

The concept of security: an agenda for comparative analysis

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The pursuit of security as a matter of domestic policy stands high on the political agenda of many Western nations and is a booming area of private investment. This repays close attention to what is meant when the concept of security is invoked as a justification of public policy or private practice. This paper examines the various meanings and differing constructions of security as a negative or positive presence, as a material or symbolic good, as a public good or private service, and as a response to external or internal threats. It observes how the language of security is differentiated also according to local legal cultures and calls for comparative analysis of the meaning and usage of the term in different jurisdictions. It suggests some possible differences in the structural arrangements for the pursuit of security that arise from differing relationships among the state, private sector and civil society. And it concludes by mapping out some apparent variants on the public-private divide that might profitably inform comparative analysis of the practices, as opposed to the rhetoric, of security.

INTRODUCTION

In 1997, the Italian Prime Minister, Romano Prodi, declared: ‘the problem of the safety of the country seems to be no longer one of *external* safety, but an *internal* one: the safety of citizens in their everyday life.’¹ Italy, it would appear, was a late-comer to a political realisation that had come to many developed Western countries over the preceding decades. Concern about the everyday security of citizens is hardly new, but the ending of the Cold War licensed a new level of political and economic investment in this principally domestic question. How far the distinction drawn by Prodi stands unscathed post-11 September 2001 is open to debate. The events of that day alter the landscape of security irrevocably. They substantially erode the distinction between external and internal threat, introduce a major new source of anxiety (if not of risk) to our collective imagination and create new spheres of activity for security services whose role in the post-Cold War era was arguably unclear. But it does not take an event of the

* I am grateful to Richard Ericson, Heike Jung, Ian Loader, Mike Maguire, Wolfgang Strangl, Jaap de Waard, participants at the Law and Society Association Meeting, Vancouver May 2002 and at the Oxford/NYU Criminal Law Workshop, New York September 2002 (especially David Garland), and to the anonymous referees for their helpful comments. An earlier version of this article appeared in G Hanak and W Strangl (eds) *Jahrbuch für Rechts- und Kriminalsoziologie – “Innere Sicherheit”* (Baden-Baden: Nomos, 2002).

1. Quoted in D Melossi and R Selmini ‘Social Conflict and the microphysics of crime: the experience of the Emilia-Romagna Città sicure project’ in T Hope and R Sparks (eds) *Crime, Risk, and Insecurity* (London: Routledge, 2000) p 161.

scale of 11 September to change the parameters of security drastically. Demand for security can be transformed beyond recognition by single events such as terrorist attack or, indeed, the activities of lone gunmen. Single events regularly have an impact disproportionate to their scale or the damage they cause. The shooting of young children by a lone gunman at Dunblane (Scotland, 1996), of high school students by two of their peers at Columbine High School, Littleton Colorado (US, 1999) or of citizens of Washington by a sniper (US, 2002) are obvious examples of events that had larger ramifications for debates about safety and gun control policy in particular. Aside from single triggers such as these, profound changes can be brought about by political feat, policy decisions, media inspired 'moral panic' or by the workings of the security industry itself.² Self-evidently, therefore, security takes on different connotations at different historical moments. Likewise, large differences arise from one country to another and cry out for comparative analysis.³ Linguistic, political, social and economic distinctions combine to generate very different sources of insecurity and equally various responses to them. At one extreme, the terrorist activities of the IRA in Northern Ireland and on mainland Britain, of ETA in Spain or, historically, of the Red Army Faction in Germany have, at different historical moments, generated security problems of a sort unimaginable in otherwise like neighbouring nations. At another level again, the particular problems of especially troubled countries like South Africa or Israel create landscapes of security unrecognisable elsewhere.

In this paper, my focus will be not on the extraordinary, but the mundane. The pursuit of security as a matter of everyday domestic policy stands high on the political agenda and is a booming area of private investment in many (though not all) Western nations. There has been no greater boom in the security industry than as a matter of academic inquiry. Interest in security, and its analogues personal safety, community safety, and public order, has grown enormously. Indeed, it is arguable that the language of security is increasingly supplanting that of crime control. The different meanings, variable salience and models of distribution of security will be the subject of this paper. A short semantic analysis will be followed by discussion of the different ways in which security is constructed. Appraisal of the limits both of discourse analysis and of universal claims about the pursuit of security in late modernity form the background to a preliminary analysis of the differential modes by which security is distributed. My central thesis is that the concept of security is inherently complex, diverse and configured above all by the material practices through which it is pursued.

THE SEMANTICS OF SECURITY

Security is a slippery concept. Its meanings are multiple and without clarity about which meaning is intended (or understood); exactly what is being provided and consumed, sold and bought, promised or sought remains obscure. Where a

2. K van Limbergen 'Belgian security policy prior to and after November 24 1991' (1996) 4 E J Crim Policy and Research 53.

3. R Sparks 'Perspectives on Risk and Penal Politics' in Hope and Sparks (eds), n 1 above; R Sparks 'Degrees of Estrangement: The cultural theory of risk and comparative penology' (2001) 5 Theor Crim 159.

concept gains currency and political importance without any firm or even shared meaning, then a brief foray into semantics seems in order.

Security is both a state of being and a means to that end. As a *state of being*, security suggests two quite distinct objective and subjective conditions. And as an *objective condition*, it takes a number of possible forms. First, it is the condition of being without threat: the hypothetical state of absolute security. Secondly, it is defined by the neutralisation of threats: the state of 'being protected from'. Thirdly, it is a form of avoidance or non-exposure to danger. Only the first of these defines security without reference to threat: the latter two, more commonly employed, meanings predicate security on the presence of that which threatens it. Understanding security this way invites a curious inversion of the usual logic of crime control. Instead of crime requiring crime control, we might say that crime control requires that there be crime. The presumption of continuing threat is important factor in keeping crime high on a political agenda that has invested so much capital in its control. This might sound like the logic of Alice in Wonderland, were it not for the fact that it explains why such extraordinary political and media attention is paid to an ill which, whilst grave, is by no means self-evidently the most damaging source of social misery.⁴ To suggest that the problem of security goes beyond that of crime is not to dismiss the problem that is crime. Left (and right) realism has long since made it untenable to do that. But, to the extent that security is mobilised against crime, it cannot but sustain crime as a salient threat.⁵ The reinforcing nature of this circularity sees a wide array of social and economic problems recast as crime problems. Whether social and economic problems are recast as threats to safety simply in order to secure funding that has been so targeted by central government or whether, as Bauman argues, governments promise personal safety to conceal their inability to provide certainty or security in other spheres remains unclear.⁶

As a *subjective condition*, security again suggests both the positive condition of feeling safe, and freedom from anxiety or apprehension defined negatively by reference to insecurity. Neither of these subjective conditions makes any reference to the objective reality to which the feeling may or may not pertain: they describe feelings alone.⁷ This usage is well illustrated by the German concept of *Innere Sicherheit*, which makes much more explicit reference to the psychological costs of insecurity than its English counterpart.⁸ Bauman notes that the German term 'Sicherheit' captures three distinct ideas of security, certainty and safety. This, he argues, renders security open to a particularly powerful form of political exploitation.

4. R Sennett *The Corrosion of Character: The Personal Consequences of Work in the New Capitalism* (London: W Norton & Co, 1998).

5. S Spitzer 'Security and Control in Capitalist Societies: the Fetishism of Security and the Secret thereof' in J Lowman, R J Menzies and T S Palys (eds) *Trancarceration: Essays in the Sociology of Social Control* 43-58 (Aldershot: Gower, 1987) p 50.

6. Z Bauman *Globalization: The Human Consequences* (Cambridge: Polity, 1998) pp 118-120.

7. C Hale 'Fear of Crime: A Review of the Literature' (1996) 4 *Int R Victimology* 79 at 94-112.

8. U Ewald 'Criminal victimization and social adaption in modernity: fear of crime and risk perception in the new Germany' in Hope and Sparks (eds), n 1 above.

