

# POSITIVE SECURITY. A THEORETICAL FRAMEWORK

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## INTRODUCTION

Criminologists can be accused of contributing in their work to a merely negative concept of security. Criminology traditionally refers to security as protection against danger in the form of crime and nuisance (see, for example: Manunta 1999; Zedner 2003a). In addition, commonly used words like 'fighting', 'combating', 'tackling', 'controlling', and 'preventing' reflect a broad and powerful negative framework, that is chiefly connected with the apparatus of government, or more specifically the police.<sup>1</sup> In this respect, Michel Foucault speaks of a juridical-political form of power, delineated by a 'juridical sovereignty and the institution of the state' (2003: 34; 1980: 102). Given the use of a strong juridical, contractual model in their work, Foucault identifies Thomas Hobbes and Cesare Beccaria as seminal thinkers in the tradition of state-centred security provision. He even speaks of 'the Beccarian dynamic' (2003:129) with respect to the punitive power of the law and sees crime control and its associated rhetoric and techniques as a 'negative' penal power ('power over').

The juridical-political discourse reached its peak in the 16<sup>th</sup> century with a sovereign monarch having power over life and death. Although accentuation and priorities in our modern-day society have shifted, several aspects of this juridical conception of power are still central to the criminological concept of security, with the state depicted as a modern Leviathan focusing on combating 'all imaginable sources of harm' (Ericson 2007: 35; Hallsworth and Lea 2011). As a consequence, the associated 'law-and-order' politics has become an attractive option for the state to maintain public order and security (Garland 2001). However, the danger of such a disposition is that we are no longer able to think and act other than in terms of security measures (cf. Ericson 2007). Moreover, 'too much security' (Zedner 2003b) generates 'fortification' (Low 2003), 'marginalisation' (Wacquant 2008) and 'social exclusion' (Young 1999). These consequences, together with the paradox of crime rates falling while feelings of insecurity remain high, induce us to reconsider the negative concept of security, including its laws, institutions and practices (symbols, rituals and performances). What are imaginable positive interpretations of security?

Our aim in this chapter is to show that security is of necessity a twofold concept. An exclusive focus on fighting or preventing crime and nuisance results in scarce attention being paid to aspects of security that invoke connotations

like trust, care or well-being. Security should therefore be understood not only in a 'narrow' or 'negative' way (e.g., in terms of protection *against* something or somebody) but should also be interpreted in more positive or constitutive ways, focusing on human connections and local capacity building as sources of security ('power to').<sup>2</sup> As such, this chapter proposes an alternative approach to 'law-and-order' politics and the growing 'anti-security' critique (Neocleous and Rigakos 2011) that opens up no obvious avenues towards a new way of discussing the concept of security. To accomplish a positive concept of security<sup>3</sup>, we discuss three discourses that are 'excluded' from a juridical-political form of power (Foucault 1981): a social-biological, an anarchic and a religious discourse.<sup>4</sup> We believe that these discourses provide key concepts – (1) human connectedness, (2) local capacity building and (3) a spiritual order – for a more nuanced understanding of security.

#### SOCIAL-BIOLOGICAL DISCOURSE: HUMAN CONNECTEDNESS

A dominant hypothesis in the juridical-political discourse is the idea that public order is brought about by concluding a social contract that ends the natural and violent state of nature. Cesare Beccaria (1963) and Thomas Hobbes (2008) assume that humans in their – hypothetical – natural state unleash their animal passions on each other out of fear and enmity. The most rational thing to do, therefore, is to bury the hatchet and give up individual freedom by way of a social contract in exchange for a sovereign who maintains order. A parallel view of man is found in theories of aggressive and social Darwinism. People, in the words of Herbert Spencer's *The Principles of Biology* (1864), live their lives as a 'survival of the fittest'. According to this perspective, it is self-evident that only those who persevere – the fighters, the smart and the strong – will conquer. Caring for those who lag behind would degrade a society. Anyone who is not 'fit' enough is thus soon regarded as weak, lazy and ultimately not worth the trouble.

