster (EPA, 2010). Therefore, if these environmental crimes are causing tremendous harm to the environment and human and non-human species, why should they not be criminalised on an international level?

Additionally, secondary green crimes or 'symbiotic' green crime are those that are illegal under national or international law but may not be enforced, this often occurs openly and goes unpunished. Examples provided by criminologist South (2004) include 'state violence against oppositional groups', such as the 1985 bombing of the Greenpeace ship 'Rainbow Warrior' by the French government to prevent anti-nuclear campaigning activities (Bremner, 2005). This is a form of green crime as it was an act of violence against the ship and its crew, both affecting the environment through contamination of nuclear testing and human beings, due to an individual dying as a result of the bomb. South's second example is 'hazardous waste and organised crime' such as when Mafia-Esque organised crime outfits help corporations side-step laws about pollution and disposal of hazardous waste by accepting money in return. This is evident in the eco-mafia organisation that dumped around 11 million tons of waste in illegal sites in Italy, in which they had monopolised the waste disposal industry (Walters, 2013). Despite such harmful nature of transnational hazardous waste disposal, this environmental crime was not defined as a serious crime (Michalowski & Bitten, 2005) due to the difficulty with accurate statistics which hinders the analysis process, since the victims are unknown it adds to the complexity of diminishing criminal acts. Another category of symbiotic green crime may include those perpetrated by states and powerful groups and organizations such as transnational corporations (White, 2011), for example, fraud committed in an attempt to avoid regulation and restriction of polluting activities. This illustrates how globalisation is an important factor in green crime. The globalised world has resulted in increasing levels of environmental crimes/harms such as waste, especially in developing countries. As these countries continue to develop, more waste is produced, which invokes in the emergence of what Walters (Walters, 2012, p. 103) calls 'rubbish tsars' who manipulate the environment for money. This poses a global risk, for example, global warming, which signifies the importance of a global risk society (Beck, 1992); many of these risks are manufactured risks created by the way contemporary society is organised.

Consequently, as more countries become industrialised, the number of green crimes will also spread. Overall, both primary and secondary green crimes inflict major threats to humanity and ecosystem through the degradation of the earth's natural resources, and by the exploitation of power by individuals. Therefore, all types of environmental harm and environmental crimes should be criminalised transnationally. This can be executed through more extensive models of regulation and global solutions such as a global police force like the UN police force or through international agreements such as the Kyoto Protocol, which argued for industrialised nations to minimise the amount of their carbon dioxide emissions (Cameron, 2000).

Subsequently, ecocide is another form of harm to the natural environment on a massive scale. Higgins defines ecocide as "the extensive destruction, damage to or loss of ecosystem(s) of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been severely diminished" (Higgins, 2010, p. 3). Within his definition, he divided ecocide into two types: ascertainable ecocides which are caused by human actions; and unascertainable ecocides caused by natural disasters. Higgins's proposal was formulated to the United Nations Law Commission to amend the Rome Statute and insert the 5th crime against peace – the crime of ecocide; this created a legal framework for pre-empting, preventing and prohibiting ecocide. Natural ecocides become a responsibility of the government, and human-caused ecocides become a responsibility of both governments and businesses. They become legally bound to ensure that businesses causing mass damage to (or loss of) ecosystems are terminated.

Therefore, those who commission green crimes, such as chief executives and government ministers will be criminally liable for harming others while creating a legal duty of care for life on earth and all nations to stipulate aid to countries at risk of ecosystem failure (Yeo, 2020). Such a law will trigger a green economy and initiate a powerful global governance mechanism, allowing all living beings the right to live a safe and healthy life. Although it was proposed to be the 5th crime against peace, it was then argued that environmental damage to be included as part of war crimes against peace. A law of ecocide would recognise that human-caused environmental damage perpetuated outside of wars is not usually a crime of intent. Out of the ten countries that have included ecocide in their criminal codes, none set out a test of intent. Instead, international law of ecocide should be a crime of strict accountability as without it, a legal loophole of side-stepping responsibility on the basis that mass damage was not intended will loom (Higgins, et al., 2013). Companies rarely intend to commit ecocide; it is often the by-product of making a profit first and considering the consequences after. Thus, businesses will not be held accountable: mass damage would be treated as collateral damage, and the defence of 'no intent' will be abused. Ecocide has been normalised by many business practices that are increasing at the rate that the arctic ice melting is proving dangerous to life in small island states that are part of different continents in the world. Human-caused climate change has not yet been perceived through the lens of the law. When that is done, a different perspective emerges, enabling us to see that the rules can be changed.

After examining the law of ecocide (Gauger, et al., 2012), a considerable amount of evidence suggests that environmental harms and crimes including ecocide should be criminalised internationally. This will not only improve the condition of the environment as a whole, but it will also make those who cause such damage to the eco-system liable for doing so, preventing any further destruction to the world. Since there is no law for the protection of the Earth, individuals, groups and companies that are driven by profit can destroy ecosystems without the fear of being prosecuted, and although individual countries have environmental laws at a national and local level, these are regularly violated. Implementing ecocide as an international crime would bring an end to guilty businesses' immunity. By introducing a separate category for ecocide alongside other international crimes under the jurisdiction of the International Criminal Court (ICC), it would become a new crime against peace. This means acknowledging the obliteration of ecosystems, the threat to climate change and the damage to human and non-human species. For example, deforestation can be seen as a cause of spillover infection, the zoonotic transmission of viruses from animals to humans. An article presented by The Guardian examines how the recent COVID-19 global pandemic may be linked to the wildlife trade and the destruction of biodiversity caused by human activity (Vidal, 2020). Wildlife markets that are commonplace in countries such as China sell fresh meat killed at roadside slaughterhouses; this causes viruses from wild animals that are sold in these markets to be transferred to humans. This is a huge cause for concern as it has caused major environmental crime (illegal wildlife trading) and caused many deaths on a global scale. Therefore, it is imperative to consider criminalising environmental harms and crimes on an international level. Once this is recognised, more individuals will be criminally liable for their acts encouraging them to protect the planet's health by taking the environment and all species into consideration. Furthermore, if it is against the law to steal or cause harm to other people, why should it not be against the law to pollute rivers with toxic waste and help produce and spread disease? This is a key statement to consider when determining whether environmental harms/crimes should be internationally criminalised or not.

Conversely, there are still many challenges of ecocide being recognised as an international crime. Firstly, corporations cannot be prosecuted under international criminal law, which

only applies to individuals; thus, prosecuting the CEO of a business may not rein in the business itself. To change the way we perceive harm to the planet, the model of corporate capitalism needs to be changed. Therefore, criminalising environmental crime such as ecocide will not prove beneficial as it will only cause individual prosecution, allowing the corporate body to continue committing green crimes. Secondly, the term '*mens rea*' is the principle that criminal liability should only be imposed on individuals who intend to commit certain acts, fully being aware of the consequences they may have (Mitsilegas, et al., 2015). Since a majority of environmental crimes and harms are committed without the intent to do so, they cannot be criminally liable, meaning that the international law of ecocide will not have a detrimental effect as it is simply collateral damage. For example, in the May 2010 BP oil spill, it can be argued that should the CEO of a company such as BP be held accountable and be persecuted for an accident? The magnitude of such events is enormous, making it hard to regulate punishment in a court of law. Moreover, ecocide is a crime of a lower threshold of an international element compared to the four international crimes against peace; it is a crime of consequence. The focus is situated towards the consequences ascending from an act rather than the demeanour in itself. Therefore, how can an international law of ecocide be imposed if green crimes are committed as collateral damage or by accident?

Conclusion

In conclusion, this essay has explained and analysed the different types of environmental crimes and environmental harms, including ecocide and whether this should be termed as an international crime or not. Both environmental harms and environmental crimes, which have been explained above, prove precarious for the world and other species living in the world. Green criminology as a whole recognises both the growing importance of environmental issues and the need to address the risks of environmental damage to humans and non-human beings. However, focusing on a much broader concept of harms rather than on legally defined crimes makes it hard to define the boundaries of its field of study. Defining these boundaries involves making moral/political proclamations about which actions ought to be considered as wrong. For example, green criminologists may decide to include animal cruelty within their definition of crime, whereas others may include all meat production, while others may consider it acceptable behaviour. If criminologists cannot agree on what is or is not a green crime, then it is unlikely to come to an overall conclusion. However, if a conclusion was to be completed, it will provide a sense of security and protection of the planet, which is crucial for our sustainability and that of future generations. I believe that recognising ecocide as a 5th international crime would be the first step towards effective justice, preserving and protecting the ecosystem to its fair value. This will pave the way for a shift in consciousness in understanding a collective responsibility towards protecting the ecosystem, creating a global legal duty of care to eliminate activities that harm the environment by imposing legal rules to prevent and pre-empt ecocide. Therefore, I believe that internationally criminalising environmental harms and environmental crimes such as ecocide is a key determinant in making the world and living beings safer and more protected.

References:

- Beck, U., 1992. *Risk Society: Towards a New Modernity*. 1st Edition ed. London: SAGE Publications.
- Brack, D. & Hayman, G., 2002. *International Environmental Crime: The Nature and Control of Environment Black Markets*, London: The Royal Institute of International Affairs.
- Bremner, C., 2005. *Mitterrand Ordered Bombing of Rainbow Warrior, Spy chief says*, *The Times*. [Online] Available at: <https://www.thetimes.co.uk/article/miterrand-ordered-bombing-of-rainbow-warrior-spy-chief-says-3kl9n65m8g2> [Accessed 4 Januray 2021].
- Cameron, P., 2000. From Principles to Practice: the Kyoto Protocol. *Journal of Energy & Natural Resources Law*, 18(1), pp. 1-18.
- Carrabine, E. et al., 2013. *Criminology: a sociological introuction*. London: Routledge.
- Carrabine, E. et al., 2004. *Criminology: A Sociological Introduction*. London: Routledge.
- Chamberlain, G., 2012. *The Guardian*. [Online] Available at: <https://www.theguardian.com/world/2012/apr/22/brazil-rainforest-awa-endangered-tribe> [Accessed 2 January 2021].
- Clinard, M. B., 1952. *The black market: a study of white collar cime*. New York: Rinehart.
- EPA, U. E. P. A., 2010. *Deepwater horizon - BP Gulf of Mexico Oil Spill*. [Online] Available at: <https://www.epa.gov/enforcement/deepwater-horizon-bp-gulf-mexico-oil-spill> [Accessed 2 January 2021].
- Gauger, A. et al., 2012. *Ecocide is the missing 5th Crime Against Peace*. London: Human Rights Consortium, University of London.
- Higgins, P., 2010. *Eradicationg Ecocide: laws and governance to prevent the destruction of our planet*. London: Shephard-Walwyn.
- Higgins, P., Short, D. & South, N., 2013. Protecting the planet: a proposal for a law of ecocide. *Crime, Law and Social Change*, Volume 59, pp. 251-266.
- Lynch, M. J., 2006. *The Greening of Criminology: A Perspective on the 1990s*. 1st ed. London: Routledge.
- Lynch, M. J. & Stretesky, P. B., 2003. The Meaning of Green: Constrasting Criminological Perspectives. *Theoretical criminology*, 7(2), pp. 217-238.
- McLaughlin, E. & Muncie, J., 2012. *The Sage Dictionary of Criminology*. 3rd ed. London: Sage Publications .
- Michalowski, R. & Bitten, K., 2005. Transnational Environmental Crime. In: P. Reichel, ed. *Handbook of Transnational Crime and Justice*. California: SAGE, pp. 139-159.

Mitsilegas, V., Fitzmaurice, M. & Fasoli, E., 2015. *Fighting Environmental Crime in the UK: A Country Report*, London: European Union Action to Fight Environmental Crime.

UNDRR, U. N. O. f. D. R. R., 2008. *Asia Continues to Be Hit Hardest by Disasters*. [Online] Available at: <https://www.undrr.org/news/asia-continues-be-hit-hardest-disasters> [Accessed 2 January 2021].

Vidal, J., 2020. *Human impact on wildlife to blame for spread of viruses, says study - The Guardian*. [Online] Available at: <https://www.theguardian.com/environment/2020/apr/08/human-impact-on-wildlife-to-blame-for-spread-of-viruses-says-study-aoe> [Accessed 4 January 2021].

Walters, R., 2010. Eco crime. In: J. Muncie, D. Talbot & R. Walters, eds. *Crime: local and global*. Collumpton, UK: Willan, pp. 173-208.

Walters, R., 2012. Dirty collar crime and the environment. In: K. Carrington, ed. *Conference Proceedings - Crime, Justice and Social Democracy: An International Conference*. Australia: Queensland University of Technology, pp. 103-112.

Walters, R., 2013. Air crimes and atmospheric justice. In: A. Brisman & N. South, eds. *The Routledge International Handbook of Green Criminology*. London: Routledge.

Walters, R., 2013. Eco Mafia and Environmental Crime. In: K. Carrington, M. Ball, E. O'Brien & J. M. Tauri, eds. *Crime Justice and Social Democracy, Critical Criminological Perspectives*. London: Palgrave Macmillan, pp. 281-294.

White, R., 2008. *Crimes against nature: environment criminology and ecological justice*. Collumpton: Willan.

White, R., 2011. *Transnational Environmental Crime: Towards and Eco-Global criminology*. London: Willian.

Yeo, S., 2020. *From the Pope to Greta Thunberg, there are growing calls for the crime of "ecocide" to be recognised in international criminal law – but could such a law ever work? - BBC*. [Online] Available at: <https://www.bbc.com/future/article/20201105-what-is-ecocide> [Accessed 4 January 2021].

[Return to CONTENTS](#)

A biography of a photographer – Peyton Fulford

Jordan Reynolds

Overview:

Peyton Fulford (b.1994) born and raised in South Georgia, now based in Atlanta and New York, is an American photographer. She began studying photography at Columbus State University where she was awarded a Bachelor of Fine Arts (BFA) in 2017. Her work focuses on American youth subcultures in the south, particularly concerned with queer adolescents in small and rural towns. The photographic technique Fulford has used is narrative portraiture, as she is committed to expressing the stories of young people and exploring their identities (Lens Culture, 2021).