'In an ever more insecure and uncertain world the withdrawal into the safe haven of territoriality is an intense temptation ... It is perhaps a happy coincidence for political operators and hopefuls that the genuine problems of insecurity and uncertainty have condensed into the anxiety about safety: politicians can be supposed to be doing something about the first two just because being seen to be vociferous and vigorous about the third.'⁹

Although the subjective condition of security may in fact be correlated with the objective condition, and often is, it may be un- or even inversely related.¹⁰ A truism of criminological scholarship is the anxious old lady with little objectively to fear or the young male fearless in the face of greatest risk. Much has been made (particularly by governments) of the irrationality of fears poorly correlated with risk. Less attention has been given to such fears as palpable and damaging in and of themselves, irrespective of risk.

Evidently there is a relation between security in this subjective sense and crime, but I would argue that it is often no more than a tenuous one. Calculating the risk of crime is a complex business,¹¹ made more complex by the fact that reporting rates are themselves the product of differences in public sensitivity to crime, faith in the criminal justice system, willingness to make contact with its law enforcement agents and so on. Recorded crime rates are, therefore, artefacts of subjective security quite as much as its determinants. Crime surveys seek to overcome the limitations of officially recorded crimes by inquiring directly of the population at large about their experiences of crime, fear of crime and feelings of insecurity. One difficulty in reading crime surveys is that it is far from clear how far reported anxiety is really about crime and the risk of victimisation or, as Taylor argues:

'whether the fears expressed about crime are actually a convenient and socially-approved kind of metaphor through which survey respondents can articulate, in shorthand fashion, a much more complex sense of restlessness and anxiety – not least the general unease which a full-blown free market environment produces culturally and psychologically.'¹²

The mismatch between risk and subjective security arises not only in the amount of risk perceived, but also in identification of what is at risk. Individual, community or state perceptions of what is vulnerable – the valued object, defenceless potential victim or exposed property – may be of no value or interest to the criminal. This 'security gap' arises in part out of a mismatch of interests and in part because, for perfectly understandable psychological or policy reasons, individuals and institutions tend to focus upon that over which they think they have control. The greatest risk to bodily safety may be at the hands of a reckless or drunken driver, but the main source of fear remains located in the avoidable dark alleyway. There is also a well-documented tendency to

9. Bauman, n 6 above, p 117.

10. W Hollway and T Jefferson 'The Role of Anxiety in Fear of Crime' in Hope and Sparks (eds), n 1 above, pp 31–49; Ewald, n 8 above.

11. R Ericson and K Haggerty *Policing the Risk Society* (Oxford: Clarendon Press, 1997).

12. I Taylor 'Crime, market-liberalism and the European Idea' in V Ruggerio et al (eds) *The New European Criminology: Crime and Social Order in Europe* (London: Routledge: 1998) p 23.

overstate our individual and collective exposure to risk, a tendency that has profound implications for our treatment of those we deem to threaten.¹³

Although we pause to debate the rationality (or irrationality) of insecurities poorly correlated to risk, we none the less tend to think of subjective security as a positive good to be pursued whether as a personal, communal, or national goal. It should be cause for reflection to note that, historically, security in this subjective sense signified an absence of anxiety that was regarded as culpable in its negligence, an open invitation to harm. Note this usage in *Macbeth*, Act 3:

'He shall spurn fate, scorn death, and bear
His hopes 'bove wisdom, grace, and fear;
And you all know, security
Is mortals' chiefest enemy.'

Far from being a valued state of mind, security is characterised here as an unfounded confidence, a form of pride before the inevitable fall. By implication, therefore, insecurity was a valued form of prudence. This worldview has long since been overlaid by a desire for security that relies upon false promises by governments and wilful blindness to the facts of crime by individuals. As such, and as I have pointed out elsewhere, it is a puzzle why the myth of personal safety is so powerful and enduring.¹⁴

If security describes a state of being, it is used no less commonly to refer to the *means* to that end. Although the purported ends to be attained are again either objective freedom from risk (protection, guard or defence) or the subjective feeling of safety (or absence of fear or apprehension), the pursuit of security may be something like an end in itself. In part emphasis on pursuit of security is licensed by the difficulty of identifying whether or not the end has been achieved or not (of which more below). In part, it arises because absolute security (objective or subjective) is a chimera, perpetually beyond reach. Even if security were today obtainable (which arguably it is not), the potentiality for new threats means that the pursuit can never be said to be over. It requires continuing vigilance. As Freedman has pointed out, security is an inherently relational concept: provision for it must be endlessly tested, both against the latest challenge to its attainment and its vulnerability to that particular challenge.¹⁵ Just as the capabilities and intentions of potential adversaries are unknowable, so there may be unknown vulnerabilities, revealed only when they are exploited. Nothing brought this fact home more dramatically than the events of 11 September.

Finally, emphasis on pursuit arises because it is not in the interests of those who provide, offer or sell security for that state ever to be achieved. In particular, the burgeoning private security industry purports to sell something it has no interest in providing absolutely. For the industry to continue to thrive, it must never attain its fictitious end goal. Similarly, for governments whose political capital is invested in fighting the 'war against crime', victory would be pyrrhic indeed.

By way of coda to this semantic inquiry, we might observe that in financial transactions, 'a security' describes an assurance or guarantee rather than either

13. The recent provision in Britain for known sex offenders to have their names inscribed on a sex offenders' register is a case in point.

14. L Zedner 'The Pursuit of Security' in Hope and Sparks (eds), n 1 above, p 203.

15. L Freedman 'The Concept of Security' in M Hawkesworth and M Kogan (eds) *Encyclopaedia of Government and Politics* vol 2 (London: Routledge, 1992) p 732.

the means or the ends described above.¹⁶ This third usage has interesting resonances for developments quite outside the financial sphere and may help explain what it is that is on offer when security is promised by governments or put up for sale in the market place. The notion of security as a form of assurance tallies strongly with the proliferation of community safety policies and private security firms. What they sell is neither the end goal of security nor the means to its attainment, but a form of assurance. Only this third notion of security can explain the otherwise extraordinarily elusive quote from the President of US security firm, Westec: 'We are not a security guard company: We sell a *concept* of security.'¹⁷

From this semantic analysis, it should be clear that the concept of security defies simple definition. Its meanings are various, conflicting and politically contested. One result of this imprecision is that it is 'easier to appeal to it in support of a great variety of objectives'.¹⁸ Imprecision not only means that many divergent measures can be justified in the name of security, it also gives licence to exceptional measures that might otherwise appear indefensible. Used in the context of national security, Freedman argues, 'censorship can be imposed, political rights suspended, young men conscripted, and aliens deported all in the name of security'.¹⁹ The potential scale of derogation from basic liberties invoked in the name of national security is mirrored by similar potential in the domestic terrain. Recent British departures include the massive expansion of CCTV, exclusion of individuals from mass private property, and even from public space, and the application of curfew orders accompanied by electronic tagging. That these extraordinary measures are all justified in the name of security evidences how far the open-textured nature of this concept is open to exploitation. Security is thus not only an analytical category, but also a category of practice, a way of framing and responding to social problems.

DIFFERENT CONSTRUCTIONS OF SECURITY

Given the wealth of possible meanings contained within this clearly capacious concept, the ways in which security has been constructed by those studying, as well as by those selling, it have important implications. I want to take up four particular dichotomies in the construction of security.²⁰

(a) Security as a negative or positive presence

Understood one way, security falls squarely within the negative logic that is the distinguishing feature of criminology. Criminology customarily focuses on the failures of human beings, on the failures of criminal justice processes

16. Ericson and Haggerty, n 11 above, ch10.

17. Quoted in M Davis *City of Quartz: Excavating the future in Los Angeles* (London: Pimlico, 1990) p 250.

18. Freedman, n 15 above, pp 730–31.

19. Freedman, n 15 above, p 731.

20. Suggested in part by M Pavarini 'Controlling Social Panic: Questions and Answers about Security in Italy at the End of the Millennium' in R Bergalli and C Sumner (eds) *Social Control and Political Order: European Perspectives at the end of the Century* (London: Sage, 1997).

and institutions and on the failures of penalties ('nothing works'). Given the negative logic of the discipline, it is hardly surprising that it is personal insecurity and demand for security as a reaction against perceived institutional failure that has captured criminological attention. Typical is the following analysis by Pavarini:

'The growing social demand for security against crime reflects subjective feelings of insecurity, regardless of whether this sense of insecurity is or is not well founded and the results of an objective state of diminished security. This growing demand for security manifests itself as a protest against the institutional and public offerings of social defence. Institutional and public efforts to provide safeguards against criminality are perceived as being unable to meet the social demand for security; again, whether this is actually the case is another matter.'²¹

It is noteworthy that the perceived growth in personal insecurity is here only tenuously related to crime. To the contrary, property crime rates have fallen across much of Western Europe and the US since the mid-1990s. Although Pavarini's account is productive in distinguishing subjective insecurity from objective threat as the principal source of contemporary demands for security, it none the less leaves open the question of why insecurity should be rising. To say that insecurity is itself a product of inadequate supply introduces an unhappy circularity into the argument.

