

PHASE FOUR OF SOCIAL CONTROL AND THE CHANGING WORLD

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Abstract. This article examines the international security situation by means of an integrated cultural-civilisational approach. According to this approach, crime is an inevitable part in cultural phenomena, wherefore the definitions of crimes, punishments and their execution manifest value specificities of cultures (civilisations). The links of fundamental terrorism with cultural conflict are analysed and its similarities with the fourth generation warfare (Lind et al. 1989) are highlighted. A thesis is proposed that the third phase of deviancy control (Cohen 1985) is being transformed into the fourth phase, principally at variance with the preceding ones. Summing up, some ideas are suggested to form the theoretical framework for the new model of effective social control in this changing world.

Keywords: cultural-civilisational approach, social control, security, fundamental terrorism

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1. Introduction

The regular thinking in social science has related crime with the state power and control institutions, but not with the sphere of culture. That false theoretical dichotomy between culture and formal social structure, ignoring their close and natural interconnections should be discarded. The organisation of society and culture on the one side and state institutions on the other side, obviously function hand in hand, because they are intertwined. Human life proceeds in communities, where informal social relations prevail, and the conceptions, for which the state, on the strength of the formal rules it has established, is by and large external. Social science must be able to enclose the cultural reality and the elements of social structure into coherent theoretical framework embracing them both.

Cultural-civilisational analysis focuses on crime-related symbols, signs and messages conveyed through them. In accordance with Talcott Parsons the cultural

system includes all man-created symbols, providing purpose to their life; culture is the most powerful actor in society. Dominating values are essential, transmitted from generation to generation, governing the development of society and organised social structure. Cultural system thereby affects social patterns of conduct, shaping personality and giving meaning to human existence (Parsons 1951). Underlying cultures are values, and cultural contradictions amount to opposition in values. The meanings of the same pattern of conduct can be similar while they can easily differ in different cultural environments. Mechanisms of estimating events actually taking place may also drastically differ.

According to an integrated approach, crime is inherent in cultural phenomena. Through law enforcement the social reality is formed, because controlling crime not only secures public order and safety, but creates daily a certain socio-cultural environment. Therefore such control is a crucial issue as seen from the nation-building and political-technology aspects, because the criminal justice system is related to cultural self-assertion. What the criminal justice system and its parts (e.g. police, courts, prisons) of a given state look like, and how they function is established by the legal culture, proceeding from dominating conceptions, respected in that society and considered normal and equitable.

Discussions on the links between crime and culture in criminology have not even started. Traditional confines have been maintained, and regular domains have been handled. Little is known about different civilisations in the matters of crime, there is no general model for carrying out the respective comparative studies. The failure to perceive a wider perspective prevents distinguishing between significant aspects and those of little significance, instead focusing on issues of tertiary import (e.g. some intra-civilisation variations). What we call introspective perspective in criminology has turned out subjective and inefficient. Consequently, not much has been created in the theoretical aspect; in research of crime the developments taking place in other (research) domains have mostly been postponed. Advances in technologies have produced seminal novel information, which however is not systematised nor analysed for lack of relevant theories. This is the root source of problems arising when we compare crime in different civilisations-cultures and the practices of crime control.

A solution could be negotiated by the approach where crime and all relevant phenomena are consistently regarded against the cultural background. In that case 'culture' would not be just another variable or factor, but the determination of the whole context, where the cause-effect relations actually work, thus making it possible to elucidate and understand these relations. Such mental move could also be defined as 'cultural turn' for criminology, where crime analysis would be underpinned by a certain representation of human environment. Marcel Danesi and Paul Perron named man *homo culturalis*, "a meaning-seeking species, whose hunger and search for *meaning* to its existence has led it to invent myths, art, ritual, language, science, and all the other cultural phenomena that guide its search" (Danesi and Perron 1999:ix). "Man is an animal suspended in webs of significance he himself has spun," as said Clifford Geertz, a proponent of cultural

turning in anthropology (Geertz 1973:5). Crime as a social phenomenon has been too emphasised in criminology, whereas consistent locating of crimes and related wrongdoings as social deviations in the cultural context would be a magnum leap forward. First it would introduce the analysis of penal law and law enforcement in a concrete space-temporal context. Secondly the comparative study of crimes and punishments would represent in the first place the inter-culture 'translation exercise', yielding new knowledge about oneself and the others. Thirdly a concept would be established that the penal law does not just reflect social realities, but it also constitutes them.

2. New forms of crime and culture conflicts

The cultures-civilisations have started to influence one another, generating crime, i.e. increasing the rate of internal conflict of societies. At the end of the 1930s Thorsten Sellin described the 'culture conflict', created by interpenetration of conduct norms (Sellin 1938:63–67). Conduct, not defined as crime in one culture, may be crime in another, thus producing identification problems of law-abiding conduct. In line with the growth of intensity and mobility of communication processes, the possibilities of cultural conflicts have enlarged considerably, because it is no longer the matter of a few personal intercultural contacts. Contacts are significantly more numerous, although they are rather superficial, mostly drawing on stereotypes, not enabling to understand people from another cultural background and the hidden motivations of their behaviour. The expansion of one civilisation to other areas inevitably triggers a cultural conflict, which is inherently embedded there, and its forms range from latency to outbursts of violence.