Fulford's photography has been showcased worldwide in solo and group exhibitions, including Photo London at Somerset House and Photo Vogue Festival at Base Milano. Her work has not only been published in *#girlgaze: How Girls See the World* (published by Rizzoli) but her work has also been commissioned and featured in the British Journal of Photography, The New York Times, and The Huffington Post (Fulford, 2020)

Commissioned Work:

Throughout both of her personal and commissioned works, Fulford has been using photography as a lens to explore taboo or otherwise difficult subjects surrounding contemporary society. For example, her work for the Huffington Post depicts the emotion of transgender abortions, this can be seen and felt with 'Cazembe Jackson' (see appendix one). This a powerful piece as Fulford, along with the Huffington Post are challenging the notion of gender being dichotomous which has often been reinforced by the state and other institutional agencies (Valocchi, 2005:755). What's more the significance of these portraits are that they are captivating, we want to understand the story that is being told yet as Les Back (2004:135) reminds us "we have to listen to them with our eyes".

In addition to this, it is clear that Fulford has a passion for arguing against stereotypical gender norms and dismantling the normative beauty standards that plague society. This is illustrated in her commissioned work for *#girlgaze* and Dove, who seek to show a more inclusive image of beauty by not conforming to gender norms of what it means to be a female (Fulford, 2020). Throughout this campaign, Fulford's photographs are representative of her own personal work with 'Infinite Tenderness' as both are documenting how individuals are carving out their own gender identity rather than performing society's expectations of gender (see appendix two). This example illustrates how photographers like Peyton Fulford are essential in constructing a new narrative of female-identifying and non-binary people by destabilizing gender norms and giving space and a voice to those in marginalised group. Furthermore, as a photographer Fulford is shaping a cultural phenomenon given that the photographer chooses the event they want to capture which in turn leads to the photograph being part of this cultural construction as it belongs to a particular social situation (Berger and Mohr, 1995:93).

Infinite Tenderness:

As stated previously, Fulford grew up in a small town in southern Georgia, one that was heavily conservative and religious. Consequently, she did not feel able to identify as queer until the age of 21 as she noted, "I was unsure where I belonged in the world" (Fulford, 2020). 'Infinite Tenderness' can be seen to be reflective of Fulford's own identity with an emphasis on exploring sexuality, one's body and gender which constructs the identities within LGBTQ+ youth subcultures. Her work depicts the intimacy and expression of sexuality that is often alienated from mainstream society (Fulford, 2020). This suggests Fulford is challenging the societal norm that heterosexuality is natural, with homosexuality being its binary opposite (Corber and Valocchi, 2003). By Fulford drawing upon her own feelings of being Queer, these photographs are significant in order to understand young people in America today. As if Fulford does not feel like her "truest self" (Fulford, 2020) this will resonate with other individuals which supports the need for photographic collections like 'Infinite Tenderness'.

Trevor in their bedroom, 2017:

Trevor (see appendix three) surrounded by their arguably most personal background; their bedroom, displays the innocence that is felt within this photograph. This is an authentic and unapologetic portrait of an individual trying to create an unconventional identity, one that is deconstructing mainstream society's ideologies of gender. Although, there is a look of innocence that surrounds Trevor, there is also a sense of seriousness, one could infer that this seriousness is a reflection of the unknown as their bedroom provides a safe and comforting environment, however, leaving that could present a myriad of anxieties whereby Trevor does not feel accepted. Furthermore, at first glance Trevor themselves portrays a traditionally masculine form, yet they are dressed in typically feminine clothes, with a collection of women's wigs which highlights a juxtaposition of a new normal for the 21st century. Along with this, the colours shown are bright and the background has not been blurred out like Fulford's other photographs, this signifies a feeling of pride from both Trevor and Fulford, it is an empowering piece of work that embodies the identities that constantly change within the LGBTQ+ community.

Hayden, 2017:

The photograph of Hayden (see appendix four) is very much representative of Fulford's objectives as a photographer as by wanting to create an "accepting space for queer kids" to express themselves as well as pushing the boundaries of a heteronormative society. The individual in this portrait oozes a confident and impenitent atmosphere, one that transcends beyond the photograph and into the audience. The position of their arms in the air shows a self-assured person that is not afraid to be noticed but one who symbolises freedom. In addition to this, the body we see is anatomically female, however, the features such as armpit hair, piercings and tattoos are usually associated with a masculine identity/body. Therefore, the subject of the portrait along with Fulford are normalising bodies without attaching gendered labels. With this in mind, a photograph with breasts in it is often subjected to the 'male gaze', whereby the female body is eroticised and is regarded as an object to be observed by men (Henning, 2015: 201). Nevertheless, there is a lack of sexualisation with Hayden as it is purely a body that is existing while defying societal norms of being a passive object for men.

Similarities with other photographers:

Parallels can be drawn between Fulford's work and that of the controversial photographer, Larry Clark. Both photographers focus their attention on youth subcultures in America with an emphasis on challenging the social constructions adolescents may face such as imposing traditional masculine identities. Although, as stated previously Larry Clark is a controversial figure due to his work of representing young Americans in a raw and bold style (Simon Lee Gallery, 2021), for example, photographing teenagers in a sexual manner (see appendix five). Yet, it may be foolish for his critics to condemn his work of explicit images of teenagers as majority of young people engage in sexual activities, but it is not photographed or documented like with adults. Hence, photographers like Clark and Fulford are making a space for individuals who would otherwise be marginalised from society as well as highlighting the importance of normalising sexualities and identities, for instance, homosexuality and being transgender. Moreover, what makes Clark and Fulford's work so compelling is that they are both using their own personal experiences in their photography. This adds a deeper understanding to their portraits and allows the audience to connect to not only the individual photographs but also one can identify with the photographers.

In addition to this, Fulford's work also bears similarities with the Indian born photographer Sunil Gupta. Gupta, like Fulford is concerned with giving a voice to people who are frequently excluded from society, for instance homosexual men and women. Throughout Gupta's career he has used his work for political and personal practices, as being a gay man himself it is imperative for him to highlight the inequality that has been experienced by him and other gay men (The Photographers Gallery, 2021). Much like Fulford and Clark, Gupta's photographs are reflective of his own life experiences as he is reinforcing the argument of sexuality being complex. The portraits we see of homosexual couples are intimate with most of the subjects being photographed in their home (See appendix six), the settings of these photographs are private which creates the feeling of the audience intruding on a private or special moment between the couples. One could suggest that Gupta is normalising homosexual relationships as working in the 1980's there was a large stigma towards gay people, and thus by photographing them in their homes it shows that they are the same as heterosexual individuals but have a different sexuality.

Appendices:

Appendix One – Fulford 2019:



Appendix Two – Fulford:



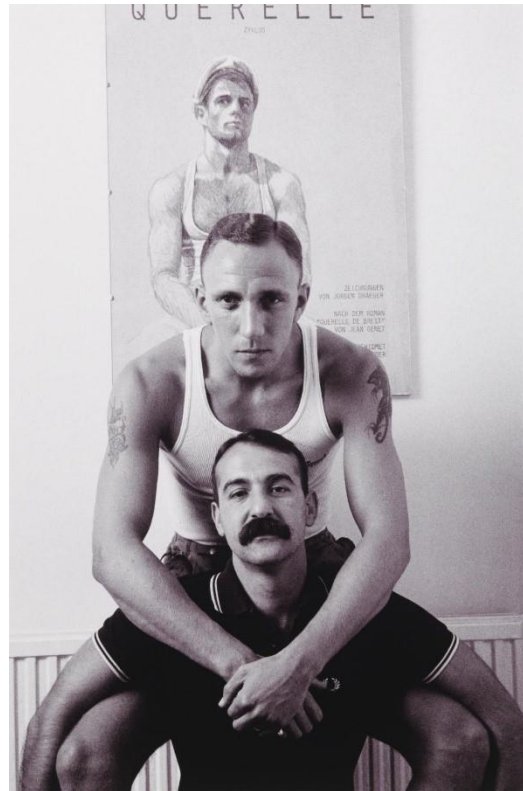
Appendix Three – Fulford 2017:



Appendix Four – Fulford 2017:



Appendix Five – Clark 2010 in Simon Lee Gallery:



Appendix Six – Gupta 1984 in Tate Modern:

References:

B, Les (2004) 'Listening with our Eyes: Portraiture as Urban Encounter' in *Picturing the social landscape: visual methods and the sociological imagination*, London: Routledge, pp.132-146

Berger, J and Mohr, J (1995) 'Appearances' in *Another way of Telling*, New York: Vintage Books, pp. 85-128.

Henning, M (2015) 'The Subject as Object: Photography and the Human Body' in *Photography: a critical introduction*, Abingdon: Routledge, pp.189-230

Lens Culture, (2021), Available at: <https://www.lensculture.com/peytonfulford> (Accessed: February 3, 2021)

Peyton Fulford, (2020), Available at: <http://www.peytonfulford.com/infinite-tenderness/x0wtp81lt28c0e7s40joa6nsbnbp7f> (Accessed: February 3, 2021)

R, Corber and S Valocchi (2003) *Queer studies: an interdisciplinary reader*, Malden: Blackwell.

Simon Lee Gallery, (2021), Larry Clark, Available at: <https://www.simonleegallery.com/artists/larry-clark/> (Accessed: February 3, 2021)

Tate Modern, (2017) Ian & Pavlik, London, Available at: <https://www.tate.org.uk/art/art-works/gupta-ian-pavlik-london-p82136> (Accessed: February 5, 2021)

The Photographers Gallery, (2021), *From Here to Eternity: Sunil Gupta. A Retrospective*, Available at: <https://thephotographersgallery.org.uk/whats-on/exhibition/here-eternity-sunil-gupta-retrospective> (Accessed: February 3, 2021)

Valocchi, S. (2005) 'Not Yet Queer Enough: The Lessons of Queer Theory for the Sociology of Gender and Sexuality', *Gender & Society*, 19(6), pp. 750-770. Available at: 10.1177/0891243205280294. (Accessed at: February 3, 2021)

[Return to CONTENTS](#)

Should we criminalise environmental crimes and environmental harm such as ecocide internationally?

Lucy Sharp

In 1988, the Intergovernmental Panel on Climate Change (IPCC) was established by the World Meteorological Organization and UN Environment Program. They were tasked with providing policy makers with a clear view of the state of climate change claims by collecting and evaluating scientific and socio-economic information. According to this data report, the evidence behind the theory was undeniable, contributed to by human activity and required fast-action to halt the inevitable damage (IPCC, 1988). Climate change is expected to cause much damage to our everyday lives, with increased risks of extreme, unpredictable weather. This can be seen through the recent unusually intense bushfires throughout Australia in 2019–20, impacting an estimated one billion animals (University of Sydney, 2020) and causing the deaths of some humans, as well as increased risks of serious diseases and lack of food security. This leaves us to ask the question, if we are to believe the proposition that laws exist to protect individuals from harm to wellbeing, body or property, where is the prevalent criminalisation around environmental issues, especially that of climate change, that will likely harm us in the future? The main goal of this paper is to explore the concept of environmental harm and environmental crimes and, through exploring these concepts, we will discuss whether it is pertinent to criminalise these actions on the domestic or international level, on moral grounds or otherwise. This paper will also attempt to highlight the ways in which we do currently attempt to control environmental issues internationally and assess criminalisation and its effects on perpetrators of environmental harm. To conclude we will find that, while asking if criminalising environmental harm is important, we also need to focus more broadly on how this could be accomplished.

According to Carrabine et al (2014) there are four major environmental crimes or harms that can be committed: air pollution, water pollution, harms against non-humans and deforestation or otherwise harms occurring to land. It is important to make a distinction between these environmental harms in discourse, particularly between the primary and the secondary harms of the environment that can both be heavily damaging and constitute environmental crime. Primary green crimes often result from the destruction and degradation of earth's resources, affecting the environment and other non-human species directly (Carrabine et al, 2014), which can in-turn make these acts easier to criminalise due to the nature of their direct effect on the world. However, secondary green crimes are symbiotic harms that may arise from the exploitation of the environment found in primary green crime, but also be constituted by crimes generated by ignoring the rules around prevention and regulation of environmental disasters (Higgins et al, 2013).

As discussed in the introduction to this essay, environmental issues such as global warming can have dangerous effects – including but not limited to disruption of supply chains/food security, dangerous weather, migration of disease, uninhabitability of areas of land and water contamination. These would be examples of the direct nature of environmental issues upon us, but the indirect nature of these 'secondary' crimes are more insidious: corruption, profiteering, rioting and illegal trade, which become a security challenge for police and governmental agencies in our 'risk society' (Beck, 1992). It is sometimes the case that they are even committed by those same government agents themselves which makes accountability for these crimes even more unlikely. For example, the 1985 French Secret Service sinking of the Greenpeace ship 'Rainbow Warrior', which was trying to prevent the testing of nuclear

weapons in the Pacific, was an act of State violence against oppositional groups protesting eco harms. Additionally, this can be seen in Western companies shipping their waste to be processed in developing countries, where safety standards are virtually non-existent. For example, a 1998 New York Times article exposed the use of Africa by western businesses to dispose of waste that would cost around \$2,500 to dispose of domestically but could cost fees as low as \$3 in certain locations (New York Times, 1998). Secondary harms can result in more tangibly defined violations of law, however the direct impact of primary crimes is an important factor in the cause of these crimes and perhaps, it should be argued, are most in need of criminalisation to prevent both harms from occurring.

What society decides to criminalize is not necessarily only what is causing 'harm' in the traditional sense. For example, someone using illicit substances might not necessarily be committing harm unto themselves or others - as far as we don't consider drinking alcohol a criminal act committing harm unto ourselves. In the same way the reverse can be true: harm is not always dependent on acts that are criminally persecuted in their countries. For example, Restorative Justice, especially 'restorative practices' as it might be termed to less intricately tie it to the criminal justice system, are conferences and projects that base themselves upon working through harms committed, not just by individuals unto other individuals but by society unto communities, which are not necessarily criminal acts. A recent example of this would be the National Association of Community and Restorative Justice's free and paid-for services of online restorative community programs for all members of the American community to attend to work through the collective trauma and harm that COVID-19 and the subsequent responses from the government has caused them. In relation to this paper, environmental 'harms' have not always been criminalized, and are still arguably not being criminalized in society - especially non-western societies or countries that are not held to a standard on environmental costs by international organizations. These emissions might be particularly high due to their economic standing being reliant upon industrial industries that produce high rates of pollution and environmental damage. Describing 'eco-crime', Walters (2010: 180) makes a point of expressing "existing legal definitions of environmental crime, as well as sociological analyses of those environmental harms not necessarily specified by law" due to this discrepancy between environmental harm and those that are actually legally defined as crimes.