A more negative account still is given by those who see its pursuit as the abandonment of the utopian project of crime reduction in favour of resigned recognition of crime's inevitable presence. Garland, for example, argues that many key crime control developments 'begin from the premise that crime is a normal, commonplace, aspect of modern society'.²² Seeking security is important precisely because faith in the ameliorative potential of rehabilitation or the inhibiting influence of deterrence has been so eroded. The shift of criminological interest from strategies of crime control and reduction to strategies of security signifies, therefore, an admission of failure that is entirely consistent with the discipline's negative logic.

In the literature on the commodification of security,²³ however, a curious trend is observable. The 'commodity' that is security was once perceived as negative or merely absent. Hence Spitzer's observation that 'security ... is primarily defined in negative terms ... is said to exist when something does not occur rather than when it does ... when stores are not robbed, pedestrians are

21. Pavarini, n 20 above, p 79.

22. D Garland *The Culture of Control* (Oxford: Oxford University Press, 2001) p 128. Comparative scholars have challenged this analysis. Eg Crawford observes that 'crime may well have new salience in everyday life but it is not a shared collective experience'; he goes on 'the experience of France seriously questions the applicability of Garland's thesis beyond the cases of the United States and United Kingdom': A Crawford 'The growth of crime prevention in France as contrasted with the English experience: Some thoughts on the politics of insecurity' in G Hughes, E McLaughlin and J Muncie (eds) *Crime Prevention and Community Safety* (London: Sage 2002) p 235.

23. Spitzer, n 5 above; L Johnston 'What is vigilantism?' (1996) 36 BrJ Crim 220; I Loader 'Consumer Culture and the Commodification of Policing and Security' (1999) 33 *Sociology* 373.

not molested'.²⁴ Increasingly, however, it appears that security takes on a strikingly different guise.²⁵ In the demand for, and provision of, reinforcement of protection from threats to personal, communal or national safety, security positions itself as a positive good. Ever more decoupled from the ontological risks of crime, security is sold as a desirable product in and of its own right.

The security industry is quick to promise more than protection, and increasingly claims that its products enhance individual well-being, social welfare and financial confidence. Likewise, the massive consumer demand for security appears to be born out of something other than fear or disillusionment with the state alone. Until more research is undertaken, it is difficult to say why people adorn their homes with security devices and burglar alarms.²⁶ Aside from the usual suspects of fear and risk, several other possibilities suggest themselves. Security is bought because people can afford to do so; because they have so internalised the 'responsibilization' strategies of governments²⁷ they consider it their duty so to do; because it adds value to their property; reduces their insurance premiums; or prevents them from falling behind their more security conscious neighbours. The caché of the prominent alarm signals, at little cost, that the home is a wealthy one and that the owner has the means and sense to protect it. Nor does it seem too far-fetched to suggest that the arrival of gated housing developments (prolific in the US and now appearing in Britain) rely upon calculations by developers along very similar lines.²⁸ The gated community (arising as it does most commonly in middle-class, low-crime areas) is less a direct response to crime than a positive selling point signalling a certain quality of life and, quite literally, exclusiveness.²⁹ In short, security challenges the negative logic of the criminological enterprise and, to the extent that it is the growing subject of criminological attention, demands a reorientation of that enterprise.

(b) Security as a material or symbolic good

Mapping onto, but not synonymous with, the divide between objective and subjective security is the important distinction between material and symbolic security. Material security goes to objective security in that it constitutes tangible efforts to reduce risk and improve safety. It resides in the installation of devices (such as alarms, gates and human or electronic surveillance) and checks (for example, of identity, finances and software). Symbolic security is

24. Spitzer, n 5 above, p 47. Or Freedman's similar reflection that security 'is achieved when bad things do not happen rather than when good things do': Freedman, n 15 above, p 731.

25. Loader, n 23 above; Zedner, n 14 above, p 201.

26. Loader, n 23 above.

27. Garland, n 22 above.

28. In 1997, an estimated 8 million Americans were living in gated communities: F van Dijk and J de Waard *Public and Private Crime Control: National and International Trends* (The Hague: Dutch Ministry of Justice, 2001).

29. All this is should not be permitted to obscure the significant social, economic and environmental costs attendant upon becoming an ever more security consuming society: Zedner, n 14 above; F van Dijk and J de Waard 'The private security industry in the Netherlands' in F Pakes and I K McKenzie (eds) *Law, power and justice in the Netherlands* (Westport, CT: Greenwood Publishing: 2001).

more amorphous and yet, arguably, no less important, particularly in so far as it addresses the needs of subjective security. The promises made by politicians to tackle threats to personal and communal safety and the introduction of legislation³⁰ to meet new sources of insecurity attest to the high priority placed on providing symbolic security, at least in some countries.

Pavarini suggests that:

‘while security as a material value is subject to free-market exchange, the symbolic security resource enjoys a monopoly since the penal resource is, by its very nature, public ... since the public offering of a symbolic dimension of penalty cannot produce material security, it will induce higher private consumption of security’.³¹

This division seems to us too stark. Private market providers are also in the business of delivering symbolic security: the immobilisation device stickers that adorn so many cars are testimony to that. And, equally clearly, material security is not the preserve of the market alone: the daily practical activities of local authorities, police forces and the military are far from being purely symbolic. Pavarini’s apparent assumption that the state is incapable of providing material security provides a neat explanation for the increasing public willingness to purchase that on offer from the private sector. But this side-steps the question of why the state is, or appears to be, failing to provide material security for all its citizens (as opposed to the well-endowed minority able to purchase material security privately). It also presumes, somewhat uncritically, that what the private sector offers is in fact material security. Research evidence on the use, or non-use, of CCTV cameras reveals that the cameras’ value is more limited than the very heavy financial investment in this device might suggest.³² The variable efficacy of CCTV in preventing crime suggests that the camera often serves as much as a symbol of surveillance as its tool. Likewise, the uniformed guard so prominently advertised as patrolling the factory fence, but in fact sipping tea in the warmth of his office fulfils a role that is more symbolic than real. A significant complicating factor is that the absence of camera operators or security guards does not necessarily diminish their deterrent effect upon those who cannot know whether they are observed or not. The apparent distinction between public/symbolic and private/material security is thus more complex and less clearly drawn than first appears.

(c) Security as a public good or private service.

The distinction drawn between public and private in analysis of security, though important and enduring, is also more complex than this simple dichotomy

30. The Criminal Justice and Public Disorder Act 1994 in Britain, stands out as a largely symbolic response to an outburst of media-driven public hysteria about ‘new age travellers’, ‘ravers’ and squatters. The Terrorism Act 2001 is arguably, in part, a similarly ‘symbolic’ response to anxieties spawned by 11 September.

