

Journal of Theoretical & Philosophical Criminology

ISSN: 2166-8094

JTPCRIM, July 2019, 11:64-78

A Cosmopolitan response to the 'war on terror'
Shamila Ahmed, University of Westminster

Abstract

This article explores the relevance and the significance of cosmopolitanism as an approach to understanding the 'war on terror'. The article details how cosmopolitanism affords a perspective through which it is possible to critique and deconstruct the 'war on terror' and create narratives which include the impact of harmful state practices. The facets of cosmopolitanism which make it relevant to the 'war on terror' include its emphasis on justice and human rights. It also accounts for interactions between the global level and the local level, which are necessary to understanding the contemporary discourses of securitization and deviancy which are prominent in the 'war on terror'. Through discussing the value of cosmopolitanism, and its concepts of human rights, equality, humanity, ethics, responsibility and justice, the article demonstrates how although the 'war on terror' has been constructed to defend and uphold such values, it has eroded these very values and in doing so, it facilitates the radicalization process.

Key words: terrorism, cosmopolitanism, war on terror, radicalization, human rights

Introduction: The shackles of criminology

Criminology has a long history of focusing on 'race' and ethnicity and the criminalization of marginalized groups and the racialization of criminal groups (Box 1983; Cashmore and McLaughlin 1991; Keith 1993; Rowe 1998). The contemporary socio-political context has led to a greater focus on religious identities, with the Northern Riots in 2001 and September 11th pushing religion to the forefront of academic attention. Criminology has therefore, to some extent, freed itself from the shackles of solely focussing on race and ethnicity and developed into a more inclusive discipline (Bosworth, Bowling and Lee 2008). Criminology has also answered calls to move beyond being a discipline that is solely reliant on state defined harm, which acted to reaffirm and further institutionalize the selective use of state power (Hillyard and Tombs 2004).

In relation to terrorism, the acceptance of the 'terrorism problem', as constructed by the state has perpetuated contemporary moral panics of the terrorist 'other' (Gunning 2007; Hudson 2008a). The task has therefore been to avoid reproducing hegemonic discourses when engaging with these dominant discourses (Breen-Smyth 2007) and create 'discursive spaces where the marginalized can articulate their lived experience of harm without persistent reference to the notion of 'crime''

(Pemberton 2007: 33). However, the mere existence of such discursive spaces is not enough, one needs to also have an acute awareness of the concepts and realities that can be made transparent in such spaces. Although Gunning (2007) rightly identifies human security, social justice, structural violence and discrimination as all being relevant to terrorism, a wider vocabulary which includes human rights, humanity, ethics, responsibility and justice enhances the possibility of a more inclusive discursive space, and one which it could be argued, is closer to a neutral ontological perspective of the 'war on terror'. Another challenge for criminology has been the inclusion of international events, since criminology is and has been tied to state defined harm which occurs within the territory of the state. Criminology has therefore had to evolve to engage with international events, to include transnational forms of belonging and identity and to address state practices and / or crimes of the powerful which threaten humanity (Friedrichs 2009; Hudson and Walters 2009; Hussain and Bagguley 2005).

The 'war on terror' has necessitated the need for criminology to incorporate new identities, new forms of harm and the international level. It has also made relevant the theoretical perspective of cosmopolitanism, which as this article argues, allows for a more inclusive conceptualization of the 'war on terror'. This article explores how cosmopolitanism gives criminology the opportunity to develop and expand its parameters and offers methods that promote subjectivity, thereby providing a perspective through which both marginalization and radicalization can be understood in the 'war on terror'.