Looking at criminalization from an 'eco-centric' view of crime differs from the traditional sense of criminology as a form of more transgressive criminology. This 'green' criminology looks at 'harms' instead of what is necessarily defined as 'criminal', which can be useful in a global context and further for enhancing consciousness of the environment in criminology (South, 1998). Traditional views of crime often locate crime and criminality as defined by certain laws in given societies and, due to the nature of conflicting legal standards cross-culturally, makes it difficult to define an act as criminal in every society. Green criminology focuses on harm, harm that we know is happening to the global society and influencing the wellbeing of the planet - in other words, "crimes against the environment" (South, 1998). Certain emissions might stem from deforestation in Brazil, for example, which is not being criminalized in the same way by Jair Bolsonaro as it is by governing parties of the European Union in their Priority for 2018-2021, but nonetheless affects the global warming of the entire world. Hence, there has been national outcry against this act of environmental harm that is not necessarily criminal, or domestically affecting the population, but will eventually culminate in harm to the global population, especially those most venerable like the global poor (Shue, 2014). Due to this national outcry, there has actually been a significant turn-around in environmental policy by the Brazilian government this year (Londoño and Casado, 2020), demonstrating how this new transgressive way of looking at harm on a global level can

criminalize at the local level in order to protect from harms previously considered minimal, if considered at all.

But what would be the reasons, moral or otherwise, that we should be caring for and taking preventative measures against harm for the global population? This is hard to argue for when much of traditional criminalization and legal systems are instated at the domestic level, respecting the 'sovereignty' of each nation as legally responsible for its citizens. Of course, there are a few notable exceptions to this that attempt to establish global systems of law, arising especially when it is observed on a global level, that certain countries or societies are failing in their basic duty to mitigate harm, a moral duty that has been well established by enlightenment philosopher Thomas Hobbes almost two centuries ago (1998), or even willfully encouraging harm unto their citizens. An example of this is the International Criminal Court, established post-World War Two to deal with the prosecution of Nazi party members whose organization sought to rid not only their own German-based populace of Jewish populations but also expand upon other countries (such as Poland and the Netherlands) to do the same. It is not entirely unusual, then, for global intervention upon countries and governments to mitigate recognized global harms such as genocide within their countries and against other countries. Then, we might question why there is not similar outcry when faced with the issue of 'ecocide' when this has been found to be a contributing factor to environmental harm that will eventually cause many new harms upon every population.

The European Union provides a good framework for reducing environmental harm and this is reflected in the Environmental Performance Index which ranks European countries as consistently higher than other countries without a more global framework of governance around these issues (EPI, 2020). Criminalization and legal restrictions are always changing and evolving as is required by an ever-evolving society. Though some might contest this point when looking at some countries that still criminalize arbitrarily (for example the criminalization of homosexuality) and, looking closer to western societies, some might argue legal systems are not evolving fast enough to deal with our current society as the relationships within the state evolve (Jowell and Oliver, 2011). However, a good example of looking at the way our criminalization of aspects of life is changing is through looking at environmental harms. In 2013, Higgins et al (2013) proposed a 5th crime against peace to the UN Law Commission:

"Extensive damage to, destruction of or loss of ecosystem(s) of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been severely diminished" (p. 257).

This amendment would criminalize environmental harms and crimes on the international level. Unfortunately it has not made it into the amendments of the Rome Statute as of yet but is a good example of how criminalizing environmental harms globally (such as the way genocide has been globally criminalized) would prevent the negative effects and loss of life environmental issues will create.

There is a case to be made for criminalization of environmental harms on the domestic level when attempting to work in the traditional framework of criminal law, as this is a less controversial way to criminalize environmental harms. This eliminates much of the resistance from nationalist perspectives of global justice as well as de-colonization perspectives, which posit respect for nations that are not our own (Walzer, 1980) or focus on domestic citizenship as vital to the working and ability of the scope of governments (Miller, 1995). There has also been evidence that domestic level managing of environmental harms, especially in less developed countries, mitigates much of the environmental harms caused by economic and

social integration such as foreign investment (Jorgenson et al., 2011). However, the argument for international criminalisation of environmental harms rests with both the outlook that global systems of prevention are a safeguard to prevent atrocities as described in this paragraph, but also that morally we owe the citizens of our global society protection from environmental harms, and so a worldwide criminalisation of environmentally damaging behaviour could better protect them.

Peter Singer (1972) describes positive duties we have towards other members of our global society to mitigate harm as much as possible. This is a straightforward example of moral philosophy that states if it is in our power to lessen harm to others – for example through criminalizing environmental harms that will subsequently create global issues – we should do it. Thomas Pogge (2005) posits that instead, we only have negative duties towards each other not to commit harm unto others, but environmental crime is arguably the committing of crimes against others because we are creating the issues that will then go on to harm everyone else on a global level. This understanding of environmental harms and crimes as a moral issue is echoed by other writers on the topic such as Shue (2014: 270) who writes: “to persist in the activities that make climate change worse and thereby make living conditions for future generations worse is not merely to decline to provide protection – a positive duty, but it is to inflict danger and to inflicted on people who are vulnerable”.

We can see ecocide is a moral issue committing harm onto others for at least two reasons: its ability to harm animals, the earth, plants and humans but less obviously in the way environmental harms create future issues, usually unequally distributed. For example, instead of large oil companies fracking and creating pollution having to deal with a fair share of environmental mitigation in the future, these worse living conditions will often be felt by the poorest in society, a new form of environmental classicism. Mark Fisher (2009:18) posits that “climate change and the threat of resource-depletion are not being repressed so much as incorporated into advertising and marketing”, which in turn reinforces the idea that capitalist realism depends on the ability to concede that capitalism is negative for its disastrous effects but is, in the end, the only system we can rely on. The presumption that resources are infinite and the market – buying the right product, for example – can have the largest effect on combating society’s problems, still encourages this minimalizing of the problem and particularly Capitalism’s part in it. This kind of acceptance of environmental issues is a secondary harm that exists to perpetuate the systems responsible for a large amount of environmental crime.

As well as this, environmental harms could be suggested to violate our human rights, which are “needs created by human nature” (Kekes, 1994:49) and should therefore be respected, with efforts to violate these rights prevented. Article 25 of the Universal Declaration of Human Rights states that everyone has the right to a standard of living adequate for their health, including food. Caney (2010) suggests that three human rights are being violated by the effects of climate change, making it a moral issue that is permissible to criminalize: the right to life, the right to health and the right to subsistence. The right to life for human beings is the one most often focused on by international organizations looking to stop violations of traditional Human Rights, so this should be the one most heavily effected by global warming changes, and hence environmental harms should be criminalized to stop abuses of this right. The more expansive interpretation of the right to life, that every person has a human right not to be deprived of that life and furthermore to be protected from all kinds of threats, is closely related to Singer (1972) and his moral philosophy on global justice. However, even according to the more restricted interpretation scribed in the International Covenant on Civil and Political Rights, every person has a human right not to be arbitrarily deprived of

life. As mentioned before, climate change's effects range from the migration of various severe life threatening diseases, dangerous weather including storms, floods and landslides and also the depletion of food resources which will inevitably lead to more death by starvation. This often effects the poorest countries of the world but this global effect will be felt by all of us; as such these are random, unspecified killings that would take place all over the world, obviously in an arbitrary manner, and therefore we should be proactively criminalizing actions that will eventually cause these issues, such as environmental harm.

The final thing this paper will explore is how we would criminalize environmental harm. We could default to suggesting global powers already in place, such as the EU or UN which already function as an international organization, have the best chance of policing these environmental harms internationally. However, there are still glaring issues with global institutes like these. For example, Teson (2005:17) regards "The UN Security Council [as] inadequate...One of the permanent members, China, is itself a highly questionable regime". In relation to this claim and in terms of environmental harm, nation states of these organisations could themselves be high contributors to environmental harm and this could make them untenable candidates to police their own behaviour. Additionally, the way the UN achieves international political goals is usually through imposing economic sanctions on certain countries, but as expressed by Caney (2010), these sanctions applied to environmental harm will target poorer countries for higher emissions; they will not always be able to pay and that economic position itself is arguably to do with Western exploitation of other countries for their resources (Pogge, 2005; Wenar, 2008). This will not only cripple the country economically, making it even harder to live sustainably, but will also mean that if we are to set out to use funds in this "polluter pays" principle to address the mitigation efforts we will inevitably have to implement to protect from and prevent climate change's effects, we will never reach and have enough funds to achieve this in time. Furthermore, international economic sanctions have not been shown to work as a deterrent for future negative behaviour (Pape, 1997). It is also hard to discern whether we should be criminalizing countries, individuals, or large businesses. A large contributor to environmental harm, committing the most environmental harm, are large public companies. An influential study by Trucost (2008) found the estimated combined damage to the environment caused by only the top 3,000 public companies was worth about £1.4 trillion. This has led to ample discourse around criminalizing the biggest perpetrators of environmental crimes dependent on themselves individually. However, this can lead to the same issues we have when discussing corporate crime – it is not always easy to individually charge or fine one person when companies often have such large interconnected networks with many moving parts and different levels of criminal activity relegation.

To conclude, there are compelling arguments put forward to criminalize environmental harms. Morally we could be argued to owe citizens of the world equal chance of life, which the effects of global warming would greatly interfere with and with that responsibility comes a global responsibility. This paper has argued ostensibly for the criminalization of environmental harms and environmental crimes on a global level. However, the question of what the policing of such matters would look like, who should be responsible for criminalizing actors and their environmentally harmful actions and how it would be possible to criminalize these environmental crimes globally without arbitrarily punishing those that already suffer under the exploitation of wealthier countries is yet to be answered and that is what should be a more pressing matter going forward.

References

- Beck U, Lash S and Wynne B (1992) *Risk society: Towards a new modernity*. Newcastle: Sage Publishing.
- Brook J (1988) Waste Dumpers Turning to West Africa. *The New York Times*. Accessed: 19 December 2020. <https://www.nytimes.com/1988/07/17/world/waste-dumpers-turning-to-west-africa.html>
- Caney S (2010) Climate change and the duties of the advantaged. *Critical Review of International Social and Political Philosophy*. 13(1):203-228.
- Carrabine E, Cox P, Fussey P, Hobbs D, South N, Thiel D and Turton J (2014) *Criminology: A Sociological Introduction*. London: Routledge.
- Fisher M (2009) *Capitalist Realism: Is there no alternative?* UK: John Hunt Publishing.
- Higgins P, Short D and South N (2013) Protecting the planet: a proposal for a law of ecocide. *Crime, Law and Social Change*. 59(3): 251-266.
- Hobbes T and J. C. A. Gaskin (ed) (1998) *Leviathan*. Oxford: Oxford University Press.
- IPCC (1988) First Session of the IPCC (IPCC-1), Geneva, Switzerland, 9-11 November 1988. *WMO/UNEP Intergovernmental Panel on Climate Change*. Accessed: 2 January 2021. <https://www.ipcc.ch/site/assets/uploads/2018/05/first-final-report.pdf>.
- Jorgenson A, Dick C and Shandra J (2011) World economy, world society, and environmental harms in less-developed countries. *Sociological Inquiry*. 81(1): 53-87.
- Jowell J and Oliver D (2011) *The Changing Constitution, 7th Edition*. Oxford: Oxford University Press.
- Kekes J (1994) Pluralism and the Value of Life. *Social Philosophy and Policy*. 11(1): 44-60.
- Londoño E and Casado L (2020) Under Pressure, Brazil's Bolsonaro Forced to Fight Deforestation. *The New York Times*. Accessed: 3 January 2021. <https://www.nytimes.com/2020/08/01/world/americas/Brazil-amazon-deforestation-bolsonaro.html>.
- Miller D (1995) *On Nationality*. Gloucestershire: Clarendon Press.
- Muncie J, Talbot D and Walters R (eds) *Crime: Local and Global*. Cullompton: Willan.
- National Association of Community and Restorative Justice (2020) *Addressing Harm & Establishing Hope in our Educational Landscape Online Community Sharing Event*. Accessed: 7 January 2021. https://nacry.org/index.php?option=com_content&view=category&layout=blog&id=100&Itemid=2655.
- Pape R (1997) Why Economic Sanctions Do Not Work. *International security*. 22(2):90-136.
- Pogge T (2005) World Poverty and Human Rights. *Ethics & International Affairs*. 19(1):1-7.
- Shue H (2014) *Climate Justice: Vulnerability and Protection*. Oxford: Oxford University Press.

Singer P (1972) Famine, Affluence, and Morality. *Philosophy & Public Affairs*. 1(3):229-43. Accessed: 2 January 2021. <http://www.jstor.org/stable/2265052>.

South N (1998) A Green Field for Criminology? A Proposal for a Perspective. *Theoretical Criminology*. 2(2): 211-233.

Tesón F.R (2005) Ending Tyranny in Iraq. *Ethics & International Affairs*. 19(2):1-20.

The University of Sydney (2020) *More Than One Billion Animals Impacted in Australian Bushfires*. 8 January 2020. Accessed: 19 December 2020. <https://www.sydney.edu.au/news-opinion/news/2020/01/08/australian-bushfires-more-than-one-billion-animals-impacted.html#:~:text=Several%20weeks%20ago%20Professor%20Dickman,more%20than%20one%20billion%20animals>.

The United Nations Human Rights Office of the High Commissioner (1966) *International Covenant on Civil and Political Rights PART III, Article 6*. Accessed: 5 January 2021. <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

Trucost (2008) Putting a price on global environmental damage. *Trucost News*. Accessed: 3 January 2021. <https://www.trucost.com/trucost-news/putting-price-global-environmental-damage/>.

Walters R (2010) Eco crime. In J Muncie, D Talbot, & R Walters (Eds.), *Crime: Local and Global*. Cullompton: Willan, 174–208.

Walzer M (1980) The moral standing of states: a response to four critics. *Philosophy & Public Affairs*. 9(3):209-229.

Wenar, L (2008) Property rights and the resource curse. *Philosophy & Public Affairs*. 36(1):2-32.

Yale University (2020) *Environmental Performance Index for 2020*. Accessed: 8 January 2021. <https://epi.yale.edu/epi-results/2020/component/epi>.