Several authors contest the idea that humans are antisocial beings who are unwilling to coexist with others and therefore ignite a war of 'all against all'. They argue that positive emotions like altruism and empathy have been profoundly neglected in social science. Human beings do not fight each other 'by nature' since altruism and empathy are deeply embedded in evolutionary processes. This is not a sign of weakness or of being 'soft'. On the contrary, altruism and empathy are driven by pure necessity. According to the Dutch primatologist Frans de Waal, 'the ability to function in a group and build a support network [is] a crucial survival skill' (2009: 33). It follows, then, that security has an important social component. A person cannot be safe alone; he needs the protection of others. 'Security', De Waal writes, 'is the first and foremost reason for social life' (2009: 20). By this he means that living together (the formation of society) precedes security. People are group animals, who need each other to protect themselves against dangers and threats. The more close-knit the group is, the less vulnerable are its members. Frans de Waal acknowledges that groups

are capable of waging war under certain circumstances, but hastens to add that supportive relationships and mutual assistance are fundamental to surviving with each other. For that reason it is a 'macho myth' to think 'that we can treat the planet any way we want, that humanity will be waging war forever, and that individual freedom takes precedence over community' (2009: 25).

On the level of human relations, De Waal's insights, based on biological field-work, question the view of man as an individual source of purpose and power: 'too many economists and politicians model human society on the perpetual struggle they believe exists in nature' (2009: 7). Francis Fukuyama (2011), in his book about the origins of social and political connections, refers to De Waal and several other biological and psychological publications to validate his claim that people have never been atomist individuals but instead stem from small – tribal – communities sharing a common language and religion, and engendering loyalty, mutual assistance and protection. Although people may indeed act rationally and selfishly, and fight each other under certain circumstances, community and cooperation are dominant in evolutionary processes. Fukuyama therefore opposes Hobbes' hypothesis of a violent state of nature by arguing that

'everything that modern biology and anthropology tell us about the state of nature suggests the opposite: there was *never* a period in human evolution when human beings existed as isolated individuals; the primate precursors of human species had already developed extensive social, and indeed political, skills; and the human brain is hardwired with faculties that facilitate many forms of social cooperation' (2011: 30).

And even though Steven Pinker warns that 'empathy is too parochial to serve as a force for a universal consideration of people's interests' (2011: 591), he also rejects the ideas of a necessarily evil and a violent human nature. According to Pinker, moral sentiments such as sympathy, trust, gratitude and guilt have impelled us towards morality, peace and fairness. In overall terms, despite all the cruelty and bloodshed around us, war, terrorism, crime, torture, slavery and other barbaric practices have been on the decrease over the course of human history.

According to authors like Frans de Waal, Francis Fukuyama and Steven Pinker, it would be nonsense to deny the existence of positively interested forms of human interaction. Nonetheless, the juridical-political discourse is strongly based on a way of thinking in which the invidious position of human beings in the natural state of war determines the basis for the authority of the state to maintain public order and security. The constitutive element in that discourse is the moment at which the individual gives up his freedom, or any part of it, to a person or to an institution, in exchange for protection. Although this view is one of the cornerstones of a democratic society, the affective side of security referred to above plays little or no part in the juridical model. Hence, a purely juridical view is one-sided. It overlooks the fact that security relates not only to regulating the behaviour of individual citizens, but is also present 'in' the social

relations that have bound people together since the origins of mankind. This insight opens the door to an anarchic discourse that radicalizes the importance of human connections and local capacity building as sources of security to an extent that seriously questions the legitimacy of the state.