The high rate of conflict is especially characteristic, due to the logic of culture conflicts, of border areas of cultures belonging to different civilisations (Huntington 1996). Juri Lotman pursued the same line of thought; his ideas on specificity of boundaries signify the larger social disorganisation, anomia, i.e. norm deficiency. According to Lotman "culture not only creates its internal organisation, but also its own type of external disorganisation" (Lotman 2005:212). Collisions of norms do not always indicate their occurrence in a fixed spatial-geographical place. Such conflicts may occur on the level of individual and mass conscience, when it means a clash of antagonistic, hard-to-conform values. This brings about unclear identity and problems when choosing patterns of conduct. For instance in several traditional societies the norms prescribe the use of physical violence when the family's honour has been compromised by transgression against custom. There are the 'honour killings' which shock western people, when immigrant family members murder young women, whose behaviour was allegedly immoral. That is the culture symbol based on 'honour, chastity and virtue', and the 'honour' of the whole family is considered damaged, when women are not virtuous. In such cases it is seen as a deviation, when the unmarred name of the family is not protected by means of physical violence. In the Western-Christian

civilisation, a brother cannot plausibly claim that he can kill his sister because of her promiscuity. It is presumed that a normal brother can control his shame, anger or other negative emotions due to slack morals of his sister (Fletcher 2000:243). In contemporary Western societies the recourse to violence on such motivations is not accepted and the perpetrator will be brought to justice under criminal procedure.

Collisions of values have increased by mobility, with a large number of people relocating (e.g. searching for better living conditions, during vacations, getting a job) in habitats of other civilisations. People travelling from the West to other regions tend to stay there for briefer periods; whereas people moving in the other direction stay there for longer and often for good. The migration pressure has invariably been directed from unfavourable conditions to better conditions. The dangers are precariously imbalanced, because mass migration from territories of other civilisations to the West jeopardises, due to its openness, local identity and stability. The stay of people of Western origin in areas of other civilisations is potentially hazardous to themselves, because their knowledge of rules prevailing in these countries, often unwritten, is shallow or non-existent, and it is difficult in the local cultural environment to assess the danger of a situation and to adequately appreciate the attitudes. In such conditions it is not infrequent that visitors are not cautious enough where local mores are concerned, offending the host's feelings, or falling prey to criminal structures. For instance the factor contributing to hostage-taking in certain regions is the cultural tradition, which allows human trafficking. Enslavement a person, exploiting him as a slave and demanding ransom is not only an ancient tradition but also an endemic practice in modern times. This utterly immoral and condemnable activity by Western conception may thus carry a different meaning in another cultural tradition also when the local criminal laws, i.e. on the state level, have stipulated human trafficking as crime.

The norms of conduct of one cultural community are conveyed, through law, to the territory of another group, as a result of which the traditional manners of conduct become illegal. In extreme cases the legal norms established by an alien power can be compared with a straightjacket that puts unfair limits on people and does not let them live as they please. In another case the legal norms lack the desired impact: the preventive effect of punishments is limited and they are not convincing because they are too lenient. Hence the gradation of the perception of the severity of punishments based on a hierarchy of values tends to deform. Conflicts occur when members of one cultural group migrate to another cultural area with their values that crash with host culture's codes and are therefore illegal. That process is the opposite of the process described above and emerges when a group of new arrivals is weaker (politically, socially) than the group in whose territory they arrived. That gives rise to closed enclaves, where daily life of people is regulated by values-principles, divergent from those prevailing in the larger society.

The essence of cultural conflicts causing criminal conduct may be formed by fundamental divergences in civilisations with respect to how they understand

criminal law. According to Western principles the use of state violence against an individual is only justified in case other people are harmed, or when harm is prevented. It means that the intervention by state is warranted by concrete, secular damage, and not by the so-called transcendental damage (Fletcher 2000:382). Western post-religious societies have increasingly distanced themselves from protecting sacral values by criminal law, focusing instead on the interests of a concrete individual and a state. In traditional cultures the transcendental damage has always been viewed as damaging the concrete individual and the state; mythical, religious thinking is thereby opposed to rational thinking, giving way to potential possibilities of the clash of interests. Take for instance the uproar generated by cartoons, an opposition between the freedom of speech and self-expression as Western fundamental values and the interdiction of religious origin to depict the prophet Mohammed. Such ridiculing was seen as a flagrant offence to the whole Muslim population and every single member of that community so that revenge was a foregone solution. By Western concepts, one cannot by simply drawing a picture of someone else, damage the interests of a community, state or concrete individual to the extent of outbalancing the level of moral damage, and to call for vigilant reaction. The religiously motivated killing of the Dutch film maker is a personal crime, as viewed by the West; thus an attack was launched against one fundamental value of Western civilisation – the right to free self-expression.

The same pertains also to the strict interdict on confession switch imposed on Muslims, on pain of death under Sharia law. Faith is, by Western value estimates, a matter of everybody's exclusive discretion, and conversion at the risk of being killed as punishment is an anachronism. The ritual slaughter of a hostage, broadcast over mass media is the apogee or apotheosis of injustice and brutality, trampling on all fundamental values of human existence. In conditions of globalisation the world has become a zone of cultural contacts and conflicts. Irrationality endemic to culture conflicts has survived or even grown, because an insignificant event in the eyes of one party may cause a furious reaction, or resorting to extreme measures, on behalf of the other party. Recent decades have witnessed the evolution of cultural conflict mechanisms, spontaneous rise, condoning and wilful provocation which are very difficult to estimate. It is ever more complicated to distinguish a strive to cultural autonomy from deviations of criminal type and armed insurgence (e.g. under the disguise of subterfuge operations). Cultural conflicts in the present world occur daily, the value concepts are on a collision course, with no compromise in sight. It is rather the question as to what extent and how the culture conflicts assume extreme forms and emerge on a destructive behavioural plane, and secondly, whether and how the spontaneous social process intertwines with dedicated enmity.