[Return to CONTENTS](#)

To what extent does engagement with the formal and informal justice system exacerbate problems of social exclusion and social death? Discuss with reference to one example.

Saif Bodhee

Introduction:

The process of controlling crime is a perennial concern within society, alongside the numerous debates on how to manage the individual who commits crimes. The shortfalls of both the formal and informal justice systems have arguably manifested within the 'apotheosis of imprisonment' in the last 30 years and assisted in the United Kingdom adopting an overtly punitive method of justice from the United States of America (Cheliotis, 2010; 313). These shortfalls are also demonstrated through the processes which actively exclude individuals from society by preventing access to 'routine services and aspects of shared cultural life' through *social exclusion* (Winlow, 2013; 20). The term 'social exclusion' itself highlights a key issue in modern society, one which acknowledges the issues of segregation between 'an included majority and an excluded minority' (Levitas, 2005; 7). On the one hand, the discriminatory selection of prisoners from the point of their arrests, all the way through to conviction, reinforces claims by scholars that the 'otherness' or 'non-whiteness' of an individual reserves the use of punishment for sectors of the population that have been valued in terms of race (Phillips et al, 2020; 428). This selective punitivity has been prominently outlined by the general consensus in existing literature which paints a vivid picture of the racial reality of punishment, revealing the disproportionate number of minority individuals from impoverished communities in modern penal systems (Clear, 2015; Garland, 2001; Cacho, 2012; Winlow, 2013). On the other hand, sites of informal justice, such as restoration and community reform projects, focus on rehabilitating the offender in order to reintegrate them back into society, despite the stigmatising nature of the criminal label posing difficulties for such reintegration (Henley, 2018; 286).

For the convicted individual, the unpleasantness of punishment exceeds the prison sentence, with one's criminal record arguably acting as a *discriminatory* barrier against employment, education, travel and access to basic welfare facilities. In more ways than one, the convicted individual becomes subject to a life that may 'resemble death' (Gatti and Martínez, 2020; 677). Therefore, the following essay will explore the experiences and treatment of ethnic minority groups, the impact of formal forms of *justice* on the exclusion of certain sectors of the population and how sites of informal *justice* entrench social exclusion to the point of social death, in an attempt to further understand how social exclusion induces a criminal lifestyle (Winlow, 2013). This focus on social exclusion and social death in relation to the justice system creates an inviting opportunity for the works of Lisa Cacho, Simon Winlow, Ruth Levitas and Eldin Fahmy, to be used throughout the essay so as to convey an understanding of the social consequences found in formal and informal justice systems, in order to conclude that these systems do in fact exacerbate social exclusion and social death.

Beneath exclusion:

An essay that seeks to analyse the effect of the justice system in relation to social exclusion and social death must first discuss the drivers and underlying causes of such phenomena, or at least define what one means when they discuss the *inclusion* or *social vitality* of an

individual and how this differs from the experiences of marginalised groups. Indeed, this has been achieved through Card's (2005) acknowledgement of the importance of an individual's identity, to the extent that a loss of identity equates to a 'serious loss of meaning for one's existence' (Card, 2005; 63). Therefore, it is necessary to identify and understand the 'potential instruments' of social exclusion that largely ostracise and define ethnic minorities (Levitas, 2005; 11). These instruments are encapsulated through the numerous direct and indirect barriers in society which affect such groups, ranging from impoverishment (Fahmy, 2018), lack of access to sufficient income and employment and education opportunities (Levitas, 2005), alongside the exclusion from social relations (Cacho, 2012). It can be argued that these social barriers pose little threat for wealthy, white, middle class groups and instead plague the 'undercaste', a group of people largely defined by issues of race, class and socio-economic status (Alexander, 2011; 10). This construction of exclusion around a social hierarchy has not only fuelled the alienation of minorities from wider society, but also served to associate dangerousness with such groups, permanently relegating them to a second-class status and entrenching an 'Us vs. Them' rhetoric (Staveren and Pervaiz, 2017). The manifestations of this divisive rhetoric have been exemplified through the overt discrimination and reservation of punitive punishment for minorities, illustrated by black individuals holding the highest proportion of police stops, arrests and sentences served, compared to their racial counterparts (Ministry of Justice, 2019). Perhaps it is this social construction of dangerousness, coupled with a heightened intolerance amongst the public against this 'undercaste', which inhibits social inclusion, the sense of 'belonging and contributing to the wider community' for minority groups (Fahmy, 2018; 445). In other words, rather than acknowledging the instruments and underlying causes of social exclusion, society has a pervasive focus on the stereotypes of minorities, to the extent that the black individual has arguably become synonymous with crime.

Formal justice systems:

In order to address the exacerbation of social exclusion and death through the engagement with formal justice systems, one must recognise the implications of race within the modern penal system, especially when considering the increasing imprisonment of black men from impoverished areas (Croux et al, 2020). The criminal justice system (CJS) has largely become a mirror of society's intolerance for certain sectors of the population, taking visible form through this 'normalisation' of imprisonment amongst black individuals, but is further enmeshed through their treatment and experiences of racial misconduct which have been 'imported into these institutions' (Bonner et al, 2017; 37). When taking into account the victimisation by other inmates, members of staff, or in decision-making processes which segregate black individuals in regards to their access to certain facilities and activities, it becomes clear as to why the use of incarceration has been discussed alongside the continuing legacy of Jim Crow (Cheliotis and Liebling, 2005). This differential treatment of minority groups is fuelled by notions of dangerousness and 'otherness' associated with the black individual and is entrenched through claims that black men are 'four times more likely to be housed in high security' prison houses and involved in more than 50 % of breaches of prison discipline than their racial counterparts (Ministry of Justice, 2016). The 'otherness' of ethnic minorities is further illustrated through the higher rates of victimisation by prison staff, which has led to a lack of participation and access to offender behaviour programmes, prison jobs and education opportunities for minority groups (Lammy Review, 2017; 45). It was Brosens (2019) who emphasised the importance of adequate treatment and participation in prison activities for inmates in order to develop 'skills to assist their reintegration into society' (Brosens, 2019; 468). However, the racialised conditions of the CJS has removed much of the rehabilitative aspects from the prison institution and instead transformed prisons into a physical

reminder of the lack of 'protection, sanctuary, or escape' from racism (Phillips et al, 2020; 430). In many ways, the pre-incarceration identities of black men who are stereotyped, stigmatised and effectively excluded from society through their branding of 'dangerous' and 'subordinate', has carried through to formal justice institutions, which further erodes their racial and cultural identity in a process of racial misconduct and social exclusion (Brookes et al, 2012).

Although the use of imprisonment reinforces issues of social exclusion and social death within the formal justice system, it is worthwhile noting that such issues also extend beyond the prison gates. In research that highlighted such problems, it was found that only '17% of people are in Pay-As-You-Earn (PAYE) employment a year after leaving prison' (Prison Reform Trust, 2019). When considering Universal Credit cannot be claimed until after prison release, it is no surprise that 'one in seven people' who leave prison were documented to be homeless in 2018, forcing ex-prisoners, especially from minority groups who experience heightened forms of exclusion, to be significantly deprived from accessing basic resources such as food, water and housing, alongside work and education opportunities (Benson et al, 2011). In other words, the exclusion from education and employment prospects, coupled with the lack of access to intervention programmes for minority groups in prison, inhibits the processes of reintegration and instead facilitates the relegation of such groups to homelessness or impoverished and high crime areas (Brosens, 2019). This symbolises, what seems to be, a recurring cycle of social exclusion for black individuals through which the use of imprisonment has become an 'expected marker of adulthood' that widens the barriers for marginalised groups in achieving the resources required to freely participate in society (Teasdale and Bradley-Engen, 2017; 113). For black offenders, resettlement is hindered by their relegation to impoverished, high crime communities, resembling a form of 'social prison' which, similarly to actual prisons, serves as an instrument for the 'conjoint extraction of labour and ostracization of an outcast group' (Wacquant, 2000; 379). This presentation of ethnic minorities being valued on racial terms reinforces arguments of social death within marginalised communities, illustrated by the long-standing stereotypes and stigmatisation of such groups which have been fuelled at present by a media-induced criminalisation of minorities, making it 'impossible' for those 'assigned to certain status categories' to represent themselves as 'moral and deserving of acceptance' within society (Cacho, 2012; 4). Perhaps this is why the 'prison gate' for ethnic minorities is presented as a 'revolving door' that invites further segregation, not only through the loss of identity and stain of the criminal label, but also through trapping the poor of colour in a recurring cycle of social exclusion which places them back into issues of unemployment, deprivation and impoverishment (Hudson et al, 2017; 45). Thus, the argument can be presented that the engagement with formal justice for ethnic minorities further roots their social exclusion from the protections, resettlement and processes of legitimisation that the legal system provides, and instead reserves the 'law's discipline for racialised populations' due to their 'subordinate standing' within society (Cacho, 2012; 5).

Despite existing arguments from deterrence theorists and right-speaking authors who argue in favour of the 'tough on crime' rhetoric, it should be briefly noted for the purposes of this essay that such claims pay little attention to the implicit goals and collateral outcomes of formal punishment, which permanently exclude those who occupy vulnerable and criminalised statuses within society (Cacho, 2012; 5). The enmeshment of punitivity in various pieces of legislation such as Criminal Behaviour Orders (CBO's) and zero tolerance approaches, alongside the punitive rhetoric which surrounds the use of imprisonment, serve

to paint a vivid picture of the collateral outcomes of formal punishment (Brown, 2020). This is evident from the 'curfews, association restrictions and geographical exclusions' that arose from CBO's and zero tolerance approaches, which arguably assisted in placing unduly limits on one's freedom (Brown, 2020; 92). The punitive rhetoric of imprisonment on the other hand, assists in propelling the justification that crime ought to be controlled through the 'disposal of troubled and troubling people' (Burnett, 2004; 391). However, such claims ignore the disproportional imprisonment of ethnic minorities from impoverished communities, alongside the commonality of discriminatory police conduct, both of which are defining factors that contribute to the high reoffending rates which exceeded 63% in 2019 (Prison Reform Trust, 2019).

Informal justice systems:

The increasing use of restorative methods as a practise of informal justice has been accompanied by an emphasis on the civility and humanity surrounding the treatment of criminal individuals (Garland, 2012). However, public opinions on the methods of punishment are known to be 'complex and multifaceted' (Persak, 2019; 48). These fluctuating opinions on the methods of punishment are embodied by the 'populist punitiveness' of society, manufactured by longstanding stereotypes of marginalised communities and assisted through the media's indirect association of dangerousness with such groups, which has resulted in the overt use of 'repressive laws' and harsher sentencing' (Persak, 2019; 48). Indeed, this 'tough on crime' rhetoric is visible even in 'therapeutic jurisprudence' approaches adopted outside of the formal court system, which focus on the emotional and psychological well-being of the criminal individual and has spawned an industry of problem-solving institutions, ranging from drug and mental health courts (Shaffer, 2011), to numerous probation and resettlement programmes (Frailing et al, 2020). This is contrasted by the increasing 'toughness' and punitivity within these informal practices, illustrated through the use of 'shock incarcerations' in drug courts which threatens and exploits the fear of detention of participants for short periods of time (Kaye, 2019), but also through probation practices which significantly deprive the individual of autonomy, time and further the stigmatisation of the criminal label through constant surveillance and monitoring (Durnescu, 2011). It can be argued that the punitive weight of probation and drug courts have produced antitherapeutic outcomes, especially for ethnic minorities who are 'most commonly arrested for drug possession' and face heightened forms of exclusion from occupation, education and general welfare facilities (Ministry of Justice, 2019). In other words, the foundation of the law, in both formal and informal justice systems, largely excludes minority groups from its 'protections and processes of legitimisation', and instead reserve punishment and criminalisation for such groups, effectively entrenching their social death through oppressing the ability to participate in society, to the extent that they become 'ineligible for personhood' (Cacho, 2012; 6).

However, it is important to note that the aforementioned argument does not minimise the importance of successful restorative and resettlement programmes within the justice system. Rather, one may argue that, whilst not the panacea to social exclusion and death, such programmes and incentives are still successful in addressing the effects of such phenomena. Indeed, this has been achieved through the increasing focus on the practices of offender rehabilitation, to provide individuals with the 'internal and external resources to live rewarding and offence-free lives' (McNeill et al, 2012; 41). This projection towards a 'good life' was partially acknowledged in a speech given by ex-prime minister David Cameron, who outlined that, despite the feeling of remorse and processes of redemption not being prevalent within all offenders, there is still a need to support and value them through addressing their needs inside and outside prison gates (Ministry of Justice, 2016). To date, the process of valuing

offenders has taken the form of various opportunities that promote their inclusion and ability to flourish within society, evidently through 'Ban the Box' initiatives which have assisted in nearly 400,000 employment opportunities being provided for ex-offenders as a result of removing the need to address whether they have a criminal record to employers (Ministry of Justice, 2016). This inhibits the social exclusion of minority offenders after prison release through alleviating the stigma of the criminal label and avoiding discriminatory treatment by employers, which such groups experienced increased levels of (Lammy Review, 2017). Similarly, 'Through the Gate' models of resettlement provide the opportunity for offenders to be reintegrated into society with a plan for 'accommodation, education, training and employment, as well as finance, debt and benefits' (Ministry of Justice, 2016; 27). If social exclusion is defined on the basis of not being able to participate in society as a result of lacking the adequate resources to do so, then the restorative practices which emphasise the value, 'wellbeing and development' of an individual, serves to constrain social exclusion and, by default, social death, through providing individuals with the resources necessary to 'live the lives they value' (Bockstael, 2016; 266). Thus, engagement with informal justice systems does not exacerbate problems of social exclusion, nor social death.

Conclusion:

In conclusion, although this essay has acknowledged the few cases in which restorative justice methods and formal policies and punishments can alleviate, albeit slightly, processes of social exclusion and social death, a strong argument can still be made that engagement with formal and informal systems of justice exacerbates problems of social exclusion and death. Upon reflection of the aforementioned points, it becomes clear that a significant number of issues underlie such phenomena, especially for poor communities of colour, who have been plagued by the lack of resources to meaningfully participate in society and, as a result, have been forced to lives of crime. For such communities, the *justice* system becomes an institution which not only entrenches the exclusion of minority groups, but also mirrors society's stereotypical and discriminatory views against certain groups of the population. It is without a doubt that this recurring cycle of exclusion cannot be addressed through changes within the justice system itself, but rather one needs to address the issues of impoverishment, subordination and racialisation, alongside the importance of identity and quality of life, in order to emancipate ethnic minorities from the socially induced constraints they are subjected to.