#### ANARCHIC DISCOURSE: LOCAL CAPACITY BUILDING

The juridical-political discourse generally defines the anarchist body of thought in a negative manner.<sup>5</sup> Elements pointing to a society without government and without set standards or legal rules are associated with 'disorder' and 'chaos' (Rimke 2011). Images of immorality and lawlessness are conjured up in support of the idea that a society without a state will lead to a total war in which the right of the strongest will prevail. This idea is underpinned by reference to the works of authors such as Mikhail Bakunin and Peter Kropotkin, in which any form of authority, from social contract to the law, is rejected.<sup>6</sup> According to Mikhail Bakunin, 'we reject all legislation, all authority, and all privileged, licensed, official, and legal influence, even though arising from universal suffrage' (1970: 35).<sup>7</sup> To him, the state equals 'authority, force on display, infatuation with power' (1973: 152). Peter Kropotkin also associates the state with 'injustice, oppression, and monopoly' (1972: 67). Hence, according to anarchistic thinkers, criminal behaviour, which affects both objective and subjective security, is to a great extent a consequence of the state's power: criminals are 'the involuntary products of the present organization of society' (Bakunin 1973: 168). In other words, criminal behaviour is a reaction to a society in which wealth and property are defining elements. In such a world, the legal system both enhances and maintains social inequality: 'The law is literally the origin of crime; it defines all crimes, inventing new categories from time to time and dropping others' (Kropotkin 1975: xvii).

As a result, anarchy, in mainstream juridical discourse, is mainly presented as a counterculture. This is the case for example with how Occupy, a global protest movement driven by people's discontent with social and economic inequality, and their fight for a more equal distribution of wealth, has been portrayed. From this perspective, anarchism is a utopian and dangerous ideal given that a state remains necessary to protect the weak from the strong, and to ensure that we do not revert to a war of all against all. That criticism is admittedly not entirely without merit. Mark Neocleous, for instance, calls for violence to combat a repressive state that, under the pretext of security, maintains a permanent state of emergency (with Guantánamo Bay the archetypical example). As he puts it: 'We should be aiming to bring about a real state of emergency. And this is a task that requires violence, not the rule of law' (2006: 209). Revolution and lawlessness linger in the air...

An anarchist plea for a society without a coercive state authority need not end in violence, however. Several anarchist authors do not reject 'security' as a public good.<sup>8</sup> They simply believe that the delivery of security is not a matter for the state. Security is also possible without a state monopoly on power, without

the presence of a government. Peter Kropotkin writes in this regard that 'a new form of political organization [...] will have to be *more popular, more decentralised, and near to the folkmote self-government* than representative government can ever be' (1975: 85-86, 87). According to these authors, statutory law is too general because on the one hand it does not distinguish between different communities, while on the other hand it ignores individual differences between people within a community. Moreover, statutory law is external and unaware of the knowledge that members of a community have of each other's opinions and ideas.<sup>9</sup> In an anarchist society, security should specifically be 'from the bottom upwards' (Bakunin 1973: 176) – that is, without the interference of the state or through statutory laws.

This does not mean that there are no forms of regulation in an anarchist society for resolving individual conflicts. Although it is difficult to determine whether the terms used are meant to be literal or metaphorical, matters such as penalties, courts and laws are certainly being discussed. Mikhail Bakunin writes about an anarchist society with 'judges, laws, courts and parliaments' (1973: 64-93). With respect to the judiciary, he supports a 'direct election of all public officials, both civil and judicial, as well as of all national, provincial and community councillors or representatives, by popular vote' (1973: 66). William Godwin, too, advocates resolving conflicts through temporary and local juries: 'It might then be sufficient for juries to recommend a certain mode of adjusting controversies, without assuming the prerogative of dictating that adjustment. It might then be sufficient for them to invite offenders to forsake their errors' (2001: 401). As a matter of fact, his recommendations have inspired contemporary experiments with restorative justice.

Despite the difference of the above approaches to the forming of what Peter Kropotkin calls a 'new basis of life' (1975: 89), the common denominator in anarchistic literature is that solving security problems should not be the exclusive right of the state, but should be embedded in local approaches to protection and conflict resolution. In this way, the provision of security stems from the idea of a community governing itself. Personal responsibilities, as such, are linked to a form of self-government and to people's active involvement in the environment they live in, without that responsibility being transferred to an overarching legal power. Rather than being imposed from above through political state power and regulation through legislation, the anarchist discourse maintains that security has its natural basis in communities formed at the local level.

