

# Introduction

## Editors

**T**HIS ISSUE OF *SOCIAL JUSTICE* DEMONSTRATES THE INTERPLAY BETWEEN WORLD-systems theory, radical criminology, and human and civil rights struggles. Contributions emphasize theoretical concerns and implications for praxis and policy. The overarching story that emerges concerns the need to formulate imaginative global and local alternatives that take into account the shifting sands of historical advances in civil and political rights. We should be wary that a permanent “war” footing in social policy (such as the wars on drugs and crime) can have a destructive effect on democracy and the right to dissent, and that wide-scale criminalization can fracture existing and potential opposition movements.

The first article, Dave Broad’s “New World Order Versus Just World Order,” briefly summarizes the political struggles of the post-World War II decades. In contrast to liberal and conservative theses promoted after the collapse of the Soviet Union in 1989 and the declaration of a New World Order that capitalism had triumphed and that “the end of history” had been reached, this essay takes the position that the struggle against capitalism is not over. The central task for the Left, Broad states, is to assert that a radical alternative to neoliberalism and social democracy is possible and to revive what the author calls eutopian thinking, which can articulate the desires of people around the globe for a just world order. Broad’s examples of globalization from below in the U.S.-Mexico border region complement other material in this issue. In “Hypermodernity, Nomadic Subjectivities, and Radical Democracy,” Ronnie Lippens synthesizes strains of thought on forging a progressive, democratic alternative within a framework of capitalist globalization in the world system. The article examines the economic and fiscal crisis facing Belgium, the corresponding electoral advance of right-wing extremist parties in the 1990s, and the response of progressive forces to the challenge. The Brave New World of hypermodern capital, in Lippens thoughtful essay, is one in which ambivalence and chaos predominate and in which the theoretical tools and discourses relied upon to date by the Left have become seriously inadequate.

For instance, how do progressives assess the social implications of the Pandora’s box opened by genetic engineering, by the capability to create “designer babies” via genetic screening of the human embryo before implantation (see Connor, 1998)? Preventing certain cancers *in vitro* has obvious humanistic appeal. Yet there is the related danger of giving impetus to sociobiological theories on the origin of crime that prevailed in American scientific theories until the confronta-

tion with Nazi Germany discredited both biological reductionism and its proposed agenda, eugenicism. “Meddling with Monkey Metaphors — Capitalism and the Threat of Impulsive Desires,” by Julia Rothenberg and Andreas Heinz, addresses the resurgence in right-wing discourse that frames the problems of the “underclass” in sociobiological terms in reference to the origin of, and the “cure” for, crime and deviance. The article attempts to bridge the sociological and neurobiological components of this issue and to dissect the way in which neurobiological knowledge is used by neoconservatives to advance their social agenda.

Another Orwellian dimension of current policy is examined in “War or Pseudo-War,” Joseph Miranda’s inquiry into the objectives of the U.S. “War on Drugs.” This “war” motivates much of America’s law enforcement strategy and involves an increasing sector of its foreign policy. Yet the U.S. is no closer to winning this war now than when it was first launched and no serious change in strategy is even considered. Employing standard military analysis, Miranda reveals the real purpose of the War on Drugs to be the attainment of other political objectives, especially the enhancement of state power by using the social tensions created by the psychology of a “war” environment. In a permanent state of emergency, people think it perfectly natural to surrender their rights to the state in return for the perception of security. The war on drugs is a “pseudo-war” because people gain the thrills of fighting a war without having to suffer from the casualties and destruction of a real war. However, this strategy fails when confronted by actual armed resistance and the U.S. has floundered in the face of endless warfare in drug-producing countries abroad and of an increasingly militant resistance at home — a potentially disastrous situation.

“War in Colombia,” by Matthew Knoester, illustrates the effect of this policy abroad. The essay examines the announced “war on drugs” in Colombia, arguably the most violent country in the hemisphere. Americans know that the U.S. government and press targeted Colombia’s outgoing president, Ernesto Samper, for accepting drug money in his campaign. Less known is that despite the \$600 million granted by the U.S. to the Colombian military and national police over the last seven years, drug production and export have continued to rise. Economic growth there has been accompanied by paramilitary and military repression. Military aid is used for purposes other than fighting drugs: 70% of the assassinations, massacres, and enforced disappearances of noncombatant civilians were committed by the Colombian army and police or by paramilitary groups and privately financed death squads operating in partnership with state forces. The high level of impunity enjoyed there by human rights violators was aggravated by judicial reforms in 1991. U.S.-sponsored “faceless” courts, which gave judges, prosecutors, and key witnesses anonymity to protect their identities, undermined important procedural rights contained in the constitution and served to mask corruption. Under a “state of internal commotion” executive decree, the president has the power to limit internationally recognized human rights, within the

constitution. The decrees grant broad powers to the military, legalizing arbitrary and repressive measures. Not surprisingly, the report recommends opposition to all U.S. military aid to Colombia.