References

- Alexander M (2011) The new Jim crow. *Ohio State Journal of Criminal Law*. 9(1): 7-27.
- Benson M L, Alarid L F, Burton V S and Cullen F T (2011) Reintegration or stigmatization? Offenders' expectations of community re-entry. *Journal of Criminal Justice*. 39(5): 385-393.
- Bockstael E and Watene K (2016) Indigenous peoples and the capability approach: taking stock. *Oxford Development Studies*. 44(3): 265-270.
- Bonner H S, Rodriguez F A and Sorensen J R (2017) Race, ethnicity, and prison disciplinary misconduct. *Journal of Ethnicity in Criminal Justice*. 15(1): 36-51.
- Brosens D (2019) Prisoners' participation and involvement in prison life: Examining the possibilities and boundaries. *European Journal of Criminology*. 16(4): 466-485.
- Brookes M, Glynn M, Wilson D (2012) "Black men, therapeutic communities and HMP Grendon" Therapeutic Communities. *The International Journal of Therapeutic Communities*. 33(1): 16-26.
- Brown K J (2020) Punitive reform and the cultural life of punishment: Moving from the ASBO to its successors. *Punishment & Society*. 22(1): 90-107.
- Burnett R and Maruna S (2004) So 'prison works', does it? The criminal careers of 130 men released from prison under Home Secretary, Michael Howard. *The Howard Journal of Criminal Justice*. 43(4): 390-404.
- Cacho L M (2012) *Social death: Racialized rightlessness and the criminalization of the unprotected*. New York: New York University Press.
- Card C (2005) Genocide and social death. In *Genocide and Human Rights*. London: Palgrave Macmillan.
- Cheliotis L K and Liebling A (2006) Race matters in British prisons: Towards a research agenda. *British Journal of Criminology*. 46(2): 286-317.
- Cheliotis L K (2006) How iron is the iron cage of new penology? The role of human agency in the implementation of criminal justice policy. *Punishment & Society*. 8(3): 313-340.
- Clear T R and Frost N A (2015) *The punishment imperative: The rise and failure of mass incarceration in America*. New York: New York University Press.
- Croux F, Brosens D, Donder L D, Claes B and Vandeveldel S (2020) Foreign national and ethnic minority prisoners' participation in formally organized occupations in prisons: A scoping review. *Journal of Occupational Science*. 27(4): 1-18.
- Durnescu I (2011) Pains of probation: Effective practice and human rights. *International Journal of Offender Therapy and Comparative Criminology*. 55(4): 530-545.
- Fahmy E, Sutton E and Pemberton S (2018) Understanding social exclusion: the views of the UK public. *Journal of Poverty and Social Justice*. 26(3): 439-458.

Frailing K, Alfonso B and Taylor R (2020) Therapeutic jurisprudence in Swift and Certain probation. *American Behavioral Scientist*. 64(12): 1768-1785.

Gabriel Gatti & María Martínez (2020) Dead in life. Lives pierced by death. *Death Studies*. 44(11): 677-680.

Garland D (2001) *Mass imprisonment: Social causes and consequences*. Bedfordshire: SAGE Publications.

Garland D (2012) *Peculiar Institution: America's Death Penalty in an Age of Abolition*. Cambridge: Harvard University Press.

Henley A (2018) Mind the gap: sentencing, rehabilitation and civic purgatory. *Probation Journal*. 65(3): 285-301.

Hudson J and Needham C (2017) *Social Policy Review 29: Analysis and Debate in Social Policy*. Bristol: Policy Press.

Kaye K (2019) *Enforcing Freedom: Drug Courts, Therapeutic Communities, and the Intimacies of the State*. New York: Columbia University Press.

Levitas R (2005) *The inclusive society?: social exclusion and New Labour*. Basingstoke: Palgrave Macmillan.

McNeill F, Raynor P, and Trotter C (2010) *Offender supervision: New directions in theory, research and practice*. New York: Routledge.

Ministry of Justice (2019) *Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales*. [online] Available at: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/639261/bame-disproportionality-in-the-cjs.pdf> [Accessed 19 November 2020].

Ministry of Justice (2016) *Education and Employment Strategy* [online] Available at: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/710406/education-and-employment-strategy-2018.pdf> [Accessed 1 December 2020].

Ministry of Justice. (2019). *Statistics on Race and the Criminal Justice System*. [online] Available at <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/849200/statistics-on-race-and-the-cjs-2018.pdf> [Accessed 19 November 2020].

Ministry of Justice (2016) *Prison reform: Prime Minister's speech* [online] Available at: <<https://www.gov.uk/government/speeches/prison-reform-prime-ministers-speech>> [Accessed 23 November 2020].

Persak N (2019) Beyond public punitiveness: The role of emotions in criminal law policy. *International Journal of Law, Crime and Justice*. 57: 47-58.

Phillips C, Earle R, Parmar A and Smith D (2020) Dear British criminology: Where has all the race and racism gone? *Theoretical Criminology*. 24(3): 427-446.

Prison Reform Trust. *Bromley Briefings Summer 2019*. [online] Available at: <<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Prison%20the%20facts%20Summer%202019.pdf>> [Accessed 23 November 2020].

Shaffer D K (2011) Looking inside the black box of drug courts: A meta-analytic review. *Justice Quarterly*. 28(3): 493-521.

Teasdale B and Bradley-Engen M S (2017) *Preventing Crime and Violence*. Switzerland: Springer.

The Lammy Review: an independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System, (2017) [online] Available at: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf> [Accessed 19 November 2020].

Van Staveren I and Pervaiz Z (2017) Is it ethnic fractionalization or social exclusion, which affects social cohesion? *Social Indicators Research*. 130(2): 711-731.

Wacquant L (2000) The new peculiar institution: On the prison as surrogate ghetto. *Theoretical criminology*. 4(3): 377-389.

Winlow S and Hall S (2013) *Rethinking social exclusion: The end of the social?* London: SAGE Publications.

[Return to CONTENTS](#)

Should we criminalise environmental crimes, and environmental harm such as ecocide internationally?

Weronika Dolna

Air pollution is said to cause about 3.1 million deaths annually and has a detrimental impact on factors such as worker productivity and general human health (Lelieveld et al, 2015; Hamanaka and Mutlu, 2018: 1). Simultaneously, the increasing rate of deforestation in places like the Amazon contributes to the progression of global climate warming (Fearnside and Laurance, 2004) and biodiversity loss (Bonaudo, 2005). However, even though these instances only partly reflect the extent of the ongoing environmental crisis, there still remains a controversy surrounding who should be blamed for the current state of Earth's ecosphere (Allen, 2003). Likewise, one could ask who should be responsible for 'fixing' the climate emergency. The presented problems are key subjects of green criminology – a study of environmental harms and crimes (White, 2013: 18-19). In other words, the discipline focuses on which practices are and which ought to be criminalised by the law due to their possibly hazardous impact on the local and intercontinental natural habitats (White, 2013: 19). Despite the extensive amount of research concerning different environmental issues, there seems to be no clear answer to whether all types of ecological damage should be internationally criminalised. Therefore, this essay will aim to discuss the mentioned question, beginning with defining environmental crimes and harms, as well as providing a brief legal history for the advertised proscription of ecocide. Secondly, the paper will move on to discuss what criminalisation of ecological damage would include. Thirdly, a significant portion of this essay will be devoted to debating the arguments in favour and against such criminalisation. Finally, this study's main hypothesis is that environmental crimes and harms have truly adverse consequences and thus should be considered illegitimate.

To begin with, it is crucial to first distinguish between environmental crimes and harms. Brisman and South (2018: 2) describe the former as a traditional violation of a piece of a legislature or legal act. Moreover, 'green' crimes can be divided into primary and secondary types. The primary green crimes result from a direct depletion of natural resources and thus affect various species (for instance, deforestation). Contrastingly, the secondary forms involve exploitation of conditions which follow an ecological crisis or damage (such as illegal markets for medications and food following illicit migration – 'crimigration' (Higgins et al, 2013: 252). On the contrary, environmental harms are depicted as acts 'not statutorily prohibited but regarded as equally or more damaging' (Higgins et al, 2013: 252); for example, industrial and household waste.

Furthermore, a crucial concept to understanding the criminalisation of anti-ecological behaviours and its history is 'ecocide'. Ecocide constitutes severe damage to a given territory caused by human or natural activity, which can destroy its ecosystem (Short, 2016). Additionally, British barrister Polly Higgins (2010) expanded this definition, stating that ecocide occurs when the devastation of the space has such proportions that the inhabitants of a given territory are at least limited in their enjoyment of that area. As explained by Mehta and Merz (2015: 4), the concept became particularly known after the end of the Vietnam War, mainly due to the drastic environmental consequences of the armed conflict. Therefore, during the Conference on War and National Responsibility in Washington in 1970, Professor Arthur W. Galston suggested an international consensus to prohibit ecocide (Gauger et al, 2012). Consequently, a draft of the Ecocide Convention was constructed in 1973, highlighting the

need to recognise ecocide as a deliberate war and peace crime (Falk, 1973). Yet, as neither of the events has been followed by any governmental action, Higgins raised the issue again by submitting a 'proposal for an international law of ecocide to the United Nations Law Commission' in 2010 (Higgins et al, 2013: 257). In essence, such mandate would evoke a legal duty of care on governments to pre-empt, prevent and prohibit ecocide, whether human-made or organic (natural; Higgins et al, 2013: 257). The new legislation would require a change to the Rome Statute and thus evoke a constitution of a new, fifth crime against peace (Hellman, 2014). Hence, in a contemporary sense, such law's imposition would provide a legal restriction of environmental harms (ecocides). Therefore, when referring to 'criminalisation' of ecological damage, the author of this essay means inaugurating ecocide as the fifth crime against peace.

The first argument for passing the mentioned legislation is that environmental crimes and harms are ultimately linked to human rights violations. Ruppel (2008: 101) especially underscores the link between the second and third-generation human rights and environmental damage. Beginning with the former type, second-generation rights encompass, among others, right to food, security and an appropriate quality of life (Ruppel, 2008: 102). 'Appropriate quality of life' is specifically relevant to the discussed matter, and its origins can be found in Article 25 of the 1948 United Nations Universal Declaration of Human Rights. To quote the legislature verbatim, 'everyone has the right to a standard of living adequate for the health and well-being of himself and of his family' (United Nations, 1948: 7). Likewise, Article 12 of the 1966 United Nations International Covenant on Economic, Social and Cultural Rights also commits the equal right of all involved states' citizens to 'the enjoyment of the highest attainable standard of physical and mental health' (United Nations, 1966: 4). However, both articles bring to mind two rather apparent problems. Firstly, both clauses are quite ambiguous and do not define what 'adequate' or 'highest attainable' living and health standards are. Secondly, if one assumes that both terms translate to a risk-free, harmless and secure location for everyday functioning, then the condition is surely not met for inhabitants of polluted and toxic environments. For instance, one cannot argue that the Niger Delta occupants, where oil spills happen nearly daily, are not imperilled by their environment's current state (pumping oil leads to air, water and land contamination; Ratcliffe, 2019). Therefore, the potential infringement of secondary human rights, like in the above-mentioned case, speaks in favour of criminalisation of green harms and crimes.

Moving onto third-generation human rights, Ruppel (2008: 102) characterises them as the 'most recently recognised' category. In addition to the previous generations of rights, this class expands beyond states' responsibilities and includes personal or individual freedoms (Dinstein, 1976: 102-103). The category includes, for instance, rights to development, self-determination and a healthy environment (Ruppel, 2008: 103). Referring to the last one, Kiss and Shelton (2007: 33) define a healthy environment as an ecosystem free of substances toxic or hazardous to human health, as well as with clean air, soil and water. Following the formulation of the third-generation rights, the question of a privilege to a safe environment was raised during the United Nations Conference on the Human Environment in Stockholm in 1972 (Boyle, 2006). As has been decided in an international agreement signed during the meeting:

'[m]an has the fundamental right to [...] adequate conditions of life, in an environment of a quality that permits of dignity and well-being, and the bears a solemn responsibility to protect and improve the environment for present and future generations' (United Nations, 1972: 4; see also Sohn, 1973).

Despite this action and similar debates undertaken over the last couple of decades, the problem pertains. Various locations worldwide are subjects to environmental harms and crimes, affecting the lives - and essentially, human rights - of many. Therefore, Ruppel (2008: 103) makes a connection between the abuse of rights of vulnerable people living in polluted spaces and the need for 'environmental justice'. As the scholar clarifies, 'environmental justice' would address the existing correlation between poverty, other types of social disadvantages, and the exposure to the adverse effects of 'environmental degradation' (2008: 103).

However, authors such as Atapattu (2002: 69) argue that a healthy environment should be a fundamental human right and that it is intrinsically linked to whether the rights of individuals inhabiting that space are respected. To put it simply, human rights and ecological protection are closely related, meaning that low quality of the environment can also induce the abuse of other human rights (Atapattu, 2002: 70-71). For example, it is easy to imagine that an individual who is forced to live in potentially hazardous conditions might struggle to access freedoms such as education, right to leave the country or work in 'just and favourable conditions', all of which were given in the Universal Declaration of Human Rights (United Nations, 1948; Gabcikovo-Nagymaros Project, 1997). This is because that person will have to, presumably, try to cope with other disadvantageous factors such as poor health, financial and choice restraints, all of which could be caused by the perilous environmental conditions. As mentioned earlier, the criminalisation of environmental crimes and harms places a legal duty of care on states' governments. Hence, the inclusion of ecocide in the Rome Statute could help counteract the risk of violation of the second and third-generation human rights, speaking in favour of this paper's hypothesis.