The 'war on terror'

When deconstructing the 'war on terror', one notable point of interest has been the international dimension and it has been argued that the west has not perceived such a magnitude of threat and risk since the 'cold war' (Pain 2009; Ruggiero 2007). Soros (2006) argues that the 'war on terror' categorizes groups which use terrorist tactics, such as Al Qaeda, Hamas, Hezbollah, the Sunni insurrection and the Mahdi army in Iraq, as one. The response therefore homogenized and cast over ideological and political differences constructing a vast number of different groups as sharing one purpose and as being the same. This invariably constructed the 'war on terror' as a religious war (Howell 2006; Turam 2004). However, as Spence (2005) argues, the 'war on terror' has also been constructed and institutionalized in terms of national sovereignty and national security. The national securitization of the 'war on terror' has involved the claim that the terrorist threat is an unrepresented threat. The 'war on terror' has made security, human rights, threat, and risk transcend national and international spheres of belonging, indeed facilitating their existence on and between both levels. It has also led to Islamic identity, its meaning, its categorization, its construction, and its interpretation to exist on both the international level and the national level (Rehman 2007; Selcuk and Fine 2007).

Cosmopolitanism, human rights and justice

According to Dallmayr (2003), cosmopolitanism has a long history, one in which the ideas of Socrates were adopted by Cynics, Stoics, Christian and Muslim thinkers and later by enlightenment thinkers. Cosmopolitanism has been used by many disciplines with Hudson (2008a: 281) stating that 'political philosophers such as Seyla Benhabib (2004) and Jurgen Habermas (Borradori, 2003); social theorists such as Zygmunt Bauman (2004), and philosophers such as Derrida (Borradori, 2003)' have 'appealed to Kant's writing on cosmopolitanism, seeing it as a perspective which can bring Levinas's moral theory into the political realm of justice and social change'. Cosmopolitanism remains useful to the social sciences (Walker 2005). It is the ideas of justice, responsibility and human rights which make it useful to research, with Hudson (2008a) highlighting the relevance of cosmopolitanism and particularly, its emphasis on justice in achieving social and political change.

According to Brassett (2008: 316), cosmopolitanism is best 'understood as a set of ideas that is embedded within – and developed by – key thinkers (e.g. Habermas), institutions (e.g. the UN), particular actors (e.g. Bob Geldof) and discourses (e.g. human rights)'. In its most general form, cosmopolitanism can be divided into the three categories of ethical cosmopolitanism, moral cosmopolitanism and political cosmopolitanism. Ethical cosmopolitanism is primarily concerned with the promotion of cosmopolitan values, such as justice, ethics of responsibility and human rights (Dower 2008; Ruggiero 2007). Moral cosmopolitanism is based on the expansion of the scope of

ethical concern and like ethical cosmopolitanism, the concern is with emphasizing a shared humanity and a community in which every member owes the other obligations and responsibilities (Walker 2005). Political cosmopolitanism is concerned with the institutions that might best organize the world, and therefore with how moral cosmopolitanism and ethical cosmopolitanism could be established in order to secure global peace and security. However, as Brassett (2008: 315) argues, 'there are few moral cosmopolitans who have not at some stage made a political intervention and, vice versa, it is difficult to conceive of a political cosmopolitan who did not have occasion to reflect on the moral underpinnings of their agenda'. Although each form represents a different perspective and orientation from which to theorize, interpret and highlight the values of cosmopolitanism, the concepts present in these forms are what remains important and form the virtues through which contemporary phenomenon, such as the 'war on terror' can be analyzed.

The first of these concepts is human rights. Cosmopolitanism provides a framework in which it is possible to assess, scrutinize, analyse, research, and theorize human rights and justice, both of which are highly relevant to the 'war on terror', especially as grounded 'real' concepts. Therefore, the perspective does not deal with these terms as mere abstract categories, it grounds the meaning of these terms through representing human rights as a set of laws which exist to protect humanity. Cosmopolitan law incorporates the 'Laws of War and Human Rights Law' (Kaldor 2000). As Walker (2005) states, the United Nations has made progress in facilitating international law and this has treated individuals as cosmopolitan subjects and therefore as subjects of international law. The presence of the United Nations has also led Benhabib (2007) to comment on the existence of a cosmopolitan political community in which individuals are not just subjects of the law, but they are also authors of the law.