3. The fourth generation of war as the innovative warfare

The concept of *4GW* (the Fourth Generation of War) proposed by William Lind and others perused the historical development of modes of warfare, specifying three generations, associated with earlier waves of globalisation. Viewed as the main catalysts of generation shifts were achievements of technology and ideas. The central thesis was as follows: should someone use, in the new generation war, the methods and tactics of the outgoing generation, he would be defeated, because the army of the previous generation cannot beat the army of the next generation. The first to identify and understand the generation shift and find application to it will gain an immense advantage (Lind et al. 1989:22).

According to various authors, *4GW* means the return to the situation before the emergence of nation states. It is the return from the world of states to the world of cultures, to asymmetry of reactions and non-linearity of actions. Most visible among innovative crimes is today's sacril terrorism, which can be considered as idea-based fourth-generation military tactic. Such tendency was noted already by Lind who claimed that it did not yet mean that terrorism was the art of warfare of the fourth generation (Lind et al. 1989:24) and expected terrorism to become an increasing problem for the West. We presently witness the overlapping of the criminal law and military paradigm, where new ways of combat on a new level include elements of criminal conduct and military repulse. Now, 20 years after the original publication of the idea of *4GW*, several potential dangers seem to have come true. They are: task-based tactic and active search for the enemy's weaknesses; ideological or religious mental frame; onslaughts against the enemy's culture and identity; and psychological warfare.

1. Search for the point of least resistance i.e. *locus minoris resistentiae* in the adversary's camp and targeting the attack, respectively, is crucial in modern fundamentalist terrorism. Calls for the acts of terror can be conveyed to the global community or to the net without control centres through media channels, the Internet, but it cannot be treated as a direct order issued over a chain of command. Terrorists tend to act along general guidelines; the autonomous units seek, on their own, the objects of attacks. The objects are picked according to their accessibility and capacity to create a reaction in public. The mass media delivers to global audience every case with a trace of terrorism. Information released in mass media is a more powerful weapon than armed soldiers. Using the freedom and openness of the Western society, it is possible to attack, through mass conscience, the decision-makers of the Western world who largely depend on their voters' opinion. The more distant goal of such attacks is to sow doubts about the existing arrangement of life and the world. The fundamentalist message is that "we will have to be reckoned with to establish public safety"; however, every concession made to them is followed by new demands. The consequences of the West withdrawing from conflict areas are also damaging in the long run, because the territories controlled by extremists will turn into strongholds of drug production and training of new terrorists. The goal of fundamentalists is not a victory in a

concrete military operation, in combat, but gaining superiority in mental space, placing the opposition's decision-makers in limbo, in sustainable conflict.

Terrorism as a manner of warfare attempts to evade the adversary's military force. In the ideal case the adversary's army is irrelevant, because the focus is not on the action and its physical outcome, but on affecting the mass conscience by violence. Fundamentalists-terrorists are 'exempt' from many moral constraints when planning and executing the attacks. In conditions when the conduct is governed by value attitudes, where human life is worthless and there are no moral constraints in causing suffering and damage to other people, the evil innovation may be boundless. Everything is possible, although up to now it has been considered normal that a certain limit will not be crossed and that 'everything should not be possible'.

The tools and technologies of modern Western society are used to achieve the most irrational and primitive ends. In cyber-attacks the state of the art technology may occur together with archaic religious ideas as factors that legitimise attacks. The combination of ancient and modern, operating with the situations long past and pending in future vests terrorism with symbolic trappings. The opposition modern *vs* outdated shunned by Islamists is replaced with a new opposition – temporal, superficial *vs* eternal, profound. The extremist form of fundamentalist terrorism, i.e. suicide attacks, has increasingly gained ground in recent decades (Pape 2003). The world is faced with a situation where the media transmits news about new suicide attacks practically daily. They have become, by a rational explanation, the means of pressure of the weaker party to conflict, whereby the stronger adversary, usually democratic, can be coerced to make concessions (Ranstorp 1996). Innovative, for example, is attacking passenger airplanes, regardless of who is killed as a result of such action. By turning planes into deadly weapons, the 'martyrs for the faith' commit mass murder, i.e. an atrocity in the Western understanding.

The supreme value of human life makes Western world to condemn the manner of conduct which could justify a violent termination of human life. Cultural-civilisational conflict is evident here, because according to Western-Christian understanding, the terrorists' conduct runs counter to the greatest taboo – the ban on extermination of life, and acknowledging human life as the supreme value. Western people are not willing to die either for their own interests, or for *patria*, or for a 'holy cause'. The person who does not give a dime for his life holds a better position in the existential situation than the person unable to find arguments for sacrificing his or her life.

2. Regular suicide terrorism is mainly associated with Islam and it is hard to find an equivalent to that phenomenon (in the death cult form) in contemporary Western culture tradition. The religious war (*jihad*) is the conceptual foundation of the whole fundamental terrorism, as visualised by Islam. The religious war boils down to the 'holy war against infidels' and it is reflected so in Al Qaeda's training manuals and Quran. In a religious sense the war for faith represents the fourth pillar of Islam, as one among fundamental elements binding all believers into an

integral *umma* (Hattenhauer 2004:516–518). The religious background conveys several important dimensions to fundamentalist terrorism. Binding terrorism to the concept of holiness makes it impossible or difficult for the members of religious community to thwart such violence, because that would raise the question of cultural-civilisational affiliation. As seen on part of the West, the enemy cannot be overwhelmed by destroying him physically, because the demise of a terrorist signifies, in the religious war context, a supreme sacrifice in the name of the holy goal.