The second supporting point for the criminalisation of ecocide is that it would allow for legislative regulations and policy development concerning environmental damage. An example of such policy could be a law ruling protection of different flora and fauna species' natural habitats, which often suffer from destructive human activity (Benton, 1998: 149). Thus, the non-human subjects would no longer be treated as 'objects' of regulations, but as actual victims of crimes that require restoration of the damage and offender's punishment(s) (Nurse, 2016: 252). Moreover, as per Heede's (2019: 56) study, companies such as Saudi Aramco, Chevron and Gazprom are the three of the twenty most significant world pollutants which contributed to a total of 480 billion tonnes of carbon dioxide emissions between 1965 and 2018. The main negative effects of carbon dioxide emissions include, among others, global warming, extreme weather changes, problems with food supply distributions and increased wildfires (Harvey, 2018; Nunez, 2019). Thereby, those events can drastically affect the population of species in specific endangered locations. Consider the 2019-2020 Australian fires, in which over 110,000 kilometres squared were burned, killing an estimated number of 25,000 koalas and many other wildlife representants (BBC, 2020). Had the enormous, polluting concerns like Saudi Aramco faced criminal repercussions, it can be speculated that their harmful activity would at least be limited, decreasing the likelihood of future environmental catastrophes.

Furthermore, it might be useful to demonstrate situations in which criminalisation of particular ecological harms has indeed succeeded in reducing environmental damage. As Beirne and South (2007; in White, 2008: 35) state, rights of the natural environment and its wildlife have received increasing attention recently. Brack and Heyman (2002: 7) also add that placing protection upon a flora and fauna representative ultimately decreases the risk of linked illegal activities, such as illicit trade, which might lead to the species' extinction. An illustration of this point is the situation of one-horned and southern white rhinos. By the

end of the 20th century, there were only about 200 greater one-horned (Indian) rhinos left (WWF, 2020). However, due to criminalisation of poaching and other conservation strategies, the species' population is estimated to be about 3,700 today (WWF, 2020). Likewise, once thought to be completely extinct, the African southern white rhinos have increased in numbers to stand at circa 21,000 nowadays (National Geographic, 2020). The main reasons for such success include the introduction of habitat protection policies and more vigorous law enforcement (Brack and Heyman, 2002: 7). Moreover, the international trade in rhino horn has been officially prohibited by CITES (Convention on International Trade in Endangered Species) in 1977, which immensely helped the species' restoration efforts. Similarly, many national governments have banned domestic animal trade as well, additionally contributing to today's growth in rhinos' population (National Geographic, 2020). Similar to the rhino matter, Young (2011) argues that the instalment of international environmental governance may be extremely effective in solving the current ecological problems. As it can be observed, criminalisation of ecocide- such as rhino poaching-, enables the states to develop clear regulations and policies, which help to manage the issue in a systematic and controlled manner. Therefore, this argument speaks in favour of the essay's hypothesis that environmental crimes and harms should indeed be forbidden by criminal law.

On the other hand, Westerhuis (2013) points out that while many types of ecocide can be criminalised, some of the most environmentally damaging activities might remain legal as they are an essential part of present-day human activity. The author introduces the example of waste dumping, which is regulated by laws allowing waste removal to happen in specific locations. However, even though legitimate, dumping still remains a form of pollution harmful to humans and wildlife species (Westerhuis, 2013: 198-199). This discussion involves a different problem with the criminalisation of environmental harms – not only the question of which forms of ecocide should be made illegal but more importantly, how the new laws should be enforced. Elaborating on the latter, White (2008: 35) identifies five main problems of policing ecocide: poor cooperation between agencies; austerity and lack of financial resources; inadequately formed legislature; lack of adequate training and expertise; and finally, problems with performance monitoring and management adaptation (see also Akella and Cannon, 2004). Considering that well-organised law enforcement is crucial to inhibiting crime, the mentioned issues may affect the presumed effectiveness of classifying ecocide as an international crime against peace.

Besides, a related concern is what type of punishment is appropriate in sentencing for ecological crimes. Faure and Heine (2007) discuss criminal sanctions as one of the most often used penalties in environmental prosecution. Yet, the fines are claimed to be relatively low and thus rather ineffective, especially considering that a significant part of the harm is repeatedly committed by white-collar and corporate perpetrators (who might be receiving a substantial financial profit from their anti-ecological activities; White, 2008: 35). At the same time, the British Environmental Audit Committee (2004: 11) reports that in the United Kingdom, the functioning of the courts might be an issue on its own. In particular, many magistrates are reluctant to consider ecocide as a 'real crime' and thus may assign relatively low penalties in the cases of ecological damage (Environmental Audit Committee, 2004: 11). As the Committee further adds, unless the punishment's scope (cost) is greater than the gain obtained from the illegal activity, it will not succeed in deterring from future offending (Environmental Audit Committee, 2004: 11-13). To summarise, some practical issues would need to be addressed for the criminalisation of ecocide to be effective. First, a clarification would need to be provided for whether all green harms should be considered illegal. Second, a discussion should be held regarding what should be done with practices crucial to human functioning today, such as waste removal or agriculture. Finally, law enforcement and courts

would require informative training and possibly restructuring to make better decisions when dealing with cases of ecocide. Without this type of adjustments, it is impossible to simply state that adding environmental harms to the Rome Statute will bring the desired effect.

A different argument against the hypothesis that ecocide should be criminalised is the problem with establishing liability for ecological harms and crimes. As Clapham (2008) provided, the issue lays within the current legislature of the Rome Statute. That is to say, the establishment of ecocide as a crime against peace means that the incidents of ecological harm will have to be managed by the International Criminal Court (Clapham, 2008: 908-910). Yet, the Court emphasises individual criminal responsibility, meaning that it aims to prosecute individuals, not companies or organisations (Clapham, 2008: 908-910). However, establishing such liability for environmental crimes and harms is nearly impossible, given that a multitude of agents is involved in their execution (BBC, 2020). Although some could suggest penalising the most powerful actors in the corporations instead, such as the director(s), Clapham (2008) states that this would not be possible due to the diffusion of responsibility in ecocide instances. Hence, for ecocide to be ruled an international crime, substantial alterations would need to take place in the Court's current functioning (Clapham, 2008).

There are several supplementary reasons why proving liability for environmental harms is complicated. First, as previously demonstrated, there remains a dispute on what exactly constitutes ecocide (Greene, 2019: 31). Without a straightforward definition of a given crime, establishing guilt might pose considerable problems. For instance, in their work, Mehta and Merz (2015) postulated in favour of adopting ecocide into the Rome Statute (see also Greene, 2019). However, in the footnote to the definition of ecocide, the authors admit that 'there is no consensus on its exact definition and the meaning of peaceful enjoyment, but this is the author's working definition' (Mehta and Merz, 2015: 3), which fully demonstrates the problem. Second, establishing intent in cases of ecological damage is another intricate issue that must be discussed. Proponents of the new Rome Statute act such as Higgins et al (2013) maintain that none of the existing environmental laws has a requirement of intent. This is because, as Greene (2019: 32-33) argues, the inclusion of intent would 'create a large legal loophole', meaning that offenders could simply claim that they have not intended to cause harm. In addition, the author explains that most cases of organisational ecocide are considered to be accidental or collateral (unintended) damage linked to the company's activity (Greene, 2019: 33). Thus, intent could not be a legal requirement for prosecuting ecocide. The third and final concern is that some scholars underline the magnitude of harm as a decisive factor in ecocide crimes, proclaiming that punishment should be proportionate to the scope of the damage (White, 2017; Greene, 2019: 33). Notwithstanding, it is evident that without a concrete explanation regarding what extent of harm is considered 'small' or 'great', the assignment of the right penalty could be problematic. Therefore, the lack of clear definitions for environmental harm, intent and magnitude of damage would have to be addressed if ecocide was to be considered an international crime against peace.

To conclude, this essay has discussed various socio-legal aspects of whether ecocide should be included in the Rome Statute. More specifically, two main arguments in favour have been considered. First, environmental harm is a violation of second and third-generation human rights. Second, the establishment of ecocide as a crime against peace would provide the ability to develop successful ecological policies and regulations. Furthermore, points against have been presented, namely, issues with law enforcement and prosecution of environmental harms, criminal responsibility and the lack of unified agreement for crucial terms such as the magnitude of damage. Finally, referring to the initial hypothesis, while the potential

benefits of adding ecocide in the Rome Statute are significant, it is crucial to address some related controversies beforehand. Those include, but are not limited to, a consideration of which environmentally damaging behaviours should be criminalised, an improvement of criminal justice attitudes and protocols when dealing with ecocide, as well as a clarification of concepts related to criminal liability for green harms. If those factors are not thoroughly reviewed, it may be difficult to unequivocally decide whether all environmental harms should be internationally criminalised. Climate crisis and green harms affect the human and wildlife population worldwide; hence, it is imperative that such concerns are examined as soon as possible.

References:

Akella A S and Cannon J B (2004) *Strengthening the Weakest Links: Strategies for improving the enforcement of environmental laws globally*. Washington: Conservation International.

Allen M (2003) Liability for climate change. *Nature*. 421: 891-892.

Attapatu S (2002) The right to a healthy life or the right to die polluted?: The emergence of a human right to a healthy environment under international law. *Tulane Environmental Law Journal*. 16(1): 65-126.

BBC (2020) Australia fires: A visual guide to the bushfire crisis. <https://www.bbc.co.uk/news/world-australia-50951043>. Accessed: 24 December 2020.

Beirne P and South P (eds)(2007) *Issues in Green Criminology: Confronting Harms Against Environments, Humanity and Other Animals*. Uffculme: Willan.

Benton T (1998) Rights and justice on a shared planet: More rights or new relations? *Theoretical Criminology*. 2(2): 149-175.

Bonaudo T, Le Pendu Y, Faure J F and Quanz D (2005) The effects of deforestation on wildlife along the transamazon highway. *European Journal of Wildlife Research*. 51: 199-206.

Boyle A (2007) Human rights or environmental rights? A reassessment. *Fordham Environmental Law Review* 18(3): 471-511.

Brack D and Heyman G (2002) *International environmental crime: The nature and control of environmental black markets*. London: Royal Institute of International Affairs.

Brisman A and South N (2018) Green criminology and environmental crimes and harms. *Sociology Compass*. 13(1): e12650.

Clapham A (2008) Extending international criminal law beyond the individual to corporations and armed opposition groups. *Journal of International Criminal Justice*. 6(5): 908-910.

Convention on International Trade in Endangered Species (1977) *Convention on International Trade in Endangered Species of Wild Fauna and Flora. Annual report*. Morges: CITES Secretariat.

Dinstein Y (1976) Collective human rights of peoples and minorities. *International and Comparative Law Quarterly*. 25: 102-120.

Environmental Audit Committee (2004) *Environmental Crime and the Courts*. London: House of Commons.

Falk R A (1973) Environmental warfare and ecocide – facts, appraisal, and proposals. *Security Dialogue*. 4: 80–96.

Faure M and Heine G (2007) Criminal Enforcement of Environmental Law in the European Union. *Journal of Environmental Law*. 19(1): 147-149.

Fearnside P M and Laurance W F (2004) Tropical deforestation and greenhouse-gas emissions. *Ecological Applications*. 14(4): 982-986.

Gauger A, Rabatel-Fernel M P, Kulbicki L, Short D and Higgins P (2012) *The Ecocide Project*. London: University of London.

Greene A (2019) The campaign to make ecocide an international crime: Quixotic quest or moral imperative? *Fordham Environmental Law Review*. 30(3): 1-48.

Hamanaka R B and Mutlu G (2018) Particulate matter air pollution: Effects on the cardiovascular system. *Frontiers in Endocrinology*. 9(680): 1-15.

Harvey C (2018) CO₂ can directly impact extreme weather, research suggests. *Scientific American*. 21 June. <https://www.scientificamerican.com/article/co2-can-directly-impact-extreme-weather-research-suggests/>. Accessed: 22 December 2020.

Heede R (2019) *Accounting for carbon and methane emissions 1854-2010: Methods & results report*. Saarbrücken: LAP LAMBERT Academic Publishing.

Hellman J (2014) The fifth crime under international criminal law: Ecocide? In: D Brodowski, M Espinoza de los Monteros de la Parra, K Tiedemann and J Vogel (eds) *Regulating Corporate Criminal Liability*. Cham: Springer, 273-280.

Higgins P (2010) *Eradicating ecocide: laws and governance to prevent the destruction of our planet*. London: Shephard-Walwyn.

Higgins P, Short D and South N (2013) Protecting the planet: A proposal for a law of ecocide. *Crime, Law and Social Change*. 59(1).

Kiss A and Shelton D (2007) *Guide to International Environmental Law*. Boston: Martinus Nijhoff Publishers.

Lelieveld J, Evans J S, Fnais M, Giannadaki D and Pozzer A (2015) The contribution of outdoor air pollution sources to premature mortality on a global scale. *Nature*. 525(7569): 367-371.

Mehta S and Merz P (2015) Ecocide – a new crime against peace? *Environmental Law Review*. 17(1): 3-7.

National Geographic (2020) <https://www.nationalgeographic.com/animals/mammals/s/southern-white-rhinoceros/>. Accessed: 24 December 2020.

Nunez C (2019) Carbon dioxide levels are at a record high. Here's what you need to know. *National Geographic*. 12 May. <https://www.nationalgeographic.com/environment/global-warming/greenhouse-gases/>. Accessed: 21 December 2020.

Nurse A (2016) *Animal Harm: Perspectives on Why People Harm and Kill Animals*. Oxon: Routledge.

Ratcliffe R (2019) 'This place used to be green': The brutal impact of oil in the Niger Delta. *The Guardian*. 6 December. <https://www.theguardian.com/global-development/2019/dec/06/this-place-used-to-be-green-the-brutal-impact-of-oil-in-the-niger-delta>. Accessed: 24 December 2020.

Ruppel O C (2008) Third-generation human rights and the protection of the environment in Namibia. In N Horn and Bösl A (eds) *Human rights and the rule of law in Namibia*. Windhoek: Macmillan Education Namibia, 101-120.

Short D D (2016) *Redefining Genocide: Settler colonialism, social death and ecocide*. London: Zed Books.

Sohn B L (1973) The Stockholm Declaration on the Human Environment. *The Harvard International Law Journal*. 14: 423.

Timperley J (2020) Who really is to blame for climate change? *BBC*. 19 June. <https://www.bbc.com/future/article/20200618-climate-change-who-is-to-blame-and-why-does-it-matter>. Accessed: 20 December 2020.

United Nations (1948) *Universal Declaration of Human Rights*. Paris: United Nations General Assembly.

United Nations (1966) *International Covenant on Economic, Social and Cultural Rights*. Paris: United Nations General Assembly.

United Nations (1972) *Report of the United Nations Conference on the Human Environment*. New York: United Nations.