In articulating the emergence of this relationship, and the events which led to the legalization of human rights that transformed international law, Nash (2009) highlights two major changes in international law, first, individuals became accountable for violations of the laws of war and second, human rights became a system introduced to limit how a state could treat its own citizens. Nash (2009) states that the second development was shaped by the Universal Declaration of Human Rights (1948), which, with its legalistic language outlined the moral principles which came to govern state activities. According to Dower (2008), the introduction of the Universal Declaration of Human Rights was aimed at ensuring that responsibility for protecting individuals' human rights resided with the state and this has been enhanced by a more 'cosmopolitan turn', which has further placed duties onto states. Although cosmopolitan law could be said to be any law which exists beyond the nation state and is concerned with human rights, the tensions between national governance / laws and international governance / laws have been highlighted by Walker (2005: 6) and what has been labelled as, 'thin', the 'social commitments associated with a set of common obligations at the global level' and "thicker' local obligation'. Although these obligations could be conceptualized as leading to tension, it is as Nash (2009) argues, states that serve citizens and uphold principles of universal rights and laws. Similarly, Turner (2009) highlights the necessity of the state as not only being the vehicle through which human rights are exercised, but as also providing individuals with a sense of belonging and identity that comes from being rooted to a territory. It should also briefly be noted that the European level also dictates human rights (Burgenthal *et al* 2002). Human rights therefore form a relationship between the universal level and the individual via state duties. The perspective conceptualizes the state as having responsibilities. Cosmopolitanism offers the possibility of engaging with the state centric 'war on terror' and through emphasizing a wider agenda of human rights, cosmopolitanism can be used to critique state practices and state actions in the 'war on terror'. It therefore facilitates the development of criminology and the need for criminology to incorporate violations of human rights into mainstream perspectives.

According to cosmopolitan, although the state can deliver 'equal liberty, and social justice' it 'should not be thought of as ontologically privileged' (Held 2005: 10). Cosmopolitanism conceptualizes the state as having duties. The perspective highlights that where human rights are maintained, individuals are treated with moral worth and as recipients of the responsibility owed to them by the state and by other individuals. The state is therefore conceptualized as having duties

which firstly include, that 'every human being has a right to have her or his vital interest met, regardless of nationality or citizenship' (Jones 1999: 15–17). Secondly, 'it rules out positions that attach no moral value to some people, or that weigh the value people have differentially according to characteristics like ethnicity, race, or nationality' (Brock and Brighouse 2005: 4). Therefore, identities should not lead to differential citizenship and treatment by the state because where no moral values are associated with certain identities, the extent to which the citizen feels part of the national and 'wider community of ideals' will be damaged (Held 2005). Cosmopolitanism therefore conceptualizes the state in terms of its power. Here one can instantly recognize the value of the perspective to the 'war on terror', and other state discourses and state practices which marginalize and criminalize sections of society. However, these actions are not represented as privileged vessels of power that inflict little or no damage, rather they are highlighted in terms of their ability to damage belonging and individuals' beliefs in the principles of human rights, equality, humanity, ethics, responsibility and justice that states are meant to uphold. In this way, a more inclusive perspective develops, one which relates individuals' reactions, feelings, emotions and belief to the erosion of such principles, and it is in this 'relational space' that one can consider the erosion of these principles in relation to radicalization.

Nash (2009) identifies different distinctions of a 'human rights cosmopolitan citizenship'. There are 'super-citizens', which according to Nash (2009: 1073), 'have all the rights of citizens but increasingly, in a globalizing, deregulated political economy, citizenship does not tie them to states because they own the means of production'. There are marginal citizens 'who have full citizenship rights but who nevertheless do not enjoy full citizenship status: economically, by relative poverty; and socially, by racism' (Nash 2009: 1073). This has a direct similarity with the 'language of rights' because as Nash (2009: 1068) argues, 'human rights and citizenship have long been closely entwined; indeed historically they share similar roots in liberal individualism. This is clearly expressed in the great 18th-century declarations of the 'rights of man', the recognition that 'all men are created equal', born with inalienable natural rights'. Nash (2009) therefore highlights how individual autonomy, equality and innocent until proven guilty now form contemporary human rights. Within the 'war on terror' those deemed as possessing risky identities, with such a conceptualization possibly being exacerbated due to the presence of an Islamic identity, could be understood as 'marginal citizens', since they are at risk of being afforded a reduction in legal rights (see Ahmed 2015b for research on British Muslims and marginal citizenship).