#### RELIGIOUS DISCOURSE: A SPIRITUAL ORDER

The juridical conception of security also dismisses a religious model of society that was dominant in Europe until the early 18<sup>th</sup> century.<sup>10</sup> Arguments as to why religious views are less explicitly expressed in the juridical discourse can be found in the fact 'that only the laws can decree punishments for crimes' (Beccaria 1963: 13). It is generally assumed that legal principles such as the principle of legality, whereby all punishment must be based on clearly formulated laws and

not on a divine legitimacy, were first advocated in such passages on state power. Another view central to the juridical-political discourse is the image of man as *homo economicus* – that is, the assumption that people choose the behaviour that generates the highest net benefit for them personally. In this deterministic model, as found in the work of Thomas Hobbes and Cesare Beccaria, criminality is seen as a personal choice of the offender. As a result, when seeking to prevent and combat crime, emphasis is placed on the threat of punishment by the state. This goes against the Christian image of man as sinful and prone to evil, with punishment viewed as a purifying penance.

Although criminological research continues to be conducted into the effects of religion, faith and morality on crime (see, for example: Baier and Wright 2001; Boutellier 2000; Hirschi and Stark 1969; Topali et al. 2013),<sup>11</sup> the juridical-political model is generally seen as showing little if any appreciation of the possibility that a belief in God may have a positive impact on feelings of security. Quite the reverse: if religion creates islands of security in a world full of risks, threats and dangers, this may give rise to fundamentalism and nationalism, violent or otherwise, which will only worsen the security situation. However, such a discourse overlooks the point that religion, especially in times of worldwide socio-economic change and insecurity, may also be an ‘anxiety-coping’ mechanism (Karner and Aldridge 2004: 23) because it opens up sources for assigning meaning, solidarity and community formation.<sup>12</sup> Faith, in essence, is more than a doctrine. Believing is connected to what gives people a sense of belonging and life energy.

Following from this, religion may contribute to a shared identity serving as a counterweight to ontological or existential insecurities associated with processes of modernisation (Kinnvall 2004) and may offer people tools to deal with ‘the *limits* of life’ (Van Harskamp 2008: 10) – accidents, disease, death – that transcend us because we have no influence over them: ‘Religiosity delivers tools which help in dealing with uncertainties and existential insecurities concerning the self’ (Van Harskamp 2008: 18). A religious discourse thus teaches us that, in addition to their destructive sides, faith and belief also have an often-overlooked constructive significance for building trust and security among people. The concept of security (*securitas* in Latin) even has strong religious undertones, which have been totally neglected in contemporary criminological literature.

These religious undertones become apparent if we start to realise that *securitas*, in its political-juridical form, dates back only to the rise of modern states in the 16<sup>th</sup> and 17<sup>th</sup> centuries. Before that time security mostly referred to ‘pax’ (peace): a ‘spiritual order’ offering justice, tranquillity and stability to people and society alike (Conze 1984). Moreover, as Andrea Schrimm-Heins (1991; 1992) has vividly shown, *securitas* finds itself in good company of the twin-concept *certitudo* (certitude, certainty), an expression used by Saint Augustine and much later in history by Martin Luther as an alternative way for people to attain salvation. The first way, that of *securitas*, brings salvation within people’s reach if they abide by the rules and thus ‘deserve’ salvation. Luther considered the *securitas* road to salvation illusory. He held that, as a matter of principle, people have no

control over their own life and destination; they can only imagine that they do. As John Hamilton notes,

‘in strictly theological matters [...] an individual’s inner sense of security should be disparaged as a sinful disposition, insofar as it bred self-confidence and idleness, causing one to forget humility, relax self-vigilance, and neglect attentive study of scripture’ (2013: 191).

On the other hand, there is the salvation of *certitudo* ‘provided by the external authority of the Bible’ (Gregersen 2004: 28). This salvation, according to Martin Luther, is not illusory. Where the first possibility provides only an imaginary security, the second offers real security. But the latter applies only to people willing to take the risk of making their salvation dependent on the benevolence of God.