The above suggests a direct link to *Teodicea*,¹ i.e. the religious justification of suffering. In cultures where an individual is less important than a group, a collective body, suicide terrorism may become the expression of supreme loyalty to the group. Suicide terrorism as a socio-psychological phenomenon relates to group affiliation, because the aptitude to join in and the aptitude for self-sacrificing often complement one another. Any group where members are contemptuous of death is very cohesive and close. Hence the training of a person for joint action means training him to be ready to resign his self, because everything uniting group members encourages self-sacrifice and *vice versa* (Hoffer 2002:77). Individual aggression is no problem in radical mass movements, because it is easier to find outlets for it, compared to conditions of liberal democracy. From the standpoint of designing ideologically substantiated terror acts it is cynically asked: why should you let others waste your life, instead of harnessing it to the service of a ‘lofty idea’. For that purpose the person needs to be first made to see how he has been abused (denigrated, debased, made a second-rate citizen), and thereafter he can assume individual responsibility for his acts and is provided with tools for battle.

A person embracing Western values cannot understand someone’s involvement in mass slaughter of innocent bystanders, or how it may be tolerated. Because individuals are personally responsible for their own conduct, the responsibility for conduct of people belonging to the same group is a confounding conundrum. It is therefore absurd to accuse ordinary people for alleged abuse of the Islam world by the Western world. Seen from the collectivist viewpoint however, nobody is unblemished, every individual being also accountable for conduct of other group members – group loyalty is the fundamental value, while outsiders are either foes or third parties, unworthy of compassion. Terrorism, based on personal cruelty does not reach afar and does not last long, in a sense resembling like running amok. Rather, such violence is sporadic by nature, depending on a person’s psychic state and changing mood. ‘The holy terror’ goes beyond borders and never subsides spontaneously (Hoffer 2002:107). Radicalisation condones transmutation into more extremist conduct of groups located within the Western society. We must not underestimate the possibility that the Islamist extremism generates as counterbalance violence of a different kind (e.g. based on right extremism). Hence an escalation of antagonism occurs, the trap of radicalisation evolves, which is a

¹ Etymologically considered *Teodicea* (theodicy) (théos die) signifies the justification of God. It is an attempt to explain the contradiction between injustice, pain, sufferings in this earthly life and God’s goodness.

normal situation from the point of view of militarist ideology, because for warriors of faith the combat is an undiluted expression of life. For societies built on a state of permanent warfare, the enduring peace is fraught with fatal consequences, while to a Western type civil society the permanent status of war is harmful.

3. Cultural attacks do not only involve a narrow extremists' contingent; in some form, the wider part of population of common heritage is also taking part. With the freedom of expression highly estimated in the West, intolerance is propagated in people against the host cultural environment. Hate crimes are often related to the contempt of 'decadent, putrescent, degenerating West' and its mode of life 'all for sale', while ignoring the true and supreme values. Hence a situation emerges where several second- and third-generation migrants become extremists, are tolerant of extremists or support them, instead of adopting the values of new homeland. Integration, adaptation to cultural environment of the country of domicile is replaced by radicalisation. When the Western tolerance allows, the residents of enclaves will ever more recurrently use the Sharia law for settling land-related issues, drawing their wills and even solving crimes. All that amounts to passive resistance which makes the boundaries between indigenous population and extremists rather vague.

The new 'battleground' is unclear, embracing the whole society. Terrorists try to break the adversary from the inside, because they have little chance for extensive destruction. The major goal is the internal, moral collapse of the West. Use is also made of people in the society under attack – the criminal offenders and the discontented people. With the crimes of a novel type, is the issue of values under attack looms. Drug trafficking is seemingly the crime for pecuniary benefits, but its consequence is vast moral damage to societies of target countries. Drug producers and dealers do not only value money earned by their illegal business, but also the symbolic damage, which drug consumption as an asymmetrical weapon causes to the West. Under attack are fundamental values, because drugs endanger the pillars of Western-Christian civilisation's organisation of life. As a result of mass migration in several European cities, parallel closed subcultures have cropped up, enjoying government protection and support as minorities. The overestimated capacity to integrate the newcomers into society has met with rebuffs in various directions, displayed by radicalism, religious fanaticism and violence. The communities closed for the secular society, however, open to radical religious influence from outside and, operating on God's rule, are rife with extremist ideas; they serve as the recruiting ground of new 'warriors and martyrs', money collection outposts and logistics centres providing material support to terrorism in the whole world. The interference of some countries with domestic life of the host countries ranges from tacit pressure to the use of migrant population as the 'fifth column', who clandestinely undermine the nation from within.

Terrorists can wage a successful war provided they are protected or not actively deterred by the society they attack. Warriors for faith as 'city guerrillas' make ample use of the fundamental strengths of the liberal society – freedom and openness – against that society, whilst remaining concealed and unknown to

members of a wider religious community. They can relatively freely move around in the West, forming international nets, while purposefully weakening that social environment. They use the democratic right of not only infiltrating into society, but also taking shelter, because the local communities, governed by the loyalty-based tribal empathy are not likely to actively oppose them as 'kith and kin'. When handling the terrorists under Western laws, they find defenders and advocates; if they are physically eliminated, television news make victims of them. By paying the ransom to kidnappers to release Western people, perpetration of such crimes in the future is tacitly condoned. By abandoning the kidnapped, leaving them with no help from the state, various torture scenes spread by the media undermine the moral authority of the state power.