State practices and actions as part of the 'war on terror' are based on discourses of threat, risk and the enemy. When identifying the features needed to create a good enemy, Young (2003: 400) identifies the following features – 'we must be able to convince ourselves that: (1) they are the cause of a large part of our problems; (2) they are intrinsically different from us—inherently evil, intrinsically wicked, etc. This process of resentment and dehumanization allows us to separate them off from the rest of humanity (us) but it also permits us to harden ourselves to deal with the special instance of a threat'. Thus, having separated terrorists from humanity, an image of what is at risk and in need of protection is created and this serves the purpose of establishing legitimacy in countering terrorism. To take the ideas presented by Young (2003) first, as Bosworth and Guild (2008) argue, although terrorism has been constructed as being a foreign problem many terrorist attacks in the UK have been conducted by British born terrorists. To take the second point about the enemy needing to be constructed as being different, terrorists have been constructed as being outside humanity and therefore as not deserving due process. However, as Young (2003: 396) points out, although this was an attempt to portray terrorists as not being part of humanity 'the socially excluded do not...' 'exist in some 'elsewhere' cut off spatially, socially and morally from the wider society'. They are therefore part of the same humanity, if for no other reason than the fact that they too occupy a space on earth. The creation of the enemy as being unworthy of rights and humanity serves the purpose of creating domestic and international law which serve to legitimize re-colonisation with states introducing new techniques of social control which derogate human rights (Aradau and Munster 2009; Fine 2006; Jamieson 1998).

The second concept is justice. Through engaging with the themes of cosmopolitan law and human rights, cosmopolitanism also provides a framework within which justice can be explored. Whereas justice is hard to define, injustice is remarkably easier to define (Derrida 1990). According to Hudson (2008a: 276), cosmopolitanism developed 'as an ideal to underpin models of justice'. Justice has a legal, political and ethical dimension which incorporate 'keeping the rules of international law, respecting legal and political conventions nationally and internationally' and respect 'for the other just because she is a human' (Hudson 2009: 715). Justice is therefore a multifaceted concept as it incorporates an ethical dimension, which could be said to be the idea that every individual is part of humanity and therefore owed an ethics of responsibility, which includes human rights which exist in law (the legal dimension). A political dimension, which could be conceptualized as the mechanisms through which the ethical dimension and legal dimension are implemented and therefore intrude into individuals' lives through their experiences, perceptions and their subjectivity.

Deutsch (2006) contends that although the Universal Declaration of Human Rights does not state that all individuals should be treated identically, it does highlight that systematic disparities should not exist between the social conditions and the rights of people, and all individuals should have the same opportunities. The notion of justice appears to be linked to opportunities with Hudson (2009: 703) stating 'justice is a political concept'... it is concerned with 'dealing fairly with all parties'. 'Doing justice means giving what is due'. Turner (2007: 301) demonstrates the importance of subjectivity, arguing, 'resources are typically distributed unequally, and so inequalities are almost always part of justice evaluations. As a general rule, inequalities generate negative emotions by those who receive less than others, primarily because the former makes justice evaluations that they are not getting their fair share', or as Hudson (2009: 703) states, getting 'what is due'. Thus, it is the implementation of resources and opportunities which either positively adhere to individuals' perceptions of what they are due, leading to an evaluation of justice, or negatively adhere to individuals' perceptions of what they are due, leading to an evaluation of injustice.

In the 'war on terror' perceptions of injustice have become common place (Ahmed 2015a). Cosmopolitanisms offers a framework within which injustice, which according to Young (1990) incorporates oppression, violence, cultural dominance, inequality, and a lack of recognition can be explored. Research on the 'war on terror' by Ahmed (see Ahmed 2015a; 2015b; 2018 for discussions pertaining to the methodology of the research and broader findings of the research) found that although British Muslims expect a direct relationship with the state, broader concepts of human rights, belonging and legitimacy were important to British Muslims. These concepts were used to judge state actions in the 'war on terror', and this demonstrates that British Muslims expectations of the state are informed by more global frameworks of human rights. It could therefore be argued that the 'war on terror' has accelerated a form of cosmopolitan citizenship as respondents' perceptions prior to the 'war on terror' did not include broader notions of human rights, belonging and legitimacy. The research also revealed that respondents believe procedures such as innocent until proven guilty and the right to a fair trial should never be violated because they are based on universal human rights (Ahmed 2015a; 2015b; 2018).