31. Pavarini, n 20 above, pp 80–81.

32. B Goold ‘Public Surveillance CCTV: Aspects of its Impact on Policing in an English Force’ (Unpublished DPhil thesis, University of Oxford, 2001); B C Welsh and D P Farrington *Crime prevention effects of closed circuit television: a systematic review* Home Office Research Study 252 (London: Home Office, 2002).

suggests.³³ Most commonly used to describe the distinction between state and commercial provision of security, it refers also to the dimensions of public access, openness or visibility and consumption (or enjoyment) by all or few.³⁴ It maps also on to the distinction between public goods and marketable commodities. In respect of all these possibilities, there has been intense debate about the degree of distinction or detachment between the public and private spheres. Moreover, it is arguable that one of the more important developments in security over recent decades has been the emergence of an interim or 'grey' area of mingled public/private provision. This is allied to the growth of 'mass private property', 'pseudo-public space' and the effective privatisation of formerly public spaces.³⁵

Security as a public good provides the very *raison d'être* of government. Not only is it the responsibility of government to provide it, the pursuit of security actively licenses the exercise of state power. As a basic requirement of human flourishing, security must be provided for all citizens, regardless of their status or wealth. The Hobbesian model of the state is based upon a social contract between individuals who surrender part of their liberties, personal assets and rights to the 'sovereign' who, in turn, guarantees their personal safety. If the sovereign fails to provide such protection, or if citizens consider that the protection is insufficient, the contract may be rendered void. Where security is a public good, the question arises how should it be distributed? Many commentators have observed that the distribution of security is rarely just; that ability to demand regularly trumps need; and that the logic of security (in presuming those that threaten) invariably places some sections of the populace outwith protection.³⁶ The problem of how to achieve equitable distribution of this basic public good is perhaps one of the key issues of contemporary criminal justice.

Security conceived as a private service, on the other hand, is a luxury explicitly on offer only to those with the power to purchase. Its distribution is inevitably unequal. Similarly, its supply relies upon the forces of the market to distribute not according to need, but to profit maximisation.³⁷ Proponents of private provision argue that the market provides more economically and efficiently than the state; that it is more responsive to consumer demand; and, most contentiously, that private security provision by the rich frees up state resources for the protection of the less well endowed. Against these arguments, research suggests that where security is distributed according to ability to buy, the result is growing inequality of protection.³⁸ There is also evidence that inequalities in the distribution of security are amplified by the displacement effect caused when criminal activity shifts from well-protected areas to those without protection.

Moving beyond this simple public/private distinction, it is arguable that what is really at issue is less the capacity of the state versus the market to provide security,

33. C Shearing and P Stenning 'Modern Private Security: Its Growth and Implications' in (1981) 3 *Crime and Justice: an annual review of research* at 196.

34. T Jones and T Newburn *Private Security and Public Policing* (Oxford: Oxford University Press, 1998) p 29.

35. Jones and Newburn, n 34 above, pp 46–51, 106–17.

36. I Loader 'Thinking Normatively about Private Security' (1997) 24 *J Law and Society* 377; Zedner, n 14 above.

37. F Ocqueteau 'Legitimation of the private security sector in France' (1993) 1 *EJ Crim Policy and Research* 108.

38. Loader, n 36 above, at 386; van Dijk and de Waard, n 29 above.

but rather a more generalised crisis in the social state that manifests itself in the particular demand for greater security. Pavarini argues: 'An unfulfilled need for social security generates a social demand for security ... the crisis of the social state has coincided with the emergence of security as a burning political issue ... This is no temporal coincidence: there is a structural link.'³⁹ In short, his argument is that the demand for security is less a response to crime than the symptom of a larger crisis within the social state. This analysis is suggestive, but it begs the question of why it is that larger social anxieties have coalesced around issues of security and personal safety. One possibility, suggested by Bauman, is that the demand for security results from a remarkable 'transfer of anxiety'⁴⁰ effected by governments only too well aware that they can do little about the larger sources of insecurity. Governments recognise that they have little control over major threats to individual and communal security, such as global warming, economic instability and long-term unemployment. Instead, by promising to fight crime, they hope to condense larger anxieties into concern about safety, in the sense of safety of the body and of property, alone. As Bauman observes: 'in an ever more insecure and uncertain world the withdrawal into the safe haven of territoriality is an intense temptation.'⁴¹ By promising safety of the person and the home, governments hope to obfuscate larger sources of anxiety and thus conceal the limits to their powers of protection. Bauman's analysis is, in a sense, more sanguine than Pavarini's, in that he sees this tactic as operating effectively to governments' electoral advantage. Where Pavarini sees the growth of private security as a vote of no confidence in the state, Bauman sees the state as thriving on its ability to exploit anxiety: 'A lot of tension accumulates around the quest for safety. And where there is a tension, political capital will surely be spotted by bright investors and expedient stockbrokers.'⁴² Bauman's analysis partially explains why the public and private spheres have found themselves in competition for the market that is security. In this competition, it is debatable whether analogous concepts such as public order, personal safety and community safety have the same market value as security. Why are the police, courts, probation services and prisons not thought of as agents of security, whereas uniformed private patrols, armoured vans, armed guards and private surveillance operations are?⁴³ Is it because these services have arisen precisely on the back of the perceived failure of state agents to provide security? And how far is the state now recapturing the market in security thanks to the increased political capital in securities services, security forces, and, in the US at least, 'homeland security'?⁴⁴

(d) External versus internal security

The opening quote by Prodi suggested a clear distinction between external and internal security. This distinction is a crucial one for understanding

39. Pavarini, n 20 above, p 79.

40. Bauman, n 6 above, p 116.

41. Bauman, n 6 above, p 117.

42. Bauman, n 6 above, p 117.

43. Shearing and Stenning, n 33 above, at 195.

44. Eg it might be argued that the Private Security Industry Act 2001 is an attempt to wrest back some measure of control by the state in Britain.

differences in the construction of security in different jurisdictions and at different moments. But it can also be argued that changing perceptions of what threatens most is eroding the very distinction between external and internal security.

Security conceived principally as an internal or domestic problem tends to cast the main threat to safety as stemming from distinct groups within the domestic population. These are described variously in terms of a discernible class (the 'underclass', the 'socially excluded', 'new age travellers' or 'disaffected youth') or, increasingly, as identifiable individuals or 'dangerous offenders'.⁴⁵ Where security is primarily focused upon internal threats to social order, responsibility resides not only with the state engines of law and order, but is ascribed also to communities, families and individual parents.⁴⁶ The targeting of suspect populations or individuals is justified in the name of securing the good society, even where such targeting runs counter to that society's stated desire to eradicate social exclusion.⁴⁷

Where security is conceived primarily as a response to external threats, logic dictates that responsibility for security will be more tightly focused on the state. In Germany, for example, *Innere Sicherheit* remains closely allied with the activities of the state in large part because it primarily connotes threats from outside.⁴⁸ The spatialised dimension of *Innere Sicherheit* conceptualises the primary threats to security as external, whether from international, organised or cross-border crimes. This dimension cannot be explained by Germany's geo-political history alone, but was no doubt fed partly by the break-up of the former Soviet Bloc which cast former East European states in the role of exporters of crime to Germany.⁴⁹ Standing at the 'crossroads' of Europe between East and West, Germany conceives *Innere Sicherheit* as threatened principally by *Ausländerkriminalität* – a conceptual 'hold-all' not only connoting crime by foreigners but by immigrants, asylum seekers and non-German nationals within Germany.⁵⁰

In practice, even in those countries characterised as exemplifying internal and external dimensions of security, the two are often more mixed than this account suggests. As we have just observed, conceiving the primary threat to security as external relies in the German case upon the characterisation of

45. M Brown and J Pratt (eds) *Dangerous Offenders: Punishment and Social Order* (London: Routledge, 2000).

46. Garland, n 22 above, p 49.

47. D Downes and R Morgan 'The Skeletons in the Cupboard: The Politics of Law and Order at the Turn of the Millennium' in M Maguire, R Morgan and R Reiner (eds) *The Oxford Handbook of Criminology* (Oxford: Oxford University Press, 3rd edn, 2002) p 300.

48. K-L Kunz (ed) *Bürgerfreiheit und Sicherheit: Perspektiven von Strafrechtstheorie und Kriminalpolitik* (Bern: Peter Lang, 2000) esp ch 'Innere Sicherheit und Kriminalitätsvorsorge im liberalen Rechtsstaat'; R Gössner (ed) *Mythos Sicherheit: Der hilflose Schrei nach dem starken Staat* (Baden-Baden: Nomos, 1995); A Scherr 'Sicherheitsbedürfnisse, soziale Ausschliessung und Kriminalisierung' (1997) 4 *Kriminologisches J* 256.