Since the WTC attack the Western leftist elite has gone to great pains to deny the link between Islam and Islamic terrorism, notwithstanding the fact that terrorists are quoting Quran and substantiating their acts by theological arguments (Masso 2011). Globalisation conjointly with propagation of multiculturalism and relativism is creating a situation, where countervailing forces designed to beat the focused power of terrorists, become ever more fragmented. By a consolidated effort, they create a phenomenon called *schismogenesis* in Western people and societies, meaning a split in the formerly integral social and cognitive structures (Bateson 1935). In case of *schismogenesis* on the level of civilisations-cultures, the terrorists are keen to crumble the adversary's identity and value estimates by means of (often oxymoron²) oppositions. The result may be the weakening of the present identity of the social organisation (state) and its loss, as witnessed in earlier history (e.g. vanishing of colonial empires after WWI, fall of the Soviet Union). The crumbling under the impact of *schismogenesis* as an internal factor is asymmetrical, it occurs unexpectedly, in absence of evident force, having the external potential to trigger cardinal changes.

Cultural attacks are also specified by the way the adversary's strengths tend to be used against him. In Europe, like elsewhere in the world, carnage, especially sacral terror creates clearly negative emotions – panic, anger and protest (Jürgensmeyer 2003). The death sentences proclaimed to enemies of faith, the execution of which allegedly being the 'sacrosanct' duty of every member of the religious community increase the insecurity and self-induced censorship in people. An attempt is thus made to reduce a free person to a scared individual, afraid for his life, trying to cope in the ever more dangerous environment, unable to deal with sinister forces. Beyond physical danger and the danger from terrorism, the larger hazard is the crumbling of the foundation of liberal democracy built over centuries, and the fundamental values, underpinning the democratic society. The impact is devastating not only on the level of security but also because it forms the views of people about what the state should be like that is able to defend them, and

² Oxymoron – a deliberate combination of two words that seem to mean the opposite of each other (witty stupidity), used as a (demagogic) technique of style.

what measures the state should use to provide security. Thus the requirements to security and the values increasingly clash.

4. Fundamentalist terrorism as the fourth-generation war actively draws on the adversary's communicative resources, because terrorist groups are essentially propaganda organisations, oriented in the first place to media sphere. While a journalist seeks and describes the themes and events that the public is concerned about, a terrorist creates them on his own (Počepcov 2010). Terrorism in contemporary meaning did not exist before the age of mass media, because in terrorism violence represents the instrumental side, while the dominating role is played by messages, propaganda, manipulating with mass conscience and its designed modification through a threat of violence. Changes in information and communication technology affect public and thereby political processes in society. Communicating (connecting) nets actively participate in the phenomenon called the war of narratives (Vlahos 2009). The war against terrorism is a long-winding battle for people's 'hearts and minds' (Howard 2001). Conversely it is the battle, where parties attempt to win the confidence of the public and thereby legitimize their activity and goals. Take for instance the global impact of caricature drawing and Quran burning as individual cases among the Islam population, while scaring and warning also the people in the Western countries. Alternative countermeasures such as filtering the news and censorship put in jeopardy the Western fundamental values – free movement and availability of information.

Endless repetition of an originally unacceptable position makes people consider it correct. Regular exposure of abnormal, extreme cases in the media, their stubborn reproduction form a new norm, whereby they become self-evident and make the wider public familiar and used to the existence of deviants. Some formerly exotic terms, such as *fatwa*, *intifada*, *caliphate* etc. have become rather familiar. A narrow, vague, unclear, ambiguous, ideological lexicon of a specific contingent of people, evokes heightened tantalising eerie interest in the presumably subtle message encoded in those terms and an attempt to understand them. This process is similar with what happened a couple of decades ago when the Western leftist activists and thereafter wider public started talking of *class struggle*, *communism*, *dictatorship of proletariat*, *secretary general of party*, *Politburo*. As before, *dolmetschers* of culture of the Western origin, i.e. *Sprachmittlers*, are ready to advise how a given term should be used with political correctness. As before, the leaders of the Western world must communicate at a conference table with persons notoriously known as extremists or terrorists.

The Islamist spokespersons try to act the role of a victim, to win over the public, complaining about religious discrimination, Islamophobia and intolerance. It is designed to influence the public opinion in neutral countries as well and thereby the decision-making processes of political leadership of the state selected as the target group. Terror attacks are condemned by them in ambiguous general terms, while refraining from criticizing concrete operations and their participants. When considering a concrete action a general irrelevant counterargument is presented, e.g. "the situation of Palestinians and the US foreign policy is the actual

cause of terrorism”, evading any direct questions. Otherwise, the need to treat equally all taxpayers of the Western countries including the Moslems, is much trumpeted, although this statement is neither here nor there, totally off the mark. Islam’s spokespersons are fond of practicing the method of ‘perceptive negation’ known in psychology, which clamours for convincing evidence and proof on direct masterminds of the acts of terror, in case they are certain that such ‘proof’ is excluded. People of Western origin have been repeatedly threatened by revenge and violence (*fatwas*). By such messages disseminated in media, the effect of scaremongering is sought, which are not alleviated by their later effusive denial or condemnation.