In the contemporary era citizens' rights are those rights which are guaranteed by constitutions and statutes such as the Human Rights Act 1998 and these rights have their origins in the Universal Declaration of Human Rights (Dower 2008). Therefore, to consider that understandings of human rights are informed by the Universal Declaration of Human Rights and protected in statutes, it is then possible to comprehend how, for respondents, these are not simply changeable laws but laws which reflect rights they believed would never be deviated from. Research revealed that through respondents believing their universal human rights have been violated, their faith in humanity has been challenged because their expectations have been violated, an expectation that the state will and always should maintain universal human rights (Ahmed 2015a; 2015b; 2018). In this way it is possible to comprehend how and why respondents' sense of belonging to their cosmopolitan identity has been damaged and it is because their human rights, rights which they perceive gave them a sense of belonging to humanity have been violated that their own sense of attachment to humanity has been negatively impacted. In conjunction to this, the ethics of responsibility were perceived as having

diminished since the 'war on terror'. Within cosmopolitanism, the state should maintain equality for the good of humanity, because if it is maintained, citizens will feel a sense of responsibility within this humanity – an ethics of responsibility. Essentially, it is through the eradication of the legal rights and the values which bind and create unity on the national level and international level that processes of otherization and exclusion become internalized, leading to radicalization.

The third concept is ethics of responsibility. One of the main offerings of cosmopolitanism is the linkage of identity, diversity and ethics and how, rather than being signifiers of 'new wars' (Kaldor 2000), when combined with the theme of responsibility, identity, diversity and ethics can actually form and promote an agenda of peace. Human rights are also closely tied to the theme of ethics, which is about having a responsibility in ensuring that others are not harmed. Brock and Brighthouse (2005) state that if each human has equal moral worth then this creates moral responsibilities and thus, states can facilitate responsibility and unity amongst individuals. This statement directly links state actions to the actions, perceptions and treatment of individuals by other individuals. The cosmopolitan ideal is that 'the life of everyone matters and matters equally' (Couture and Nielsen 2005: 183). In this way equality, moral worth and justice create an ethics of responsibility.

Although the 'simple ethical principle' should always remain - even in the 'war on terror', adhering to the fact that value should be placed on life, regardless of any differences, the 'war on terror' has had enormous implications for the ethics of responsibility (Archibugi 2001). However much we may fear acts of terrorism, and recognize a duty to protect people, 'cosmopolitanism's universalism means that terrorists or terrorist suspects cannot be treated in ways that violate their fundamental rights to life' (Hudson 2008a: 285). The cosmopolitan principle is that the 'alien is to be received without violence' (Hudson, 2008b). Linklater (2003: 303) notes how the acts of September 11th were 'unique in raising profound questions' and challenges about 'ensuring that efforts to protect innocent civilians from terrorist attacks do not damage the moral ideal of freeing all human beings from unnecessary suffering'. Terrorism was constructed in terms of a binary, as Brassett (2008) argues, terrorists were constructed as being barbaric and in direct opposition to cosmopolitans who were constructed as being civilized and as forming the global community. 'Such moralising had the ironic effect of setting up a dichotomy between cosmopolitanism and terrorism. Straightforward oppositions between 'barbaric terrorists' and 'civilised cosmopolitans' served to construct cosmopolitanism as a *coherent and united, global community*' (Brassett 2008: 313). In this construction, the state eroded the ethics of responsibility towards terrorists, claiming that they were undeserving of the rights and responsibilities reserved for non-terrorist cosmopolitans, who were representing as constituting the whole of humanity. Such a construction cleverly exploits universalistic values, such as those present in cosmopolitanism, and does so through claiming to protect these values, but in reality, creates processes where aliens are not afforded even the slightest humanity, thus undermining the very values that are claimed to be defended.