Domestically, human and civil rights violations are taking place in a repressive climate that feeds on “war on drugs” rhetoric and, especially in California, an angry white and conservative reaction to the demographic shift that is projected to result in a “minority majority” state between 2010 and 2020. This is the context for legal initiatives targeting minorities (Proposition 187, attacks on bilingual education, etc.) and the resegregation of residential areas and public schools. The U.S.-Mexico border has a bitter legacy of conflict and conquest, shaped by Anglo and state violence against, and dispossession of, Mexican-origin and Native American peoples. The conflict subsides and reemerges, but border issues are a constant in U.S. law enforcement and security measures. What is new is the bringing home of low-intensity conflict doctrine to the handling of immigration and drug enforcement in the border region (see Dunn’s *The Militarization of the U.S.-Mexico Border, 1978–1992* [1996]). In this issue, Michael Huspek, Roberto Martinez, and Leticia Jimenez report on American Friends Service Committee investigations of “Violations of Human and Civil Rights on the U.S.-Mexico Border, 1995 to 1997.” It is a useful source of empirical information on human rights violations along the U.S.-Mexico border. The report chillingly chronicles the use and abuse of the law by various U.S. enforcement agencies, the trend toward lawlessness at the border, and the increasing criminalization of Latinos. Recent developments throughout the region include a steady build-up of military and police personnel, an increased integration of military and police units, heightened deployment of surveillance technology, intensified criminalization of activities related to illegal immigration, and an inflamed rhetoric that vilifies targeted subjects and legitimates the tactics used by law enforcement agencies against them. The report makes several thoughtful policy recommendations and promotes an understanding of broader areas of criminal and social justice.

The combination of conquest and human rights violations also figures in “Education and Nationalism in East Timor,” by Alberto Arenas. Since the Indonesian invasion of East Timor in 1975, more than 200,000 Timorese — over one-third of the population — have been killed by the Indonesian army or have died by the famine and disease caused by the war. Although one of the worst genocides in the 20th century relative to its population, this tragedy has until recently been met by a wall of indifference and silence from international public opinion. The United Nations has passed at least 10 resolutions condemning the invasion. Australia, the largest nearby country, supported it. The United States, which tacitly approved the invasion under President Gerald Ford and Secretary of State Henry Kissinger, has supplied Indonesia with ammunition and training. In 1998, East Timor’s struggle for independence and democracy was pushed to the forefront by Asia’s financial turmoil and deflationary spiral, in particular the

collapse of Indonesia's economy (the world's fourth most populous nation) under the weight of corruption and nepotism. The ouster of Suharto was provoked by pressure from the International Monetary Fund and student protesters who hit the streets. According to Arenas, the Indonesian government sought to modernize East Timor through development projects and an extensive educational system. The latter's purpose was to impose beliefs, symbols, and forms of communication that would produce citizens loyal to Indonesia. This "colonial" effort largely failed. For every cultural imposition, Timorese youth asserted their "nativeness" by recuperating local values and practices, and strengthened their resolve to seek the eventual removal of Indonesia from East Timorese territory.

In "Race and the Problem of Crime in *Time* and *Newsweek* Cover Stories, 1946 to 1995," Melissa Hickman Barlow traces the origins of contemporary mainstream contempt for the problems of urban racial minorities in the U.S. The article explores how media representations of the problem of crime and of the violence associated with African American political struggle contributed to current ideological notions regarding "young black males" as criminals. Only in the 1960s did crime begin to be racialized, with an equivalence established between criminals and "young black males" for the first time. Public consent for the extreme levels of coercive control applied to a substantial proportion of the African American population is tied to these ideological linkages. It was a dimension of the contests over the meaning of race, crime, and justice that resulted from the Civil Rights Movement. Since the 1960s, criminalization of young Black men has played a pivotal role not only in fragmenting African American struggles for racial justice and equality, but also by the 1970s served as a warehousing strategy for a surplus population within a declining economy, just as African Americans were poised to assert their rights to partake in the American Dream. Criminal justice control of African American men as a racially and economically marginalized population, eventually transformed into a "war on crime," has meant that African Americans constitute nearly half the prison population, despite making up less than 13% of the U.S. population.

Prisoners behind walls are invisible, vulnerable, and powerless. In the current climate, the public generally supports harsh treatment for prisoners as "just desserts" for violating the social contract. Political mileage can be made by appearing tough on crime through restricting prisoners' rights. In "F frivolous Claims' by the Attorney General," Cathleen Burnett examines the veracity of claims by some state attorneys general, who charge that valuable time and money are being wasted by responding to frivolous lawsuits filed by prisoners. In Missouri, the attorney general identified the "Top Ten Frivolous Inmate Lawsuits" and used them as a basis for reform legislation that would punish prisoners for litigating to improve their conditions. Burnett's content analysis of the cases reveals, among other things, how the list ridicules prisoners' rights and rhetorically shifts attention away from substantive issues for taxpayers (such as administrative fraud) to one that

subverts prisoner claims. The attorney general's political rhetoric manufactures a problem (similar to a pseudo-war) to promote a conservative political agenda. Although the Missouri statute has constitutional problems with vagueness and few of the lawsuits on the list are legally frivolous (research shows that frivolous lawsuits by prisoners are rare from a legal perspective), the threat of enforcement could reduce legitimate prisoner lawsuit filings and thereby increase the potential for violence.

Finally, William Preston, Jr.'s "A New Story of Civil Liberty in the United States" reviews the literature on the history of liberty, intolerance, and "rights consciousness." The essay concentrates on the development of a free speech constituency in the U.S. and the litigation and constitutional doctrines that affected its course. Also addressed is the intolerance and repression experienced by radicals, unionists, and immigrants from before World War I through the Red Scare and McCarthyism that had nothing to do with the judicial arena. The author's sobering conclusion is that no battle for civil liberty necessarily stays won.

G.S.

## REFERENCES

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