49. L Zedner 'In Pursuit of the Vernacular: Comparing Law and Order Discourse in Britain and German' (1995) 4 *Social and Legal Studies* 517 at 521.

50. H-J Albrecht 'Immigration, crime and unsafety' in A Crawford (ed) *Crime and Insecurity: The governance of safety in Europe* (Cullompton, Devon: Willan Publishing, 2002) pp 159–85.

substantial portions of the domestic population as 'foreign' (for example, the German-born children of guest workers who have not taken citizenship). More generally, in Europe the falling of borders is eroding the distinction between internal and external threat. Whilst membership of larger supra-national constellations renders it difficult to discern exactly what is domestic and what foreign. About the impact of lowering internal borders and raising external ones to create 'Fortress Europe', more is said below. Suffice it to observe here that the distinction between internal and external security is in increasing doubt. The picture is complicated further by the fact that measures once thought necessary only in the high-security arena of national borders and airports are now extended to the domestic hinterland. This expansion of security measures against external threats to domestic policing has provoked the acute observation that 'the border is everywhere'.⁵¹

LANGUAGE AND THE LIMITS OF DISCOURSE ANALYSIS

Striking similarities in debates about crime and security, community safety and community policing, situational and social crime prevention occur across Western nations. The similarities of language should not blind us to the fact that even apparently identical words have different meanings and different political salience coloured by the local terrain, history and political climate in which they are used.⁵² Even where a concept has been imported from another jurisdiction, it is dangerous to assume that it has survived the journey unscathed. In the process of translation – linguistic, political and cultural – new nuances and associations creep in. Where a term is consciously exported though colonial or other jurisdictional feat (the imposition of terms through EU Directives, for example), the meaning attached by the originating power may none the less be subverted by the less powerful or supplicant nation. Other terms carry such political capital or so capture the public imagination that they are imported in the hope of legitimising local policy. Even here, the meaning originally attached may be altered radically in transit.⁵³ The apparent import is at best a hybrid, a fusion of its originating source and local culture, at worst an 'irritant' whose presence has unforeseeable consequences for domestic arrangements.⁵⁴ Aside from imports and irritants, apparently similar

51. M Feeley and J Simon 'Actuarial Justice: the Emerging New Criminal Law' in D Nelken (ed) *The Futures of Criminology* (London: Sage, 1994) p 181.

52. Zedner, n 49 above; T Hope and R Sparks 'Risk, insecurity and the politics of law and order' in Hope and Sparks (eds), n 1 above, p 9. As D Melossi has observed, 'the usage of identical words often obscures the degree to which they are embedded in the different history of different place, as well as being articulated through (partially) different discourses': D Melossi 'The cultural embeddedness of social control: Reflections on the comparison of Italian and North American cultures concerning punishment' (2001) 5 *Theor Crim* 403 at 405.

53. A good example here is that of 'zero tolerance', whose usage has been quite different on either side of the Atlantic. See T Jones and T Newburn 'Learning from Uncle Sam? Exploring US Influences on British Crime Control Policy' (2002) 15 *Governance* 97.

54. G Teubner 'Legal Irritants: How Unifying Law Ends up in New Divergences' in P A Hall and D Soskice (eds) *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (Oxford: Oxford University Press, 2001) pp 417–41.

concepts may arise at the same time over great distances, as if in ‘the ether’ and made manifest by the same triggering source. Here again, it is dangerous to assume that debates that tend in the same direction across the globe are a simple and uniform product of globalisation.

The superficial similarity of terms like ‘security’, ‘Innere Sicherheit’ and ‘sécurité’ obscures the fact that each of these terms has very different cultural and material roots and, it follows, different meanings. Security varies in its salience; its location between state, private and civil society; and, not least, in its very meaning, even within that supposedly homogenous entity that is Europe. Criminologists are fascinated by the ways in which crime and security are presented in everyday language, by the debates that surround social reactions to crime and the vocabularies in which crime policies are framed. A cynic might argue that discourse analysis is attractive because it evades the need to grapple with the raw facts of social situations. But analysis of labels alone licenses an intellectual laziness that even discourse analysis, properly done, does not permit. As Melossi has pointed out: ‘discourse (or even thought) cannot be conceived in isolation from practice but is an inextricable component of social action.’⁵⁵ His argument is reminiscent of Garland’s insistence, in reference to penality, that ‘any “cultural” or “discursive” approach to the phenomena should never lose sight of the fact that punishment is also, and simultaneously, a network of material social practices’.⁵⁶ The language of security (quite as much as that of crime and punishment) is embedded in the place, institutions and practices of which it is the product. It follows, therefore, that in order to understand this language it is not enough simply to observe the superficially different meanings given to security in different languages; one must study the institutions and practices of security in their own right. In what follows, we will first make the case for comparative research and then make some preliminary observations about the divergent practices of security as it is sought, distributed, and sold.

UNIVERSAL CLAIMS AND THE NEED FOR COMPARATIVE RESEARCH

Important recent contributions to the criminological literature contend that obsession with crime and its attendant risks are universal characteristics of contemporary society, late- or post-modernity. David Garland, for example, argues ‘In America and Britain today, “late modernity” is lived – not just by offenders but by all of us – in a mode that is more than ever defined by institutions of policing, penality, and prevention’.⁵⁷ The difficulties of comparative research,⁵⁸ the ethnocentrism of much American (and, to a lesser, extent European) writing, and the consequent disregard for variations among nation states, make it too easy to write in very general terms about the condition

55. Melossi, n 52 above, at 405.

56. D Garland *Punishment and Modern Society: A Study in Social Theory* (Oxford: Oxford University Press, 1990) p 199.

57. Garland, n 22 above, p 194.

58. D Nelken, ‘Comparing Criminal Justice’ in Maguire, Morgan and Reiner (eds), n 47 above, pp 175–202.

of late modernity or crime control culture of Western industrialised countries.⁵⁹ Criminologists, all too well aware that the real academic kudos lies in large claims, generalising contentions and, best of all, grand theory, are loathe to admit to local difference.⁶⁰ Indeed, local differences often appear as little more than an inconvenient exception to the general trend to be described, buried in parenthesis or footnote in the hope that it will not prove fatal to the larger argument. This sleight of hand, understandable as it is (which of us is not guilty?), carries with it the danger that even where counter trends outweigh the global picture, they are ignored or suppressed. The US becomes 'Western democracies'; two or three European states become 'Europe', and so on. The case against generalisation is neatly made by Marshall:

'to pretend that "the" United States and "Europe" (or "Western Europe") are two internally homogeneous analytic units is a gross oversimplification [it] depends where you are in the US, or in Europe: the odds of having your pockets picked are greater when in Italy than in Switzerland or the US; the odds of your car being stolen are lower the US than in England or Sweden. The likelihood of being murdered in New York or Chicago is greater than it is in Amsterdam; however, your odds of meeting an untimely violent death are higher in Amsterdam, Stockholm, or Paris than in, for example, the rural town of Nebraska City in the US.'⁶¹

North American criminology is an industry in its own right, whose size and intellectual wealth has a tendency to dominate the discipline. American criminologists tend toward introspection: understandably preoccupied with the security problems faced by their own vast nation, they too easily fail to see that things are done differently elsewhere.⁶²

Outside the US, it is easy to see that very different conditions pertain. But the scale of that difference leads to a counter-tendency to accentuate similarities elsewhere. 'American exceptionalism' is an increasingly common theme in a pan-European literature that seeks to assert the commonalities among EU member states.⁶³ The new European criminology tries to identify trends common to member states as if Europe (that most diverse of cultural entities) were somehow an homogenous whole. In this overextended

59. Though this has not stopped comparative scholars from pointing out the limitations to Garland's thesis. Eg Crawford 'Garland's analysis has less relevance to some continental European societies where the state and the law have come to assume a fundamentally different cultural place and play a different social role from those in Anglo-American jurisdictions': Crawford, n 22 above, p 235. See also Sparks, n 3 above; L Zedner 'Dangers of Dystopias in Penal Theory' (2002) 22 Oxford JLS 341.

60. There are exceptions: see E Girling, I Loader and R Sparks *Crime and Social Change in Middle England: Questions of Social Change in an English Town* (London: Routledge, 2000).

