Introduction: Resisting State Criminality

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Resistance to various social phenomena is not new, yet only recently have scholars of state crime in particular explored what role acts of resistance could or do play in efforts to control or constrain the criminality of states. The articles in this special issue are versions of presentations from a workshop, held in Victoria University (New Zealand) and hosted by Elizabeth Stanley, that explored issues of resistance within the literature on state crime. As such, each contribution discusses the idea of resisting state criminality.

In general, examinations of resistance to such complex forms of criminality range from the formal to the informal, from the individual to the local and state levels, and to the international level. For example, at the individual level, there are cases of dissenters, coups, and whistleblowers. At the local, organizational, and state levels, nongovernmental organizations (NGOs), media outlets, social movements, and political and civil groups attempt to change existing conditions and expose state criminality. Examples at the international level include political pressures from other states, NGOs, media outlets, international intergovernmental organizations, and international laws that supposedly serve as deterrents and/or after-the-fact mechanisms of accountability. Additionally, within each of those categories, resistance fluctuates and occurs at various points of time in relation to specific state criminality and the resources of organizations. In other words, resistance can occur at the onset of a state’s action, during the course of crimes being committed, or as a post-crime response.

As David Friedrichs rightly notes in his article, “Resisting State Crime: Conceptual and Contextual Issues,” there are many conceptual variations and pragmatic issues of resistance to state crime. Specifically, Friedrichs explores and deconstructs concepts associated with resisting state crime, including the idea to “resist” definitional issues that some still see as plaguing the field of state crime, and how to conceptualize resistance in a “postmodern” world. Friedrichs also discusses the various ways in which resistance to state crime occurred in the past, including efforts during the Holocaust and in the U.S. Civil Rights Movement.

Other contributors focus on the means already used to oppose crimes of the state or that could be used. For example, Jeffrey Ian Ross’ “Resisting the Carceral State: Prisoner Resistance from the Bottom Up” situates various prison conditions as a form of state criminality and examines in detail how prisoners resist
such conditions and treatment, as well as the dialectical process of state responses to such acts of resistance. As Ross notes, “the coalescence of harsh conditions of confinement, prisoner resistance, and state response is a dynamic process. Many times, the maltreatment of inmates triggers their varied and interrelated responses, ranging from passive adaptation to active resistance.” In response, “correctional authorities and courts often craft counter-responses that are disproportionate to the initial act of prisoner resistance.”

Rob White’s article, “Environmental Victims and Resistance to State Crime Through Transnational Activism,” incorporates ecological crimes and the social movement literature as a frame for situating resistance to the environmental crimes committed by, or due to, the actions of states and their policies. White states that “discussions of environmental activism need to incorporate more directly the lessons to be learned from critical analysis of the responses by environmental victims” and that “transnational environmental activism demands participation of the committed ‘ideological’ activist and those activists created in the crucible of environmental harm and human survival.” Furthermore, “ecological citizenship” can provide a useful heuristic device to “understand the benefits and opportunities offered in the shift from local victim action to transnational environmental activism.”

The fourth contribution, by Wayne Morrison, explores the role of imagery in contesting power claims of atrocity and in providing a different historical account of events. As Morrison notes, behind hopes for the image of the camera is the thought that it could have a power and truth independent of discourse and superior to the manipulations of political calculation. Using examples from history and the present, he lays the foundations upon which additional means of contestation and resistance to atrocities can occur: the image.

Ronald C. Kramer’s article, “Resisting the Bombing of Civilians: Challenges from a Public Criminology of State Crime,” examines the role of criminologists, in particular state crime scholars, in resisting state crime through “public criminology.” Here Kramer suggests that a public criminology of state crime, delineated as “traditional” and “organic,” could engage extra-academic audiences and enter into dialectical conversations with publics such as the victims of state crimes (along with their supporters and allies), the international political community, including officials in international legal institutions (e.g., the International Criminal Court), and NGOs, state agents and their affiliates, media organizations, and other more generalized, amorphous “publics.” This could then serve to challenge the denial and normalization of the aerial bombardment of civilians, the political impunity and legal immunity of state officials who commit these war crimes, and empire, one of the primary structural contexts within which state criminality occurs.

Peter Iadicola expands upon Kramer’s discussion and references to crimes of empire with his article, “Controlling Crimes of Empire.” Iadicola examines the means by which empires and their crimes may be resisted through social movements and citizens groups — ranging from protests and demands for U.S. base closures, to
the mass protests by citizens around the globe against the U.S. invasion of Iraq, to Citizen’s Tribunals. A call is made to criminologists and scholars of state crime, in particular, for a criminology of empire to facilitate resistance to such criminality.

The final piece, “Exploring Post-Resistance to State Criminality, Realpolitik Versus Ideology,” by Rothe, is an exploration and commentary on the potential of a new, overarching moral and ethical framework being implemented to support the emerging push to end impunity for state crime. The focus is on post-crime resistance, which encompasses more than individual punishment to include the growing international ideology to end impunity for heads of state and high-ranking officials as a preventative mechanism and one more step toward creating broader ideological change of the international ethos. Of concern is the counter and dominant role Realpolitik plays in hampering such a movement and how the historical primacy of the self-interest of states in foreign policies may eventually be replaced with a global consciousness of humanism.

A special issue dedicated to resisting crimes of the state is itself a form of resistance, though small in comparison to many of the examples provided by the authors. Yet, awareness of the problem, and efforts to constrain and resist crimes of such power, are needed in different forms and venues. I thank the authors for their contributions and express my gratitude to Victoria University and Elizabeth Stanley for providing a means of centralizing discussions of “what we can do about state crime” around the idea of resistance. Additionally, we are all grateful that the Social Justice editorial board and Greg Shank provided us with this opportunity.