Westerhuis D S (2013) A harm analysis of environmental crime. In D Westerhuis, R Walter and T Wyatt (eds) *Emerging Issues in Green Criminology: Exploring power, justice and harm*. Basingstoke: Palgrave Macmillan, 197-217.

White R (2008) The criminalisation of environmental harm. *Criminal Justice Matters*. 74: 35-37.

White R (2013) The conceptual contours in green criminology. In D Westerhuis, R Walter and T Wyatt (eds) *Emerging Issues in Green Criminology: Exploring power, justice and harm*. Basingstoke: Palgrave Macmillan, 17-33.

White R (2017) Reparative justice, environmental crime and penalties for the powerful. *Crime, Law and Social Change*. 67: 117-132.

WWF (2020) <https://www.worldwildlife.org/species/rhino>. Accessed: 24 December 2020.

[Return to CONTENTS](#)

A Study of Richard Throssel and Native American Photography

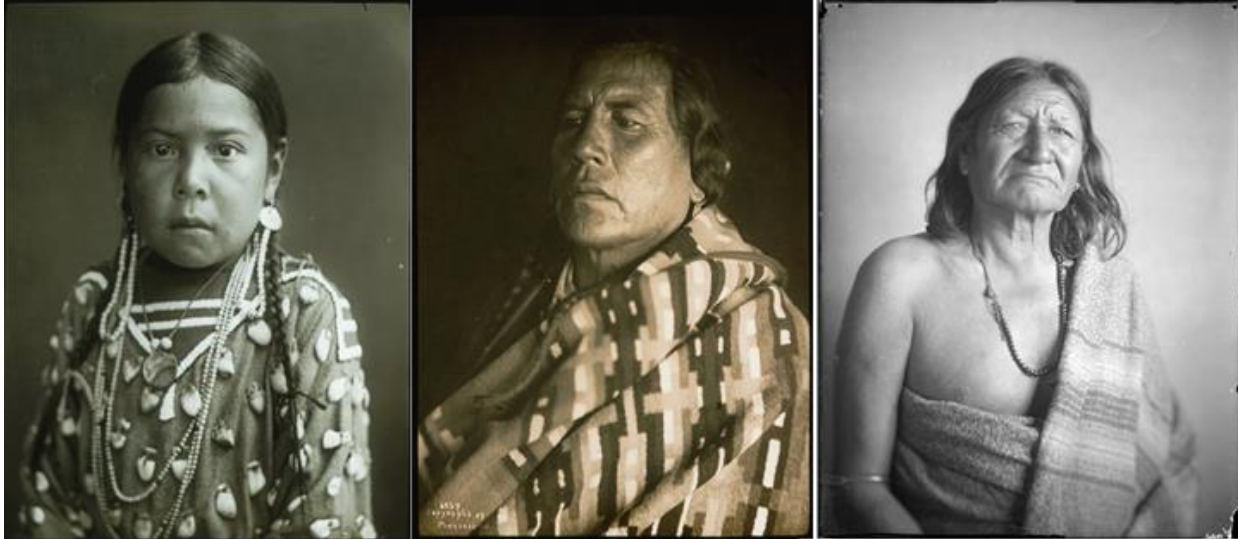
Lauren Young

The photographing of Native Americans has long been a method of learning about their culture and, more often than not, remembering times gone by. Particularly in the late nineteenth / early twentieth century, images of Native American life were seen as memorialising a 'vanishing race', as their communities were decimated by disease, war with the US armies, and disputes with settlers. Many well-known artists and photographers who depicted Native American life, such as Edward Curtis, Joseph Henry Sharp and George Catlin, were white; their distinct separation from their subjects is often noted in critique of their work. One notable photographer of Native American heritage was Richard Throssel, who had Canadian Cree ancestry. In 1902 he moved to Montana, where he resided at the Crow Reservation and, in 1906, was adopted into the Crow Nation. This integration into an Indian tribe allowed him the 'opportunity to mediate between his adopted culture and the outside world', giving him a perspective that white photographers lacked (Siegel, 1999:109). An advocate for Native Indian rights, as well as a peaceful merging between traditional Indian culture with emerging modernity, Throssel produced images for the government, for white Americans, and for Crows. His government work included a commission for the Indian Service in which slide shows of images were shown across reservations to promote disease prevention measures, such as sanitation (Warren, 1999:364). Perhaps his most well-known work was a series he entitled 'Western Classics From the Land of the Indian', which were intended for non-Indian audiences. This 'commodified' series (ibid:365) is reminiscent of the white photographers of the period, depicting Indians in stereotypical attire and 'self-consciously sentimentalis[ing] the Indian past while proclaiming Throssel an "authentic Indian" in their advertising' (Siegel, 1999:109). He also became a somewhat 'family photographer' for the Crows (Medicine, 1999:180) and captured snapshots of daily life on the reservation; unlike his paid work, these images were intended for Indian audiences. It is these personal photographs that I will consider in this essay.



Advertisement for *Western Classics From the Land of the Indian* (date unknown)

Throssel's work provided a paradox for the 'vanishing' Indian trope that was prevalent in the public mind at the start of the century. There was a sharp decline in indigenous populations from the sixteenth century. By the end of the nineteenth century, the population was at an all-time low of 250,000. Photographers, such as Curtis, captured images to salvage a culture that was soon expected to disappear. Throssel's very adoption into the tribe can be viewed as a reaction to the 'vanishing' of Indian culture, demonstrating a continuation of culture rather than a decline, and his images only serve to support this. His portraits, for example *A Crow Papoose* (1905), *Curley* (1912) and *Two Moons* (c.1907), depict the subject as relaxed, in an almost candid state.



Throssel R (1905) *A Crow Papoose*

Throssel R (1912) *Curley*

Throssel R (c.1907) *Two Moons*

In particular, his portraits of Indian women are strikingly natural, often captured with a smile, perhaps suggesting how at ease they felt around Throssel. In comparison, many photographs of Native Americans by white photographers depict their subjects as unsmiling, forcing them to fit the 'angry Indian' stereotype. Instead, Throssel makes the subject seem relatable rather than a world away in 'the Land of the Indian', to use his own phrasing.

Warren notes that 'one has the sense these images are images of people as they wanted to appear', and this was probably the case considering that many of Throssel's portraits were commissioned by the subjects themselves (1999:365). In doing so, they were leaving an 'imprint' of themselves on film, suggesting a 'stubborn resistance to vanishing' (ibid). Throssel's intimacy with his subjects comes from not only his immersion in Crow culture but through his desire to tell their stories rather than capture a single moment; his personal manuscripts divulge a conversation he had with *Two Moons* in which he asked the Chief:

[m]any big men come from the land of many white men to see the Custer battlefield and stop at my cottage to see pictures. When they see your portrait...they always wish to know about your life and achievements. I would like to know what to tell them (Throssel, 1910:7).

Throssel's endeavour to let his subjects tell their own story - through their words, attire, and demeanour - served as 'a model for...continuity' (Medicine, 1999:180) during a period in which 'native identities could be both confused and established in the same moment' (DeLoria, 1998:439). Rather than inflicting a death sentence on these Native Americans, Throssel uplifted them. His portraits suggest a continuation of life rather than a close.



Throssel R (unknown)



Throssel R (unknown)



Throssel R (unknown)



Throssel R (unknown)



Throssel R (unknown)

This is a sentiment shared strongly with the work of Horace Poolaw, a Kiowa photographer who was active during the early-mid twentieth century. In a way, Poolaw's photographs prove Throssel's work right; the Native American culture was not vanishing, it was resisting, and by resisting, it was continuing. Like Throssel, Poolaw's subjects are relaxed. This can be seen in Poolaw's portrait of his sister, Trecil Poolaw Unlap (c.1928) with her dog, and even where the subject is perhaps slightly more posed and dressed up, such as Eula Mae Narcomey Doonkeen (c.1952), it does not seem forced. In fact, it makes for quite a striking image, with the traditional Indian dress contrasted against the sterile brick buildings of modernity. In a 2015 New York Times article, the subjects of Poolaw's photographs are deemed as 'going mainstream on their own terms' (Cotter, 2015), which encompasses the intentions of both Poolaw and Throssel's work.



Poolaw H (1952) *Eula Mae Narcomey*
Doonkaen (Seminole)



Poolaw H (1928) *Trecil Poolaw Unlap*



Throssel R (date unknown) *untitled*



Throssel R (date unknown) *untitled*



Throssel R (date unknown) *untitled*

Like his portraiture, Throssel's photographs of daily life on the reservation give an image of a culture of continuation rather than cessation. His casual shots of day-to-day activities – such as playing shinny, doing the laundry, and children playing with dogs - indicate that this was a group of peoples getting on with life, rather than 'vanishing'. Throssel captured their community spirit and, as such, their resistance to their supposed obsolescence.

Furthermore, when Throssel captured images of Native Americans 'in action', so to say, doing things or dressing in a way typically thought of as Indian, he did so with dignity. For example, his images of the sacred Crow tradition of tobacco planting reveal the 'moment but not its secrets' (Rickard, 1998:66). In doing so, Throssel demonstrates an admiration for the Native American way of life without turning it into a spectacle, something to be gawped at by Others. This is clearly evident in the progression of his photographs: they start with an insider's view of the preparatory procedures inside the tipi; then captures the setting up of the planting in the field as though one was an observer, passing through the land; and culminates in the camera being well away from the sacred ceremony and celebrations, which can only be seen from afar. To fully understand the ceremony, one would have to be a participant, and the camera can only act as a mediator (ibid:70). It is the participants that memorialise the ceremonies, not the pictures.



Throssel R (date unknown) *series of photos depicting the Crow tobacco ceremony*

Similarly, in *The Three Scouts* (1908), Throssel once again challenges this notion of a 'vanishing race' by juxtaposing the three Indian scouts with the graves of United States soldiers. Their presence at this gravesite emphasises their 'continued being there...it is survival rather than demise and disappearance which seems to be imaged' (Zamir, 2007:61). Again, the camera remains a discrete distance away from the subjects, close enough to observe yet not privy to any secrets. In fact, Throssel's framing of the photograph cuts off whatever it is the scouts are looking at, over to the far right; the viewer is simply not able to be included in this exchange. The scouts themselves seem almost anachronistic; they are wearing traditional Indian dress but are carrying modern guns, the weaponry of European settlers, and are starkly contrasted by the white headstones. Throssel has captured a 'vanishing point between present and past', a bridge between two worlds (Warren, 1999:366). In many ways, he was a part of many worlds: a Cree, a Crow, part white, part Indian. This certainly reflects in his photography, which explores the Native American culture in such depth without ever feeling intrusive or tokenistic.



Throssel R (1908) *The Three Scouts*

Similarly, Horace Poolaw, though mostly active in the decades following Throssel's death, managed to capture the bridge between worlds in his own images, depicting 'people inventively fusing a complex cultural past with equally complex modern present' (Cotter, 2015). In a 1944 picture of his son, Jerry, Poolaw captures him wearing a US naval uniform and a traditional Kiowa headdress. This merging of worlds again demonstrates resistance to the 'vanishing' of Native American culture; even in a period of assimilation, indigenous Americans held on to their traditions.



Poolaw H (1944) *Jerry Poolaw*

Richard Throssel gave us an insider's perspective into the life of Native Americans in a way that white photographers could not due to their inherent Otherness. As a part of their community, his photographs were raw, honest, and respectful. Likewise, Poolaw refrains from intrusive photography, capturing the reservation's daily life in a natural and familiar way. Both photographers used their medium to oppose the notion of a 'vanishing race' by capturing the very existence of the people who were fated for demise; the fact that Poolaw was still taking pictures of Native Americans over 120 years after Alexis de Tocqueville declared them as a 'vanishing race' only proves these doomsayers wrong. The last published US census record 5.2 million people identifying as American Indian and Alaska Native, 2.9 million of which identified as that alone (Jones and Ramirez, 2012:1). This is quite a different picture from the 250,000 figure that faced Throssel. Perhaps they overestimated the power of the United States...or perhaps they underestimated the Native Americans.

Reference:

Cotter H (2015) Going Mainstream on Their Own Terms. The New York Times. 8 Jan. <https://www.nytimes.com/2015/01/09/arts/design/photographs-by-horace-poolaw-at-national-museum-of-the-american-indian.html>. Accessed: 10 Feb 2021.

Deloria P.J (1998) Crow Indian photographer: the work of Richard Throssel, Peggy Albright. *Pacific Historical Review* 67, pp 438–440.

Jones N, Ramirez R (2012) The American Indian and Alaska Native Population: 2010. <https://www.census.gov/history/pdf/c2010br-10.pdf>. Accessed: 10 Feb 2021.

Medicine B (1999) Crow Indian photographer: the work of Richard Throssel, Peggy Albright. *American Anthropologist* 101, pp 180–181.

Rickard J (1998) The occupation of indigenous space as photograph. In J Alison and Barbican Art Gallery (eds) *Native nations: journeys in American photography*. London: Barbican Art Gallery, pp 57-71.

Siegel M (1999) Crow Indian photographer (book review). *Journal of American Culture* 22, 109.

Throssel R (1910) *Two Moons*. <http://digitalcollections.uwyo.edu/luna/servlet/media/book/showBook/uwydbuwy~100~100~3122767~283399>. Accessed: 10 Feb 2021.

Warren L.S (1999) Vanishing point: images of Indians and ideas of American history. *Ethnohistory* 46, 361–372.

Zamir S (2007) Living among the dead: Richard Throssel and the picturing of history at Little Bighorn. In J Porter (ed) *Place and Native American Indian History and Culture*. Switzerland: Peter Lang, pp 49-70.

Images:

American Heritage Centre <https://digitalcollections.uwyo.edu/luna/servlet/uwydbuwy~100~100>. Accessed: 10 Feb 2021.

National Museum of the American Indian. <https://americanindian.si.edu/explore/exhibitions/item?id=899>. Accessed: 10 Feb 21.

[Return to CONTENTS](#)

Report on the relationship between gender and attitude towards social welfare

Yelaina McFarlane

Previous studies put forward strong evidence for there being gender differences in attitudes towards social welfare. Women in western societies are, in general, more supportive of leftist policies and political parties than men; such policies include 'an encompassing role of the state in the redistribution of resources and provision of welfare' (Goossen, 2020: 1). This gender gap in attitudes has been said to have risen since the 1990s (Goossen, 2020). Women are also stereotypically viewed as the more 'caring' sex and more attuned to people's needs, and thus more likely to see the importance of social welfare and the positive impact it can have on an individual's life.