Cosmopolitanism, globalization and identity

The 'war on terror' represents a national discourse that has been constructed and influenced by the international / global level leading to certain identities being transient stigmatized identities (Howell 2006; Friedrichs 2009). According to Bloemraad, Korteweg and Yurdakul (2003), citizenship is rooted to national identity and national identity is geographically determined according to the borders of a state. The nation state is also a practical requirement, since through it both international human rights and international humanitarian law are exercised and implemented. As Arendt (1951) argues, once citizenship have been removed, there are no rights and political authority to defend people. States are therefore the main reference point of authority and legitimacy (Loader and Walker 2007). However, identity also represents power, with identity being the cause of many wars (Kaldor 2003). One only needs to consider the existence of colonialism and genocide to recognize how the construction of identities has been used to justify wars and the exclusion of entire groups of people. In the contemporary era, as Young (2003: 390) argues, 'not only are there strong parallels between the dynamics of crime and the desire to punish, but that there are close similarities between violence associated with 'common' criminality and the violence of war and terrorism'. Therefore, as Kaldor (2000) remarks, social formations based on identity are of a transitional nature, meaning that based

on identity, one can be an outsider in their own national territory in which they are a citizen, but also an outsider beyond their national territory. Therefore, terrorism represents a form of violence where the constructed identity of the terrorist forms a transient discourse that is evident at both the local and national level, and the international level. Thus, the 'war on terror' requires a cosmopolitan perspective since such a perspective include global forms of identity and human rights.

Cosmopolitanism is based on global human rights, with human rights forming the glue to bond humanity. Couture and Nielsen (2005) use the phrase 'world citizen' to denote this bond and global form of belonging. Cosmopolitanism therefore provides a way of exploring identities in an increasingly fragmented, fluid and globalized world. It clearly elucidates to the type of identity which could / should exist within the global realm of humanity making global governance, ethics and responsibility possible. A cosmopolitan identity conveys a certain image or ideal type of individual, referred to as a cosmopolitan, 'someone who is attached to a particular place or home with its cultural particularities but takes pleasure from the presence of other, different places that are home to other different people' (Appiah 1996: 22). Similarly, Kaldor (2000) stresses difference when defining a cosmopolitan as someone who is knowledgeable about different cultures and language. The central idea is that the individual is tolerant and accepting of difference, with Hudson (2008a: 284) noting how the cosmopolitan identity is 'a pick-and-mix of globally available ingredients of identity, building a progressive and inclusive self-image'. Therefore, when defining the cosmopolitan - choice of identities, multiple affiliations and multiple attachments are stressed as being important.

However, when negotiating these different forms of identity, what values should a global form of identity have? Kaldor (2000) states that Kant envisaged a global system in which everyone had the right to hospitality and because human rights exist at the global level, they would constitute the binding force within which multiple identities could co-exist. From a cosmopolitan perspective, the macro universal identity forms the glue for humanity and with this acting to form commonality, different ethnic, religion, cultural etc identities can co-exist. In this way, individuals are encouraged to see each other in terms of commonality first and difference later. As Nussbaum (1996) explains, the Stoics saw the idea of concentric rings of identity as meaning that a citizen of the world could also be a member of a family, or a larger political community and therefore could possess multiple identities. Although the idea of a common humanity, one that is based on human rights in which multiple identities can co-exist is important, much has been written about the dangers of silently walking into or advocating a homogenous macro identity at the expense of more micro identities (Walker 2005). Dower (2008: 6) states, 'all too often, especially in the past, there has been an inappropriate projection of values onto the rest of the world, whether explicitly in the name of cosmopolitanism or in other ways. But the response to this should not be to reject cosmopolitanism but to fashion a form of cosmopolitanism which avoids these criticisms'. Similarly, Beck and Grande (2007: 71), when referring to this negotiation warn about the dangers of hierarchy stating, 'differences should neither be arranged hierarchically nor should they be replaced by common norms, values and standards; rather, they should be accepted as such and even have a positive value placed on them'. The existence of positive values ensures that groups are not treated negatively for possessing certain identities and one could therefore liken it to multiculturalism, and the advocacy of inclusivity with differences being embraced. Within this conceptualization of identity, Beck and Grande (2007: 71) use 'cosmopolitan realism' to refer to how differences can exist within unity, with cosmopolitan realism denoting the 'recognition of the legitimate interests of others and their inclusion in the calculation of one's own interests'. Differences are embraced and conceptualized as providing fluidity, depth, creation and choice and therefore it could be argued that subjectivity and personal freedom are prioritized. Although this is the basic cosmopolitan framework in which to understand identities, commonality and difference, as shall now be discussed, cosmopolitanism is far more sophisticated in offering concepts which are relevant to understanding identity in the 'war on terror'.