Purposeful tampering with the mind of the public includes in its repertory the term ‘stratagem’. Islamists frequently and skilfully use disinformation and misleading referred to in the Islamic tradition as *katmān* (Milosz 1990). As early as in 19th century, it was noted that the practice of concealing one’s thoughts and feelings in Near-East Islamic cultures evolved in the regular line of conduct. It allowed hiding one’s inner privacy from the peering eyes of outsiders, donning a mental mask. In the opinion of Moslems one’s true convictions must be veiled by silence before infidels. In order to destroy the enemy, people use various ruses, such as publicly deny their convictions, carry out pointless rituals, etc. (Gobineau 1865:14–16). In religious war contexts, in operational terms the warriors of Islam may sport any identity, necessary for fulfilling the mission – “Islamic warrior may assume the enemy’s image”. Islamist spokespersons try to confuse the listeners by ambiguous clichés and trivialities about religion. They try to prove that *jihad* is a subjective battle and not a religious concept of warfare. Popular, too, is the tactic of insinuation, i.e. planting an idea into the head of the adversary that the given active measures are not spearheaded concretely against him, but someone else is attacked (e.g. Americans, Danes, Jews). Even more often it is asserted that no *jihad* exists, the whole concoction has been devised by Islam’s enemies. Efforts are taken to create a state of cognitive dissonance in public, by instilling divergent positions, impossible to unite.

Islamist clichés and stock-phrases are repeated regularly also by some Western politicians and socio-critical opinion leaders, asserting that “a small group has hijacked a large religion”. Presenting a claim that in the people of Islamic faith, the fanatics constitute a tiny minority, vilifying expansionism and radicalisation the whole Moslem community, is the matter of sheer demagogy. The essential question is how the Islamist majority regards the extremists among them. In Western-Christians civilisations, about 5% males are habitual criminals, recurrently creating problems (Moffitt 1993). Individuals or small groups of Western descent have also committed obnoxious crimes; however nobody claims in the Western world that those 5% are martyrs, and law-abiding majority do not view their acts with a passive eye. The fact that only the minority is concerned with terrorism is irrelevant in such context, because the Islamist terrorism has been traditionally practiced by individuals and small groups. Such angle of approach

diverts the attention of the media and political discourse from political and religious sustainability of fundamentalist terrorism.

4. The development of social control

In his classical work Stanley Cohen showed that the historical development of social control comprises three phases (Cohen 1985). Those periods depend on the overall development of the state, society and technologies. The first phase embraces the epoch prior to the end of the 18th century, when punishment was directed at human body. A variety of corporeal chastisement and capital punishment was used. Punishment and conduct control were public and judgements were executed as theatrical performances (e.g. public execution). Various forms of aberrant conduct were not differentiated (lunatics, criminals, children and adults – the same standard was applied to all); experts on deviant behaviour were absent (prison guards, social workers, psychiatrists). The state power was a fledgling affair, little centralised, hangman being almost the sole ‘official’ at execution. Lacking were the precisely fixed norms of the penal law and criminal justice system operating under certain rules. Control was executed by the community; the aberrant was not ousted from the community, he was accepted ‘as he was’. Punishment theories were little elaborated, they were mystical demonising and moralising deviants, because they were expected to motivate the harsh sanctions applied against deviant individuals.

The second phase started at end of the 18th century and geared up in first decades of the 19th century. The state developed muscle, it became centralised and the might of such a state acquired qualitatively new vigour and intensity at controlling human conduct. Now the state discouraged competition at exercising control, the lynch law (‘mob law’) as a reaction of the community to deviation was banned. Control became exclusive and stigmatised the controlled person as an individual; the boundaries of control were visible outside, although the inner mechanism was hidden. Punishment was no longer public, it was confined within special institutions (increase of prisons) and it was carried out in keeping with differentiation of conduct deviations and conduct deviants. Control was now exercised through appropriate institutions, sciences emerged (e.g. criminology, criminal anthropology, penology) and experts (professionals) who dealt with conduct deviations. It was the inner nature or personality of the individual that now became an object of control and punishment; in that connection many countries abolished harsh corporeal punishments as inappropriate. The human soul, however, was still out of grasp. Punishment theories were strongly exposed to positivism, hence rational goals of punishment as motivations became the order of the day.

The third phase was ushered in after WWII, when the outside conduct of man was again seen as a target for punishment, rather than the elusive personality. Such a swing of direction was largely related to the paradigm shift to behaviourism in

psychology. A characteristic aspect was the all-around criticism of the previous period, defined by Cohen as 'ideological attacks'. For instance, criticism is levelled at a strong state, while hankering after 'minimal state', where control net broadens and thickens. The state's redundant and centralised role in punishing the criminals is publicly criticised, although it is still as strict and centralised as before. The state's activity is complemented by private structures, but in security matters the state's role is not downsized. Closed institutions (prisons) are criticised as well, which should be substituted for various community alternative options. Unfortunately, that criticism has led to a dead end, the number of prisons and inmates grows steadily and new control forms seem to emerge in addition to the earlier ones. Professionals are criticised, who have turned deviations into their source of income, but the role of professionals instead grows stronger. Control is directed at external conduct, but an estimate of a deviant's inner state remains important. In that period the borderlines between the forms of various deviation conduct and control again become vague and it is hard to understand whether someone is castigated or whether someone is treated, cured. Punishment theories are eclectic: dominating partly is neo-classicism however the (neo) positivist theories are too represented, as earlier. Ideologically, the inclusive role of criminals and their integration, is emphasised, although putting it in practice is fraught with problems.