Luther’s plea ties in with a deep human need to seek purpose, connectedness and trust on the basis of experience that ‘the world [is] not a given, but a gift’ (Gregersen 2004: 26). This takes courage and faith, since it is not known in advance whether your contribution to society will be appreciated. After all ‘by revealing oneself to the other, one is exposed to the risks of both negligence and not being accepted’ (Gregersen 2003: 371). Against this background, it should be noted that *securitas* and *certitudo* are not diametrically opposed. Blind faith can be naïve, and even reckless. Laws and regulations, too, remain vital as safeguards of the social order. Most importantly, however, a religious discourse on security should prompt some reflection – one hundred per cent security is an illusion: life means taking risks, people can be idle and bad behaviour is all too human – and brings about some degree of relaxation in social relationships. It may serve as a counterweight to a narrow juridical-political discourse that could lead over time to a ‘sacralisation of security’ (Arends 2008: 277). The danger of such a disposition is that we are no longer able to think and act other than in negative terms of control measures (cf. Ericson 2007; Garland 2001).

#### A POSITIVE SENSE OF SECURITY

We have discussed three discourses that have no primacy in, or are even excluded from, the juridical-political discourse. The debate within these discourses, with varying positions being adopted, is of course far more detailed than we can present here. Nevertheless, a positive concept of security emerges from these discourses that does not necessarily place the central focus on combating crime and taking precautionary measures to prevent ‘evil’. In our view there are at least three alternative readings of security – human connectedness, local capacity building and a spiritual order – that illustrate the importance of positive security. These readings are appropriate because they raise a problem that has captivated the minds of many people over the centuries: how to shape security from bottom up?

It follows from the above that a positive sense of security requires attention for human beings' affective level. People desire to establish connections to someone or something and to feel at home somewhere. Walter Goldschmidt calls this 'affect hunger', meaning 'the urge to get expressions of affection from others' (2006: 47), by which he emphasises that the need to strive for social connections is as strong as filling the stomach. Such social connections need not necessarily be very close. A defining condition for feelings of security is that people feel at ease and experience acknowledgement and recognition. People yearn for what is referred to as a sense of belonging: 'a feeling that members matter to one another and to the group, and the faith that members' needs will be met through their commitment to be together' (Chavis et al. 1986: 25-26). In a 'liquid world', to use a term of Zygmunt Bauman (2000), this desire is strengthened because nation, family, language or religion no longer determine one's identity. Especially in a time of blurring boundaries, 'local social interaction and the familiar landmarks of the neighbourhood may take on greater significance as sources of comfort and security' (Forrest and Kearns 2001: 2129).

The importance of interactions should not be taken to mean a plea for annoying meddlesomeness. Recognizable interactions appear mainly as a natural product or by-product of attempts to stimulate convivial and predictable behaviour in the anonymous urban domain (Hinchliffe and Whatmore 2006). Brief encounters that give people a sense of familiarity will have a positive influence on their sense of security. 'Public familiarity' thus contributes to 'a sense of home and safety instead of distance and fear' (Binken and Blokland 2012: 297). Conversely, people who withdraw from the public domain achieve the opposite. Using empirical research, cultural anthropologist Sally Engle Merry observed that

'unlike those who adopt offensive strategies, who carry their protective armour around with them, the defensive residents are vulnerable any time they leave their homes. [...] Those who adopt defensive postures rarely know who the street youth are, nor are they skilled in identifying those categories of persons and places that are likely to be dangerous. [...] Those relying on defensive strategies are more frightened, I believe, since they have far less sense of control over their environment' (1981: 194-95).

An interesting aspect here is that an emotional connection is expressed in an approach involving going on the offensive – assuming an open attitude, focusing on a community (the neighbourhood) and making social contacts. In this way, people familiarize themselves with a spatial environment, which potentially results in a positive sense of security and public safety. People who belong to a group feel at ease and are usually less vulnerable.