Cosmopolitanism offers an interesting way to think about experiences and transnational identity. The 'war on terror' has accelerated the need for global harmony, tightened the negative discourses associated with Muslims' Islamic identity and impacted Muslims' own perceptions of unity. The use of cosmopolitanism can facilitate an understanding of these processes and the Umma identity through

allowing Muslim citizens to relate their feelings and emotions to identities, such as the Umma identity, which exist beyond the state territory. The Umma represents the global community of Muslims and according to Sadiki (2002), Islam is a religion with over one billion followers, from different regions, ethnic backgrounds, and nationalities. Sadiki (2002) argues that the events of September 11th are an example of bad globalization because they have disempowered Muslims globally. Therefore, shared experiences of injustice, disempowerment and marginalization based on Islamic identity have unified the Umma. Here it is possible to appreciate Gilroy's (2004) use of diaspora to define groups of people that share a diffused experience and understanding of identity. The 'war on terror' has not only led to a stronger sense of shared religious identity but it has also impacted experiences, emotions and feelings, thereby meaning that events across the globe can feel as personal as events that are local. This also means that experiences of discrimination, marginalization, criminalization and exclusion can transcend the level at which they occur, to feel local, even though they are global. Therefore, the 'war on terror' transcends localization and globalization, incorporating both social and political crisis, leading to what Ehteshami (1997) calls, the spiritual, emotional, and political response of Muslims. The Umma identity can thus be an identity which exacerbates perceptions and feelings of pain but also provides unity. Recent research by Hussain and Choudhury (2007) found that amongst British Muslims, there has been a shift to a more universal Islam which downplays cultural differences. The significance of the Umma is that it not only provides strength and solidarity, but it does so through promoting a sense of unity based on Islamic identity. The Umma identity is therefore an important identity, with the 'war on terror' facilitating its meaning and importance.

In the 'war on terror', the intersection of the Umma identity with British identity has been problematized both at the ideological state manufacture level, and in terms of Muslims' perceptions and subjectivity. Perceived injustices have strengthened the Umma identity through re-defining what this identity means, with the suffering of Muslims in countries such as Iraq, Somalia and Palestine, being felt by 'those elsewhere' (Clarke *et al* 2009: 89). Through the Umma connecting the local and the global, the strong psychological dimension of this identity can amplify feelings of marginalization and 'double standards' both within the UK context (politically, emotionally and legally) and outside the UK context (Ahmed 2015a; 2015b; 2018). As Brah (2009: 144) explains, 'if you are a Muslim, Islamophobia sets you apart, negatively, from non-Muslims. This may lead to heightened preoccupation... drawing attention to global sites of conflict such as Iraq, Chechnya, Kashmir and so on increase a sense of grievance on behalf of all Muslims'. This process in turn then further heightens one's Islamic identity, politicizing this identity which can then create strong negative emotions which reinforce this process.

Research by Ahmed (2015a; 2015b; 2018) highlighted how respondents perceived a more cosmopolitan citizenship since the 'war on terror'. Human rights and justice were cited as globalized terms, as ideals respondents believed in and as rights and terms that bind humanity. This suggests that although the state has been concerned with the national territory, the state also needs to consider the impact of their role within the 'war on terror' on British Muslims' sense of belonging to their cosmopolitan identity. It was of interest how state action in the 'war on terror', be it via the introduction of counter terrorism legislation or foreign policy, were perceived to impact respondents' sense of belonging to humanity and therefore, the research revealed that the state needs to go beyond concerns of 'the enemy within' and British loyalty and consider British Muslims in relation to the umma and a more cosmopolitan sense of belonging (Ahmed 2015a; 2015b; 2018).