Ostensibly, all the above mentioned legal culture's development features are specific to the West. It is a typical introspective approach, where the impact of cultural differences has not been taken into account. The existence of parallel, alternative modernities (Eisenstadt 2004) in the contemporary world is an undisputable fact. In comparison of civilisations, the developments witnessed in the Western world can be compared with respective developments in other civilisations. Western society's ideas of progress are evident in the first place in the logic of development of criminal justice systems in countries belonging to the Western world. Mental changes in legal sphere, which was often assumed to be generally spread, self-evident, have actually been inherent only to the rule-of-law developments of the West, they are not universal, global. In totalitarian (Western and Asiatic) countries there have always been grave problems with such principles. Trying to find something similar in the Sharia law turns out to be an overwhelming task. It does not feature any aspects of general principles of Western law, or its dynamics. In some sense the Cohen's scheme suggests that the conduct control performed in Islamic world corresponds to the Western world's first period, i.e. temporally until end of the 18th century, the pre-Enlightenment period.

At the end of the 19th century – beginning of the 20th century, the conception of state as an 'apparatus for violence' gained a relatively wide currency in the West. The state was conceived mostly as a phenomenon, seeking (successfully so) in a certain territory the monopoly of legitimate physical coercion, i.e. dominance over people. Such state towers above an individual. The West has tried to change this gradually, together with redefining the concept of state, by minimising the

traditionally strong state. Procedural rules of legal sphere of the Western world manifest the historical distrust of the state as a vessel of ultimate truth and valuation of the individual.

The second typical feature of the West in social control is the demarcation of qualitatively different states of time of peace and time of war. In war period much changes in the control, new principles emerge, for instance in many countries, the capital punishment is abrogated in peacetime only. Characteristic of the Western world in this connection is the concept that the regular situation of society's development is peace, from time to time disrupted by wars as cataclysms. The said concept is not dominating in several other civilisations, where permanent fighting and overwhelming the enemy has been considered the first priority. Hence the life of society is like a perpetual battle, interrupted by temporary armistice periods, used to gather new strength.

The third control period, starting in the Western world in the 1950s, was the period of accumulation of multiple problems. On the one hand it is the 'glorious three decades' (Fourastié 1979). On the other hand, however, it was the time when the Western welfare societies let the security problems accumulate and aggravate. Contradictions (ideological attacks) hidden in the third period caused distinct problems to emerge in the fourth social control stage. In its third period, the control faced a crisis of ideas and did badly, and is now doing even worse with 'crime's challenges to free society', because crime itself has essentially changed, together with the world. The vision presented by Cohen contained something the earlier analysts could not perceive. Hence the third period of control in a sense means reverting to the concepts of the first period, although on a different plane. With new forms of crime (fundamentalist terrorism) they are as follows:

1. By new forms of deviant behaviour, the legal benefits earlier put in place in criminal codes are not damaged and attacked, and nor is the 'status quo' of the countries; the Western culture, values, identity, current development trends are attacked instead. Attacks are spearheaded against more fundamental aspects of civilisation, as compared with the earlier periods.
2. Concepts of war and peace as the precisely determined states of society in the context of controlling conduct are currently being redefined. Borderlines between peacetime and wartime situations are vanishing, and new forms of deviations emerge, which cannot be classified within the earlier deviancy control paradigm. That also confuses the defining of deviations and the attitudes towards them.
3. From the point of the states it is not possible to understand who the deviation-infested subjects are: individuals, groups, international networks or other countries. The earlier clearly hierarchic model of social control (state exerts domestic control over individuals or a small groups) has been substituted by net model. Networks go beyond borders and are global, through them individuals and small groups can exert pressure on countries.

4. Soft and hard control measures used to be differentiated; the first were applied domestically and the others in inter-state relations. Borders between soft control measures and hard control measures are disappearing, while their use cannot be ideologically substantiated.
5. Crime control was earlier exercised domestically, in the opposition between a strong state and the individual as the weaker party. An individual's position was supposed to rest on guaranteed human rights, the position of state as international subject rested on the state's sovereignty concept. Presently both the human rights and countries' sovereignty are questioned in connection with the control of hazards.

Introducing the altered circumstances into Cohen's scheme the following picture emerges. The new millennium heralded a new period in social control. The scope of state's involvement in conduct control is questionable, being clearly inefficient (in the first place with regard to people of different cultural-civilisational origin). The formation of Western control models in impact areas of other civilisations is not effective. Minimising state and usage instead of community alternatives clashes with methods of providing order to communities with different cultural backgrounds. Ever more often, when providing public order, the state's institutions are seconded by private structures, functioning under principles of earning profit (to owners), and not creating cultural environment.

Control's focus is increasingly directed at cultural identity and values, because preservation or changing the existing identity has become an issue. The concept of control's visibility has split even more. Control's direct hard component, where state structures operate is highly confidential, dominated by countries' special services and control technologies. Controlling has been rendered, through propagandist components, into the illusion of visibility, which has little in common with actual active measures, however forming an integral entity together with the public component. The earlier categorisation of deviations and differentiation of control measures is losing its significance. A new principle of classification of deviations is on the way, merging medical, legal, military and cultural-civilisational aspects.