An important observation in this regard is that it is easier for people to attain their collective interests and objectives if they are part of a group (cf. Coleman 1988; Putnam 2000). However, for people to act, it is not solely a matter of the societal potential of their social networks, but also of the specific tasks and



actions that stem from their bonds and shared expectations. Robert Sampson and his colleagues (1999) come up with the example of neighbourhoods with a long history of crime and explain their findings by referring to poor 'collective resilience'. The best way to turn the tide is to invest in mutual trust. As Sampson states, 'the willingness of local residents to intervene for the common good depends in large part on conditions of mutual trust and solidarity among neighbours' (1997: 919). Although the presence of government and other professionals in such situations may be essential (cf. Loader and Walker 2007), this approach places the primacy for security on the members of a group themselves.

Assuming affective connections within a group, trust – and closely connected, faith – are vital, but undervalued, characteristics of security. Trust is the uniting factor that arises outside the control of the state and the law and can be used to trace positive conceptions of security among people. The juridical-political discourse overlooks, or at least underestimates, the potential of positive security since it sees a community as a system of 'thin' contractual relations by mutual agreement (Crawford 2003). Creating security and generating a sense of security are then closely linked to the formal responsibility of the police for public order and control. Contracts and agreements may be terminated at any time, however, and do not build affective communities. Indeed, the opposite would seem to be the case: contracts and agreements are useful only if a broader community has been formed and a public spirit created. Therefore, the juridical discourse sounds hollow unless it can be grounded in dimensions of human connectedness, community building and the awareness of a spiritual order, all dimensions which elevate people above their mere self.

#### CONCLUDING REMARKS

We have demonstrated that negatively perceived security – combating and fighting crime and nuisance – is too narrow to ensure a decent and dignified life for all. Security should therefore not be based on a narrow, legalistic view of conflict resolution, but should instead seek holistic embedding in more general views on the development of stable forms of human coexistence. Digging up such positive notions of security is relevant because they have received little attention to date in criminological literature. In that sense we could refer to a 'juridical black hole' in which the tie to a more positive view of security has been severed.

At the same time, the two forms of security – positive and negative – can never be totally separated from each other. There is no negative interpretation of security on the one hand, with emphasis on the law and the police, and on the other hand positive security that seeks its inspiration in human connections and mutual relationships. In reality, the two sides of security are always intertwined. Looking at security in this way goes well beyond seeing it purely in negative terms of crime and disorder. Instead, it substantiates it with a positive sense of social connectedness to the world in which we live.

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## NOTES

- 1 The growing proportion of non-state actors in the delivery of security has attracted increasing attention from criminologists in recent years (see, for example: Crawford 2006; Shearing and Stenning 1981; 1983; Schuilenburg 2011; Van Steden 2007). Although this is an emerging research area, the most prominent authors argue that criminological thinking has predominantly remained focused on the position of the state and the police (Johnston and Shearing