61. I H Marshall 'How exceptional is the United States? Crime trends in Europe and the US' (1996) 4 E J Crim Policy and Research 7 at 29.

62. On a recent sabbatical in Chicago, I had some difficulty persuading criminological colleagues that gun carrying among teenagers was not everywhere the pre-eminent problem of crime control.

63. J Shapland 'Criminology in Europe' in F Heidensohn and M Farrell (eds) *Crime in Europe* (London: Routledge, 1991).; V Ruggerio et al (eds) *The New European Criminology: Crime and Social Order in Europe* (London: Routledge: 1998).

endeavour, the US becomes a useful foil the better to assert the commonalities of Europe. The US is portrayed as a nation where poor social welfare and gross economic inequality has generated an outcast class that survives by preying on others and where security is to be found only in mass gun ownership.⁶⁴ By contrast to the US, Europe is characterised as having relatively greater social cohesion, lower levels of economic inequality, greater social welfare provision,⁶⁵ lower crime rates and more tolerant criminal justice policies than is absolutely or uniformly the case. In less sanguine writings, Europe is characterised as sliding rapidly and inexorably along the path already taken by its cross-Atlantic neighbour.⁶⁶

Whether Europe is characterised as converging with the US or developing in some distinctively European direction, the assumption of internal homogeneity is a constant theme. As the editors of an edited collection on *Crime in Europe* observed 'crime in Europe appears in some senses to know no frontiers even before these are formally abolished'.⁶⁷ Similarly, Taylor argues that the rapid 'marketisation' of European is creating features common across the community, not least in its impact upon social anxiety, fear of crime and insecurity.⁶⁸ All this is not to deny that the dissolution of internal borders has generated distinctively European problems of security. The lowering of national border controls and the creation of a common European currency, the euro, has created unprecedented opportunities for cross-border crime, organised crime, drug smuggling, fiscal crimes such as fraud and money-laundering and tax evasion.⁶⁹ And, in its external relations, 'fortress Europe' has been charged with developing barriers and sanctions to protect itself from a feared influx of refugees and asylum-seekers from poorer or politically unstable countries. The extent to which Europe today is being 'governed *through* security' is a matter of live debate, not least because it is argued that we face:

'the prospect of a European political identity coalescing negatively around the threats to safety and well-being posed to Europe's citizens by an array of dangers Others. At a time when it proving difficult for EU elites to legitimate the European polity among the continent's citizens, such mobilisation can have a powerful allure.'⁷⁰

This is an intriguing proposition. But the suggestion that a European identity can be framed only around common fears is perhaps better seen as testimony to the fact that such an identity is still some way off. That the emergence of Europe as an economic and political entity has yet to furnish any strong positive

64. Marshall, note 61 above.

65. H Tham 'Crime and the Welfare State: The case of the United Kingdom and Sweden' in V Ruggiero et al (eds) *The New European Criminology: Crime and Social Order in Europe* (London: Routledge, 1998).

66. E Currie 'Is America winning the war on crime – and should Britain follow our example?' (1996) 25 *Crim Justice Matters* 6; Garland, n 22 above.

67. F Heidensohn and M Farrell (eds) *Crime in Europe* (London: Routledge, 1991) p 7.

68. Taylor, n 12 above.

69. D Nelken 'Whom can you trust? The Future of Comparative Criminology' in D Nelken (ed) *The Futures of Criminology* (London: Sage, 1994) pp 220–21.

70. I Loader 'Policing, Securitization and Democratization in Europe' (2002, forthcoming) 2(2) *Crim Justice*.

common identity, still less commonality of language, culture or institutional arrangements, should alert us to the continuing power of local allegiances. Paradoxically, it could even be argued that the creation of the EU, in expediting the emergence of new regions and 'stateless nations', has augmented the sense and importance of local difference and regional identity. In the face of the undoubted pressures of globalisation, there are, therefore, powerful counter-trends toward celebration of regional identity and devolution of political power toward regional or new national governments.⁷¹ The defence of national political sovereignty, whilst clearly a hindrance to co-ordinated attempts to counter international threats, remains a rich source of diversity of approaches to the questions of crime control and security.

DIFFERENCES IN THE DISTRIBUTION OF SECURITY

It should by now be clear that I think that the complexities of security call for comparative analysis. In line with my earlier suggestion that discourse should be understood as embedded in social action, what follows is a tentative reflection on the varied practices of security and a set of typologies that provide one possible framework for comparative analysis of that practice. The scale of the shift towards private security provision and its political importance makes it easy to overlook the fact that it is not one shift but many, taking markedly different forms, even in neighbouring jurisdictions.⁷²

Arrangements for the provision and distribution of security vary widely: not least in the degree to which security is privatised and to which states regulate, engage with or work alongside private sector initiatives. Neo-liberal states like Britain and the US have been more willing to see their responsibilities assumed by private competitors than countries like France, Germany or the Netherlands, where the presumptions of the welfare state persist more strongly.⁷³ But, as we shall see, the distinction between neo-liberal and welfare states alone cannot explain the varieties of practice that exist.

Even if total public sector monopoly of security ever existed, it is now but rarely defended. Even where state provision of policing continues to dominate, private insurance against risk is an important adjunct, as is specialised private security provision for particular purposes or sites. Nor is it anywhere the case that private provision of security has replaced state provision entirely, even though the size of the private sector in some countries is beginning to dwarf its public counterpart in size and economic scale. Rather, the growth of private provision has created a variety of mixed economies of public and private protection⁷⁴ which can be characterised by

71. The creation of the Scottish Parliament and the Welsh Assembly are recent cases in point. Unleashed from rule by Westminster, the Scottish legal system (always different to that in England) is free to develop crime control policies in accord with political culture and local mandate.

72. A Crawford *Crime Prevention and Community Safety: Politics, Policies and Practices* (London: Longman, 1998) ch 7 'Comparative experiences'.

73. P A Hall and D Soskice (eds) *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (Oxford: Oxford University Press, 2001).

74. U Yanay 'Personal Safety and the Mixed Economy of Protection' (1995) 29 *Social Policy and Administration* 110.

the following five typologies. Each describes very different distributions of responsibility, organisational structures and material practices. The comparative schema offered below are intended as a provocation to research, and emphatically not as the substitute for it. They rely principally upon secondary sources, albeit by local nationals, and should be read primarily as invitations to further inquiry.

(a) Public sector competition

Public sector competition takes many forms, whether spurred on by the creation of artificial markets within state administration, by the contracting out of services to other public sector bodies or as between different branches of government.⁷⁵ Perhaps the most important form in respect of security has been competition between central and local government. For example, Melossi and Selmini argue that in Italy:

‘the redistribution of competencies and responsibilities is strongly demanded by new actors (the local governments) that directly seek to play a role in criminal policies. Institutions which have never been involved in crime control strategies begin to struggle for the recognition of new fields of intervention, and the *central* state opposes and resists this tendency, so that safety issues become central not in the struggle between political parties, but in that between central and local government.’⁷⁶

They argue that the independent bid by local governments in Italy to assume responsibility for local safety strategies⁷⁷ established safety as one of the primary tasks of local government. In England, the ascription of responsibility through ‘City Challenge’, ‘Safer Cities’ projects and regional ‘Partnerships’,⁷⁸ as well as in legislative instruments like the Crime and Disorder Act 1998, was principally state-led (though Labour local authorities were also influential in seeking greater powers). In Italy, it would appear that regional initiative had a larger role in placing the pursuit of security, the vocabulary of safety and the strategies of crime prevention upon the national agenda. In Britain in the 1990s, the availability of central state resources under crime prevention initiatives led local authorities to redefine a host of local social and economic problems as crime problems simply in order to obtain funds.⁷⁹ In Italy, by contrast, Melossi and Selmini suggest that local mayors sought to tackle local issues of safety or disorder through administration intervention, typically under headings quite unrelated to crime.⁸⁰ So that, ‘in Italy, the best known and most widely adopted