Research Questions and Hypotheses

'Does gender relate to one's attitude towards social welfare' is the overarching research question this assignment is seeking to answer. In order to adequately answer this question, two sets of sub-research questions and hypotheses will be examined. Based on the previously mentioned literature, I will consider the following hypotheses and sub-research questions:

Set One

Sub-Research Question: Does gender affect people's attitudes towards the possibility of the government cutting welfare benefits?

H_0 : There is no relationship between attitudes towards the government cutting welfare benefits and gender.

H_1 : More women than men will believe that cutting welfare benefits would damage too many people's lives.

H_2 : Women who are more conservative than those more liberal, will be less believing of a cut in welfare benefits being damaging.

Set Two

Sub Research Question: What is the relationship between sex, age and attitudes towards people who receive social security?

H_0 : There is no relationship between gender and attitude towards people who receive social security.

H_1 : Men will have a more negative opinion on people who receive social security than women.

H_2 : The impact of gender on attitudes towards social welfare will be stronger for older men than younger men.

Data and Methods

Data from the 2010 British Social Attitudes (BSA 2010) survey will be drawn upon to

test these predictions. This survey contains 3297 participants and was carried out shortly after the 2010 election that resulted in a coalition government between the Conservative and Liberal Democrat political parties, ending thirteen years of Labour government.

To test the above-mentioned hypotheses, two types of regression analyses will be used. For the first set, I will use a binary logistic regression model to determine whether it is men or women who are more likely to be sympathetic to the people who would be affected by the government's cutting of welfare benefits. For the second set, a multiple linear regression model will be used to test the link between demographic variables, and political identification, in relation to their views toward those who are social welfare recipients. Leading on from this, the dependent variable in set one will be treated as binary, whereas the dependent variable in set two will be treated as continuous. Further detailed explanations will be discussed below.

Dependent Variables

Cutting welfare benefits would damage too many people's lives? All respondents were presented with this statement and asked to choose how much they agreed or disagreed. The response options for this question were on a five-point scale, ranging from 1 ('Agree Strongly') to 5 ('Disagree Strongly'). Although this data is traditionally ordinal in nature, the variable was re-coded as binary, separating the responses so that participants who selected options 1 to 2 ('Strongly agree' and 'Agree') were marked as 1 ('Would damage') and those who selected options 3 to 5 ('Neither agree nor disagree', 'Disagree', 'Disagree strongly') will be marked as 0 ('Would not damage'). The reason for deciding on this split is that selecting 'neither agree nor disagree' shows uncertainty in one's answer and, in turn, some degree of disagreement with the proposed question. Therefore, one can say placing these respondents in the 'would damage' category is unfitting.

Many people who get social security don't really deserve any help? As similar to the dependent variable above, respondents were requested to select how much they agreed or disagreed with the statement, with the response options ranging from 1 ('Agree strongly') to 5 ('Disagree strongly'). As this is a Likert point scale, the data is, as a result, ordinal. However, due there being five categories, it can, and will, be treated a continuous data; an appropriate measure to take as this is the dependent variable that will be utilised within the multiple linear regression model.

Independent Variables

For both sets of analyses, a total of four independent variables have been used. Descriptive statistics for both dependent and independent variables can be found in Table 1.

Sex. Is a binary variable that will be recoded so that the value '1' is for males and '0' is for females. This variable has been weighted to account for the overrepresentation of female participants in this survey. Feminist literature suggests that women are more likely to have a more positive view of social welfare than men (Enneser-Jedenastik, 2017) and social policy matters are considered women's issues. For present purposes the terms 'sex' and 'gender' will be used interchangeably.

Political party identification. Participants were asked to identify which UK political party they most identify with. For the purpose of this assignment, the political parties 'Labour' 'Conservative' and 'Liberal Democrats' will be used. The categories within these variables will all be dummy coded, with the conservative party being the reference category.

Age. In this dataset, age is recorded in categories. However, as there are seven categories listed, it will be treated as continuous in this report, with the lowest recorded age being '18' and the highest being '65+'. The age bands are as followed: Group 1 = '18-24', Group 2 = '25-34', Group 3 = '34-44', Group 4 = '45-54' Group 5 = '55-59', Group 6 = '60-64' and Group 7 = '65+'. It is generally believed that as one ages their views on social welfare tend to become more negative.

Highest level of education. Participants were asked to select what their highest educational qualification is, whether it be O-Levels, A-levels or bachelor's degree. Each category in this variable will also be dummy coded likewise to the aforementioned 'Political party identification'.

Descriptive Statistics

Table1 – Descriptive Statistics

	N	Mean	SD	Minimum	Maximum
Age	3288	4.38	2.004	1	7
Cutting Welfare	2727	0.43	0.495	0	1
Social Security	2729	2.89	0.993	1	5
Degree	659	0.20	0.400	0	1
A-Levels	443	0.13	0.341	0	1
O-Levels	533	0.16	0.368	0	1
Conservative	949	0.29	0.453	0	1
Labour	1007	0.31	0.461	0	1
Lib Dem	407	0.12	0.329	0	1
Male	1644	0.50	0.500	0	1
Female	1651	0.50	0.500	0	1

Source: British Social Attitudes 28 (2010)

Table 1 displays a descriptive statistics table of all the dependent and independent variables previously mentioned, sex, highest level of qualification, political identification, views on social security receivers and reactions to the possible cutting welfare benefits. I decided to recode all, excluding age and social security, into dummy variables in order to conduct both my regression analyses. Although age, in relation to this project, is an ordinal variable, it will not be 'recoded' into a dichotomous variable as there are 7 categories listed and can therefore be treated as continuous.

Examining the descriptive statistics found in Table 1, marks the first step in this assignment's analysis. The data indicates that outside perceptions of those who receive social welfare is rather negative, as respondents, on average agree that 'those who receive social security do not really deserve any help', which is shown in the table where there is a mean value of 2.89, falling within the 'Agree' category. It is also worth noting that the standard deviation for this variable is 0.993 (SD=0.993), as this is rather small it indicates that majority of the results within the survey are close to this average and answer.

Table 1 also shows a similar result for the response to the 'cutting welfare' benefits variable. It illustrates that the number of respondents who do not believe the government cutting welfare would damage too many people's lives is higher than that of respondents who do believe it would damage too many people's lives (mean of 0.43, SD=0.495). Therefore, one can say, within the United Kingdom, individuals are more likely to have a negative attitude toward social welfare and those receiving it. However, to answer both my overarching research question and sub-research questions, more analysis in the forms of binary logistic regression and multiple linear regression needs to take place.

Results

Binary Logistic Regression

Table 2 – Logistic Regression Models Predicting Which Gender is More Likely to Believe the Government Cutting Welfare Benefits Would Damage Too Many People's Lives.

Variable	Model 1			Model 2			Model 3		
	<i>B</i>	<i>Exp(B)</i>	<i>Sig.</i>	<i>B</i>	<i>Exp(B)</i>	<i>Sig.</i>	<i>B</i>	<i>Exp(B)</i>	<i>Sig.</i>
Constant	-.216	.806	.000	-.375	.688	.002	-.392	.676	.002
Male	-.118	.888	.126	-.103	.902	.193	-.072	.931	.453
Age				-.017	.938	.399	-.017	.938	.405
Labour Party				.804	2.235	.000	.853	2.347	.000
Lib-Dem Party				.267	1.306	.027	.269	1.309	.026
A-Levels				-.276	.759	.022	-.278	.757	.021
O-Levels				-.136	.873	.216	-.134	.874	.222

would damage too many people’s lives’, is 24.1% lower (Exp(B)=0.759) than those who have a degree. These results are also statistically significant and can be applied to the wider population outside of the sample (P<0.05). However, whilst individuals who have only achieved O-levels also see a decrease of 12.7% in their odds of agreeing with the statement in comparison with those who have degrees, the results are not statistically significant (p>0.05) and, as a result, cannot be generalised to the wider population. It should be noted that the results for both categories have been achieved by controlling for age, gender and political identification.

Gender seems to still be statistically insignificant, with the odds changing slightly with the addition of the new independent variable. Suggesting that none of the new predictors mediate or are an intervening factor between sex, attitudes and its covariates.

Model 3 incorporates the same aforementioned variables, with the addition of an interaction term of ‘Labour*Male’ in order to see if the impact that was perceived on political identification remained the same with the different genders. The Nagelkerke Pseudo R-square percentage is still equal to that of model 2 (0.046), meaning that this model is still only able to explain 4.6% of the variance in attitudes. The main effect of gender in the presence of the interaction term is the effect of being male compared to being female for those who are more ‘left’ in their political beliefs. Male participants who identify with the Labour Party have 11% lower odds of agreeing with the aforementioned statement than female participants who identify with the labour party.

The main effect of political identification in the presence of the interaction term is the effect of males who identify with the Labour Party compared to males who identify with the Conservative Party. Men who identify with the Labour Party have 134.7% higher odds of agreeing with the statement than men who are more conservative. (Exp(B)=2.347).

The interaction term can then be added to the two main effects discussed above. Table 3 displays the main effects plus the interaction terms for the logits (B). This shows that when the interaction term is added to the main effect, the coefficient for Male becomes more negative (increases), and the coefficient reduces and becomes less positive. In simple terms, a political party identification, and whether a person is more left or right wing, is more important for women than it is for men, which is in line with the set one H₂. However, the interaction term is statistically insignificant (P>0.05), thus these results cannot be generalised the general population and we cannot reject the null hypothesis of ‘There is no relationship between attitudes towards the government cutting welfare benefits and gender’.

Table 3 – Table Showing the Main Effects and Interaction Effects of Sex and Political Identification.

	Main Effect	Interaction Term	Main effect + interaction
Variable			
Male	-.072	-.097	-0.169
Labour	0.853	-.097	0.756

Multiple Linear Regression

Table 4 -Multiple Linear Regression Models Predicting Attitude Towards Social Security

Variables	Model 1			Model 2			Model 3		
	B	S.E	Sig.	B	S.E	Sig.	B	S.E	Sig.
Constant	2.933	.027	.000	2.950	.057	.000	2.888	.069	.000
Male	-.079	.038	.037	-.059	.037	.114	.069	.090	.445
Age				-.042	.010	.000	-.027	.014	.047
Labour				.356	.042	.000	.366	.042	.000
Liberal Democrat				.307	.058	.000	.305	.058	.000
A-Levels				.006	.057	.922	.005	.057	.930
O-Levels				.007	.052	.894	.006	.052	.907
Age*Male				.			-.029	.019	.119
R ²	0.002			0.039			0.040		

Source: British Social Attitudes Survey 28 (2010)

Table 4 indicates the results of the multiple linear regression models predicting attitudes toward social security receivers. In model 1, sex seems to explain 0.2% of the total variance in attitudes towards social security ($R^2=0.002$). In this model the constant is 2.933 which suggests the prediction made about attitudes towards receiving social security is 2.933 on the scale when all independent variables take the value of 0. This is also statistically significant. Gender (male) indicates that males score, on average, -0.79 less than females on the Likert scale. Which is in line with my set two H_1 hypothesis, that men will have a more negative opinions on people who receive social security than women. This relationship is also statistically significant; however, it does not control for other demographic variables.

In model 2, when the other independent variables are included, the predictors account for 3.9% of the variance in attitudes towards social security. Males score on average 0.059 less than females on the scale when controlling for other variables in the table, still indicating that men have a more negative attitude towards social welfare. However, it is worth noting that this relationship is statistically insignificant ($P=0.114$) and can therefore not be generalised to the wider population. Model 2 also shows us that as a person ages, the more negative their attitude towards social security receivers becomes (-.042), in other words, for each unit increase in age, the Likert scale score decreases .042, controlling for sex, political identification and educational achievement, suggesting a negative correlation. Notably, this variable is statistically significant ($p=0.000$) and thus has good generalisability. This contrasts with my set two H_2 hypothesis as, although it illustrates how age impacts one's attitudes towards social security, the same cannot be said for gender. Thus, even though the study

displays changes in gender's coefficient, and in turn mediation, gender's statistical insignificance means its results cannot be applied outside of the study.

Model 3 adds the interaction between age and gender into the regression analysis. The percentage of variance in attitudes is still low but increases slightly to 4%. Age is still significant (0.047) and hence still illustrates the fact that there seems to be a clear difference between age groups in attitudes and thus this is, in accordance with this statistically significant finding, a valid and true observation to make for the general U.K. population. Gender, however, remains insignificant, illustrating that the added interaction term did not have any impact on its relationship with attitudes. Furthermore, the interaction term is not statistically significant as its p-value is above 0.05 ($P=0.119$), meaning that the effect on age toward attitudes towards social security is the same among both genders. This is in opposition to my H_2 hypothesis of 'the impact of gender on attitudes towards social welfare will be stronger for older men than younger men'.

Conclusion

To conclude, the results of this report do not support my set one H_1 or H_2 hypotheses. Although it was significantly found that the more one aligns with a left-wing political party the higher the odds of them believing a cut to welfare benefits will be damaging to society, the association with gender did not yield significant results, even when controlling for other demographic variables. Furthermore, the results of the binary logistic regression produced no statistically significant interaction term, which suggests that the effect of political identification is the same amongst both sexes.

The same can be said for the set two H_1 and H_2 hypotheses. The multiple linear regression, at first glance, does suggest there is a difference in attitudes towards social security receivers between genders, however once the demographic variables are controlled for this is not the case as the variable loses its statistical significance. This regression analysis does, however, illustrate the fact that political identification, and whether one is more left-wing or right-wing, has a significant impact on one's attitude toward social security; the more left-wing a person is the more positive opinion they have. Consequently, after much deliberation, it can be said that there is no evidence to prove that there is a difference between the genders and their attitudes towards social welfare (H_0), and other factors, such as political alignment, have a much stronger influence.

References

Ennsner-Jedenastik L (2017), Campaigning on the Welfare State: The Impact of gender and Gender Diversity, *Journal of European Social Policy*, 27(3), 215-228.

Goossen M (2020), The Gender Gap in Welfare State Attitudes in Europe: The Role of Unpaid Labour and Family Policy, *Journal of European Social Policy*, 30(4), 452-466.

[Return to CONTENTS](#)