- 2003; Wood and Shearing 2007). Clifford Shearing even speaks of a 'state-centred paradigm' (2006: 13).
- 2 In this chapter the terms 'positive' and 'negative security' are used in an ontological and normative manner. Although other authors use similar distinctions, they do so without attaching them to the same bases (see, for example: Berlin 1979; Foucault 1981; 1995; 1998). The negative form of power, for example, characterises only Foucault's first steps in his studies into the effects of power. In his research following *The Order of Discourse* (1981), in which rules of power may still obstruct a discourse, power receives a more positive connotation in the sense that it creates or produces things: subjects, knowledge, truth, healthy bodies, and normalised individuals.
  - 3 See also the work of Johan Galtung (1969), Bill McSweeney (1996) and Paul Roe (2007) on the double-sided – negative and positive – nature of peace and security in the field of International Relations.
  - 4 Other discourses, too, demonstrate a more positive approach to security, with a good example being the concept of human security (Commission on Human Security 2003). In addition to various kinds of 'hard' security threats such as war, organised crime and terrorism, this concept also includes 'softer' themes such as economic prosperity, health care and sustainable development (Dahl-Eriksen 2007; Eriksen et al. 2010). However, given the broad range of areas encompassed by human security, critics – see Taylor Owen (2004) for a literature review – believe the human security concept is too ambiguous to provide a solid basis for formulating insightful theory and policy.
  - 5 It is impossible to acknowledge all the authors who have engaged in the anarchist body of thought. The arguments we use in this article derive mainly from the works of Michael Bakunin, William Godwin, Peter Kropotkin and Pierre-Joseph Proudhon, and are led by Kropotkin's definition of anarchism: 'The name given to a principle of theory of life and conduct under which society is conceived without government – harmony in such a society being obtained, not by submission to law, or by obedience to any authority, but by free agreements concluded between the various groups, territorial and professional, freely constituted for the sake of production and consumption, as also for the satisfaction of the indefinite variety of needs and aspirations of a civilized being' (1975: 108).
  - 6 Comparing their views of the social contract clarifies the difference between the juridical and anarchic discourse. In contrast to the juridical discourse, *inter alia* in the work of Cesare Beccaria and Thomas Hobbes, anarchist authors reject the social contract in which freedom is relinquished in exchange for the state's provision of security. Mikhail Bakunin, for example, believes that the social contract proposed by philosophers like Thomas Hobbes, John Locke and Jean-Jacques Rousseau 'overlooks society', which he regards as 'the natural mode of existence of people living together' (1970: xi; see also: 1953: 165-167). Put differently, 'Rousseau was sorely mistaken in his belief that primitive society was established by a free contract, effected by savages' (Bakunin 1973: 136).
  - 7 Mikhail Bakunin's work in particular contains several passages in which he advocates 'the abolition of the criminal and civil codes currently in force in Europe – because all of these, being equally inspired by the worship of God, State, family as a religious and political entity, and property, are contrary to human rights, and because only by liberty can the code of liberty be created' (1973: 66; see also: 1953: 241).
  - 8 For example, libertarian authors such as Robert Nozick (1974) advocate a minimal state that restricts itself to the protection of individual ownership rights. This basically means the state limiting itself to protecting citizens against violence, theft and fraud, and ensuring that contracts that have been concluded in a legally valid manner are observed. For Robert Nozick, however, security remains a public good.
  - 9 A relevant remark here is Alan Ritter's dispute with the juridical presumption that freedom is the anarchist movement's main objective. 'Communal individuality', he states (1980: 26), 'is a more important objective than freedom. Freedom is only the means to achieve the amalgamation of community and individuality'. In fact, from an anarchist's point of view, the lives we are leading have become far too isolated. As Peter Kropotkin underlines, 'our points of contact are too rare. [...] Family life, based on the original community, has

disappeared' (1975: 54). He therefore suggests to create a communal life 'which is more intimately bound together' (1975: 54), and where people join local communities to perform labour and exchange products. Such '*voluntary, functional and small*' (Ward 1973: 138) groups can be formed through 'conversation' (Godwin), through 'productive enterprise' (Proudhon, Bakunin) or through another form of 'cooperative association', as in the case of Kropotkin's 'friendly neighbours'.

- 10 In this respect the juridical model resembles the anarchic discourse. The latter, however, sees religion mainly as superstition and a way to control people. Mikhail Bakunin, for example, writes that 'rebellion is first of all directed against the supreme phantom of theology, against God' (1973: 149).
- 11 An early Dutch publication on the relationships between religious moral standards and good behaviour, for example, found Roman Catholics to be far more criminal than Protestants (Nagel 1961). Various explanations for this have been sought, including the fact that Dutch Catholics in the 1950s lived mainly in the border area of the Netherlands, were relatively poor and were, therefore, more often involved in smuggling. More daring arguments have suggested that Catholicism contains a degenerative effect – the brightest and best behaved boys became pastors or priests without offspring – and that the 'ease' of confession and absolution means the individual conscience of Catholics is less developed.
- 12 This realisation prompted Jürgen Habermas to introduce the concept of the 'post-secular society' (2006: 4), by which he thinks that, despite secularisation and criticism of religion, religious convictions in society should be taken seriously. In other words: democratic principles of a 'neutral' public domain and security as a 'public good' should not be confused with banishing faith and religion from the public arena since 'neutral' means that all voices, including religious voices, must be accorded a place in society.