75. R van Swaaningen *Critical Criminology: Visions from Europe* (London: Sage, 1997) p 210ff.

76. Melossi and Selmini, n 1 above, pp 153–54.

77. Through the regional *Città sicure* project started in 1994.

78. N Lacey and L Zedner 1998 ‘Community in German Criminal Justice’ (1998) 7 *Social and Legal Studies* 7.

79. A Crawford *The Local Governance of Crime: Appeals to Community and Partnership* (Oxford: Clarendon Press, 1997).

80. Prostitution, eg, was tackled not through the criminal law, but through administrative powers relating to traffic regulation and hygiene.

social prevention action has been within the framework of social intervention and welfare schemes'.⁸¹ And, more generally, programmes set up to improve the economic, cultural and general living standards of disadvantaged communities were intended also as security measures. Whilst it would be overly simplistic to conclude that, in England, social welfare provision hides behind crime prevention policy whilst, in Italy, security is sought through social welfare provision, the differences of emphasis suggest apparent divergences in the political environments and institutional arrangements in which public sector competition arises that merit further comparative inquiry. The picture is different again in Germany and the Netherlands, where the vitality of local government would seem to place many security ventures more firmly at local level.⁸² Whilst, of France, Crawford suggests that long-term, strategic 'co-operative contracts between locality and nation-state'⁸³ have been more important than competition. These observations suggest that distribution of responsibility for security, even within the public sector, can take many forms. Further inquiry into the distribution of burdens, funding and of political capital invested by different spheres within government would reveal the variety of distribution more precisely.

(b) Private sector monopolies

Competition for public sector provision or wholesale transfer of services from one sector to the other does not necessarily lead to a free market in security. Where there is relatively open competition, as is commonly the case in neo-liberal economies, the result may be that formerly unified services are broken up and fragmented among multiple service providers. In welfare state or 'co-ordinated' market economies, services are more commonly given over in toto to a single service provider whose operations remain strictly under government control. For example, Ocqueteau observes that in France in 1986, the state postal security service *Service de Sécurité de la Poste* was privatised. The new commercial venture *Sécuripost* enjoyed the exclusive right to collect and transport money from all post offices in the country, from which base it was permitted to diversify and seek contracts for security surveillance over public and private sites.⁸⁴ Although moves such as this take security provision outside the public sector, it is not clear that they take it very far into the market. The monopoly remains, and a considerable measure of public control with it.

Even where open competition for the privatisation of public services is the model, it is not uncommon for private sector monopolies to arise,

81. Pavarini, n 20 above, p 90.

82. R Baier and Th Feltes 'Kommunale Kriminalprävention' (1994) 11 *Kriminalistik* 693; W Lehne 'Präventionsräte, Stadteiforen, Sicherheitspartnerschaften. Die Reorganisation des Politikfeldes "Innere Sicherheit"' in V Trotha et al (eds) *Politischer Wandel, Gesellschaft und Kriminalitätsdiskurse* (Baden-Baden: Nomos-Verlag, 1996); van Dijk and de Waard, n 29 above. Although it is arguable that the very strength of local government itself acts as an inhibition on informal community initiatives. Albrecht, n 50 above; Lacey and Zedner, n 77 above, p 14.

83. Crawford, n 22 above, at 219.

84. Ocqueteau, n 37 above.

dominating the market in such a way as to stifle competition and mute its supposed benefits. The unrivalled success of a very few companies in securing contracts in the early programme of prison privatisation in Britain and the US raises questions about the possibility for open competition in an arena where sunk costs, economies of scale and track record tended to privilege existing contract holders over competitors. The conglomerate Securitas AB is the largest security provider in the world, with over 200,000 employees. The next largest, Group4Falk A/S, has over 100,000 employees. Together, these two firms have approximately 9% of the total world market.⁸⁵ It might be argued that the creation of these 'market monopolies' is a deliberate (if usually covert) aim of governments where privatisation is an imperative but the vagaries of the market pose too great a risk of instability. Sometimes, it is an open policy. For example, in France, the Ministry of Defence created a company, headed by senior police and army officers, to ensure the inspection and surveillance of French nuclear sites.⁸⁶ Apparently, the imperative to privatise is not always sufficiently powerful to overthrow the residual sense of the state's responsibility for matters essential to the safety of its citizens. Longitudinal analysis of privatisation programmes and the independent development of private security providers would further reveal the dominance of market sectors by one or two powerful private players.

(c) Deregulation and open market competition

Shearing and Stenning have argued that the widespread emergence of 'mass private property' is central to the growth of the private security industry.⁸⁷ The vast, privately owned 'public' spaces, such as shopping malls; the proliferation of gated communities of hundreds (or thousands) of homes fortified and sometimes patrolled against external threats; the growth of large-scale private recreational, industrial and commercial complexes; and of privately owned university campuses, subtly shift more and more public life into private domains. The result is that 'people are now more likely to be living, working, shopping, and spending leisure time in places which are protected by private security rather than the public police'.⁸⁸ The 'new feudalism' which Shearing and Stenning identified as the natural consequence of this proliferation of private space in the US is, as yet, to be found little in Europe. Specific forms of mass private property, chiefly shopping malls, leisure centres, parks and gated housing developments, are beginning to proliferate in Britain, but they are much less developed across continental Europe. As a result, the independent corporate governance of security, the ability of the market to rival state provision and the fracturing of state power that this implies is as yet less developed throughout most of Europe than in the US.⁸⁹

85. van Dijk and de Waard, n 29 above.

86. Ocqueteau, n 37 above, at 118.

87. Shearing and Stenning, n 33 above, at 240.

88. Jones and Newburn, n 34 above, p 105.

89. Though it is arguable that the very distinction between public and private space is being eroded by the increasing intrusion of private security services into public areas once considered the sole domain of the police Van Dijk and de Waard, n 28 above.

The development of open-market competition is often characterised as if there were a finite demand for security services. Yet, it is far from necessarily the case that the expansion of private security occurs at the expense of state dominion.⁹⁰ Current developments suggest a remarkable growth in demand, irrespective of any evidence of changes in levels of actual threat (we have already observed that crime rates are falling, not rising, across most of Western Europe and the US). It could even be argued that demand is supply driven. The more provision is made, the more people regard as normal or necessary, and the greater their demand. Seen this way, purchase of private security measures betokens less a loss of faith in state provision, but rather a rational response to that provision. Aggressive marketing techniques further increase demand. And, as the state signals through ever more repressive penal measures (increasing resort to imprisonment being one of the more potent signals) the need to protect society against threats to its security, it is hardly surprising if individuals respond by seeking out their own means of protection. To this extent, market competition would appear to be a function less of state failure than state fuelling of demand. Certainly, in many countries, governments appear to have encouraged the development of open-market competition by both public bodies and private firms.⁹¹

Aside from the imperatives of competition and government sponsorship, it can be argued that growth of the private sector rests upon what has been described as 'post-Keynesian Prudentialism', namely that instead of being managed collectively by social institutions, risks are increasingly made the subject of private insurance.⁹² The role of the insurance industry in driving and directing the expansion of private security also demands attention.⁹³ In providing incentives for investment in security measures through promised reduction of premiums; in requiring corporate clients to purchase security equipment or services; and in providing advice, proposing service providers, policing take-up and monitoring quality, insurance companies can be seen as prime movers in the expansion of the security industry.⁹⁴ Whether and to what extent prudentialism is driven also by increasing intolerance of risk

90. Note Pavarini's sardonic observation, 'The two strategies – more penal justice and more private security – are not only congruent but also mutually enhancing, despite their being fruitless': Pavarini, n 20 above, p 85.

91. In the Netherlands, eg, in the 1980s and 90s, the government strongly promoted the policing particularly of semi-private space by commercial security firms. Van Dijk and de Waard, n 29 above.

92. As Stenson has observed: 'prudential techniques are *exclusive* rather than *inclusive* ... they involve a greater reliance on commercial insurance for home insurance, security services and so on and they also involve a narrowing of the communities of risk sharers, excluding those deemed to be unreliable, dangerous or too poor': K Stenson 'Communal Security as Government – The British Experience' in W Hammerschicht (ed) *Jahrbuch für Rechts und Kriminalsoziologie* (Baden-Baden: Nomos, 1996) p 109; J Young 'From Inclusive to Exclusive Society: Nightmares in the European Dream' in V Ruggiero et al (eds) *The New European Criminology: Crime and Social Order in Europe* (London: Routledge: 1998) pp 64–91.