The hegemony of legal norms and criminal justice systems on the level of countries is fading. Symbiosis is in the making between international humanitarian law and international criminal law together with their respective new type control-institutions; this may be the advent of the global criminal justice system. In issues concerning control, the present specialists, such as lawyers, medical specialists and military personnel will have to increasingly consider the opinions of sociologists, psychologists, anthropologists, and media experts. The goal of interventions is security. However, diversification of risks, ideology of controlling are ever more compounded with dangerous individuals as a potential threat. Because the concept of precariousness is only poorly elucidated, new integrated control theories are needed, designed to substantiate a new type of control measures. For the time being, the addressee of control is unclear, not unlike defending oneself against the 'aliens'. The style of control is 'like in cinema', first strictly and publicly exclusive

and stigmatising, dehumanising, after which the development should proceed towards rationality.

Table 1. Updated Cohen's model of historical development for social control, characterising the fourth phase

Domains	Phase four – inceptive of early 21st century
1. State involvement	Efficiency of state's participation questioned.
2. Place of control	'Global village' as the venue of control, the growing role of mass media.
3. Focus of control	Level of focussing of control, its target-specificity is more dispersed, concept of control is translating to 'soft spheres'.
4. Visibility of control	Confidentiality of direct power component of control is combining ambiguously with control's visible component.
5. Categorization and differentiation of deviance	The need to classify new deviations, merging medical, legal, military and ideological definitions.
6. Hegemony of law and criminal justice system	Hegemony of legal norms and criminal justice systems on the level of countries is fading, with the global criminal justice system evolving.
7. Professional dominance	In issues concerning control, today's specialists: lawyers, medical specialists and military will have to listen to sociologists, psychologists, anthropologists, media experts.
8. Object of intervention	Interventions are directed at precarious individuals. However, the precariousness of individuals is inadequately defined.
9. Theories of punishment	New integrated punishment theories are needed, through which new type control institutions can be built up. The earlier professional differentiation is replaced with integration.
10. Mode of control	Control by style publicly and strictly excluding and stigmatising, dehumanising, as those possessed by an evil spirit or 'aliens'.

5. Conclusion

A burning issue of modern times is the co-existence of different civilisations in the conditions of globalisation, showing an increasing effect of difference in values and fundamental ways of life. The West (the Western world) is confronted by urgent problems, because the fight with unfamiliar ideas and culture codes is actually the fight for one's identity and preservation. Novel forms of criminal conduct and enmity question earlier manners of warfare known in the Western-Christian civilisations and ways of progress of deviant careers, in its turn

inhibiting the finding of effective countermeasures. Rebirth, religious conversion and turn to a new faith, martyrdom and psychological support of deviance by millions of people, characteristic of the present fundamentalist terrorism is utterly out of proportion compared to the previous local support of the criminal subculture and legitimisation of deviant conduct. This fight desperately needs new methods, strategies, tactics and new professionals, so that the West could consistently use its advantages in technology, research and 'soft power'.

Several features suggest the unsuitability of discourse of the existing deviations in handling modern fundamentalist terrorism, thus for a better conceptual approach, the fourth generation period war and social control models should be united. Today, the handling of the conduct of terrorists as a deviation of a new type has begun to take shape. Earlier conduct control types (medical, law protecting, military) do not apply to terrorists, because the treatment of subjects (lunatics, apprehended or convicted criminals, POWs) used to be assigned a certain 'our', i.e. humane (humanistic) dimension. With terrorists, however, only one feature remains – 'precariousness', essentially meaning a reversion to the mystification of yonder deviations and deviants. The closest to the description of the new concept are the mediaeval Europe's possessed, Satan's breed that was considered universally dangerous and thus to be eliminated. Hence the actions in evidence against terrorists and their spokespersons like preventive detention and targeted killing. It is essentially demonising and dehumanisation, precedent to liquidation of subjects of certain parameters, i.e. generally dangerous subjects. A change of attitude to fundamentalist terrorists also results in the new paradigm of attitude to other criminals and deviants in general.

When deviation of separate individuals becomes regular, and the prerequisite of predictability of human conduct no longer applies ("a normal person will not and cannot behave like that"), when 'life culture' is substituted by a culture of death, we are faced with civilisational-cultural origins of such (deviational) conduct. "How could one talk of irregular phenomena in regular language, not thereby destroying their irregularity?" (Geertz 2003:277). The destructiveness of fundamental terrorism and the corresponding hailing of the Great Beyond, calls for special attention, because it is essentially more than just propagating an alternative lifestyle. In the West, we have come precariously close to the abnormal discourse in attitude to fundamentalist terrorism, in principle differing from normal discourse. Applicable in normal discourse are "agreed criteria for achievement of consensus, the activity occurs within a certain recognised framework". Abnormal discourse evolves when discourse is joined by someone, who "... does not know conventions or discards them... Outcome of normal discourse is the assertion, the validity whereof could be agreed by all parties, deemed 'rational' by other parties. Outcome of abnormal discourse can be whatever, starting from nonsense and ending with intellectual revolution..." (Rorty 1979:320).

When combating fundamentalist terrorism we should not dismiss basic values and never stoop to the enemy level, which would be tantamount to defeat. Parallel to a tighter cohesion of the Western-Christian civilisation we should try to better

understand how the world is perceived by people of other civilisations of the globe. Seen from cultural perspective, the creation of an efficient strategy to combat new crime forms (fundamentalist terrorism) must start with learning the value attitudes of perpetrators of those acts. The rational Western problem-solving scheme has invariably been: identification of situation, finding cause-effect links, measures to rectify the situation. The same pertains to the modern challenge of fundamentalist terrorism to the West and the whole world, to be rebuffed appropriately.

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