93. See R Ericson, D Barry and A Doyle (2000) 'The Moral Hazards of Neo-Liberalism: Lessons From the Private Insurance Industry' *Economy and Society* 29 at 532.

94. Eg subscribers to private alarm centres in the Netherlands grew 1,100% in the 15 years to 1998: Van Dijk and de Waard, n 28 above.

and desire to protect or insure oneself against harm is also a topic for comparative inquiry.⁹⁵

(d) State regulation of private services

Total deregulation or open private sector competition for security is as much a myth as the notion of a historic state monopoly. True, the deregulation of former public-sector services and the expansion of market-led areas of security provision (surveillance and guarding of commercial enterprises, transit services, domestic security etc) create very different markets for security. But they rarely lie wholly outside state regulation. Importantly, for comparative analysis, their shape and form varies according to the degree and form of that regulation. Where state intervention is slight, as in Germany, the market is left relatively free to determine the level, focus and form of provision and to regulate itself as best it can. For example, the incapacity of the British Security Industry Association to regulate itself attracted criticism⁹⁶ and was no doubt a factor in the passing of the Private Security Industry Act 2001. This Act ended Britain's anomalous position of being the only European state not to subject its private security industry to statutory regulation.

Where, on the other hand, regulation is strenuous, as appears to be the case in Scandinavia and the Netherlands, ostensibly private security provision may owe a good deal of its colour to state determination. Whether acting as arbiter or overseer, it would be illuminating to discover how far the state in these countries retain powers to determine what private security providers can and cannot do. The powers granted to private security agents, the permitted scope of their activities, and the terms under which they compete with one another and with the public sector vary considerably from one country to another. There appear also to be striking differences in the requirements imposed (or self-imposed) upon security providers to conform to industry services standards or legislative codes. Requirements as to recruitment criteria, safeguards as to identity, past criminal record checks, and stipulations as to training, uniforms, equipment and possession of (fire)arms all vary markedly by country.⁹⁷ As van Dijk and de Waard report:

'Carrying firearms is permitted in many countries: in others, including the Netherlands and Denmark, it is not. In Belgium, France and Spain, there is an obligation to obtain liability insurance. In the Netherlands, Belgium, Portugal and Spain, security organisations are obliged to provide the responsible ministry with an annual report. There is also a great deal of variation between countries as far as concerns possibilities for sanctions: from withdrawing the permit to imposing (administrative) fines and/or prison sentences.'⁹⁸

In some countries there appears to be close co-operation between private and public provision, for example, in Sweden, private firms assist the fire brigade

95. G Hughes *Understanding Crime Prevention: Social Control, risk and late modernity* (Buckingham: Open University Press, 1998) esp ch 7.

96. Jones and Newburn, n 34 above.

97. J de Waard 'Private Security in Europe' (1993) 1 E J Crim Policy and Research 108; van Dijk and de Waard, n 28 above.

98. Van Dijk and de Waard, n 28 above.

and assist in the production of identity cards; in Germany they engage in crowd control at football stadia. In others, such co-operation would probably be regarded with suspicion. By examining legislation governing the private security industry in different jurisdictions, it should be possible to set national debates about security in the larger context of their regulatory frameworks. Relations with state police, obligations placed upon private security firms and their agents, the extent of state interference and powers to sanction miscreants have a powerful effect on the development and shape of the private security industry. They also reflect and shape larger domestic concerns. Considerable variation exists in the prerequisites, the form, and working conditions of the private security industry and, by implication, in its relations with the state. Mapping these variations is but a first step to understanding the variety of security within the supposedly homogeneous entity that is Europe.

(e) State incorporation or 'publicisation'

At its most intense regulation may even amount to state incorporation of private services or 'publicisation' of the private realm. Corporatism makes it difficult to discern where the state ends and the private sector begins. And it is no less difficult to identify where power is located. Intense state regulation may diminish the powers of private providers, but it can also serve to legitimise, and thereby to empower, them. The private security firm working in close co-operation with the police, the firm with military or police officers on its board or former officers on its staff, and the private sector which secures additional powers in return for compliance with state determined protocols will benefit from increased prestige and the legitimacy that apparent state approval or involvement brings with it. According to Crawford, the French state continues to loom large in the regulation and incorporation of private security activities to the public sphere.⁹⁹ In social democratic or self-acknowledged welfare states unwilling to delegate security, corporatism is a powerful tool. In France, the state strictly limits the powers held by private security agents; obliges security companies to register with the prefecture (which, in turn, is responsible for ensuring legal compliance); and monitors their operations. Perhaps ironically, the extent of this state monitoring appears to have the (no doubt unintended) effect of conferring a much-sought credibility upon security agencies whose activities are thus seen to have state-approved legitimacy. As Ocqueteau observes, 'in matters of private security, French authorities take a more or less direct hand, not only in the economic moralization of the sector, but in its ultimate ideological legitimation as well'.¹⁰⁰ In Scandinavia and the Netherlands, where the assumption of state responsibility for security arguably endures more strongly than Britain (or the US), regulation appears to be characterised by formal procedural law and robust structures of accountability. These hold private initiatives and the activities of non-governmental organisations much more closely to the public sphere through tight strictures and regulations. By subjecting these rough characterisations to empirical

99. A Crawford 'The Partnership Approach to Community Crime Prevention: Corporatism at the Local Level?' (1994) 3 *Social and Legal Studies* 497.

100. Ocqueteau, n 37 above, at 114.

scrutiny, it should be possible to discern whether such regulatory strategies can, in practice, have the effect of returning private enterprise to the public sphere.

The above schema attempts to map out some apparent variants on the public-private divide that might profitably inform comparative analysis of the practices (as opposed to the rhetoric) of security. It suggests, in particular, the historic and present differentiation of security practices. What it does not begin to address is the burgeoning 'grey market' of security activity discharged by individuals, communities, voluntary groups and non-governmental organisations.¹⁰¹ Still less does it address the activities of vigilante groups, protection rackets and the Mafia.¹⁰² The importance of these developments cannot be overstated. All would need to be included in the design of comparative study of the material practices of security.

In attempting to set out an agenda for comparative analysis, I have done no more than sketch out *apparent* differences. Some of these observations rely on the testimony of local scholars, whose international reputations mean that they inevitably write principally for external audiences, with all the hazards of translation and simplification that this entails. Self-evidently, the true extent and nature of these differences can only be fully established by first-hand research. What I offer here is simply one possible organising framework for such inquiry.

CONCLUSION

Security, like risk, is a capacious concept, perilously capable of meaning all things to all comers. Like risk, security provokes strong emotions and licences extraordinary exercise of power. But, whereas risk threatens, security promises. And in this power to promise what it cannot deliver lies a particular danger. Recognition of this danger calls for close attention to what is meant when the concept is invoked as a justification of public policy or private practice. Semantic analysis only takes us so far; discourse analysis but a little further. Comparative analysis of the practice, as well as the politics, of security seems more promising. In the face of grand claims about late modernity being dominated by the 'culture of control' or the arrival of the 'security society', comparative analysis reveals a more complex and differentiated picture. Wide variations exist in political assumptions about security. And important differences in structural arrangements for its pursuit arise, not least, from differing relationships among the state, private sector and civil society. The possibilities, strains and hazards entailed in the reconfiguration of security are to be found not in grand theory alone, but in the application of theory to local knowledge.

101. They are not included here, partly for lack of space and partly because I have attempted to address them in previous articles: N Lacey and L Zedner 'Discourses of Community in Criminal Justice' (1995) 22 *J Law and Society* 316; Lacey and Zedner, n 77 above; Zedner, n 14 above. See also Crawford, n 98 above; Crawford, n 78 above; Crawford, n 71 above; and Hughes, n 94 above, ch 7.

102. D Gambetta *The Sicilian Mafia* (Cambridge Mass: Harvard University Press, 1993); U Yanay 'Co-opting vigilantism: government response to community action for personal safety' (1994) 14 *J Public Policy* 383; Johnston, n 23 above.