The 'war on terror' has not only impacted human rights, justice, and the ethics of responsibility, but it has also impacted identity and the construction of identity. Cosmopolitanism offers the phrase, 'the logic of identity/difference' to denote the imposition of 'a false unity on groups defined by difference, and it imposes a false emphasis on a single characteristic on individuals' (Hudson 2008a: 279). Beck (2006: 25) argues, within the national outlook there is 'the prison error of identity'. According to this view, each human being has one native country, which he cannot choose, he is born into it and it conforms to the either/or logic of nations and the associated stereotypes'. Beck (2006: 25) goes on to argue, that within the prison error of identity, 'people with strange-sounding names find themselves repeatedly subjected to cross-examination'. It could be argued that the prison error of

identity / logic of identity have become increasingly relevant in the 'war on terror', because the discourse associated with 'new terrorism' is one whereby Muslim citizens are predominantly subject to counter terrorism measures based on constructed stereotypes of the terrorist. The increase in police powers under counter terrorism legislation and the creation of Muslims' Islamic identity as representing a threat in the 'war on terror' has contributed to the application of the logic of identity to British Muslims, with this process dismissing the diversity, personal freedom and subjective interpretation prevalent within Muslims' religious identity.

Counter discourse and radicalization

The final part of this article considers the value of cosmopolitanism, as a non-state centric framework to understanding, analyzing and critiquing the 'war on terror'. It is through the language and criteria of human rights that the state can be opened up, and as Beck (2006) suggests, externally examined. This is in contrast with the problem-solving state centric approach which 'seeks to explain the 'terrorist other' from within state-centric paradigms', rather than seeking to understand the 'other' inter-subjectively using interpretative or ethnographic methods' (Gunning 2007: 371). Such an approach constructs the terrorism problem prior to investigation. There is little emphasis on understanding and therefore in considering the legitimacy of other perspectives. In contrast, a cosmopolitanism approach examines the state via another criteria - human rights, thereby creating a space where alternative perspectives are constructed as being equally legitimate. It is because cosmopolitanism provides a framework in which state actions are related to concepts such as human rights, justice, responsibility, ethics, identities, discrimination and citizens' feelings and emotions, that it complements research which seeks to understand alternative realities within the 'war on terror', including those that influence the radicalization process.

Radicalization has been constructed as a politically loaded concept with the use of this term encompassing little objectivity. At the very least examinations of this term must include, but rarely do, the acknowledgement that if we are to understand radicalization, and indeed, counter radicalization, then we must understand it from the reality and perspective of those that are influenced by it. Any deviation from understanding it from such an objective standpoint means that methods to counter this process are going to fail, because they are not based on the actual factors and processes of radicalization. Therefore, tools are required which not only prioritize the subjectivity of alternative perspectives but also deconstruct the politicization of terrorism and radicalization.

The first requirement is the adoption of an anti-essentialist stance, one which 'rejects the sterile dichotomies and stalled understanding associated with a certain type of conceptual or sociological essentialism' (Loader and Walker 2007: 19). 'Cosmopolitanism assumes that people within and between groups will differ in many ways, but that there will be sufficient overlap that understandings and accommodations can be achieved' (Hudson 2008a: 289). It therefore deviates from the 'us' and 'them' dualism which is prevalent in the state constructed 'war on terror' narrative through highlighting the commonality that is the binding force of humanity. However, this emphasis on humanity also means that the terrorist problem should be encountered through a non-violent humanitarian perspective. Therefore, in terms of state policies, these should emphasize a shared identity, whereby the 'war on terror' is not created as a 'Muslim problem' but portrayed as a 'humanity problem', because this would reduce the existence of marginalization, injustice, discrimination etc. – the very factors which positively influence the radicalization process.

The second necessity in understanding the 'war on terror' is the utilization of a framework within which the international level and the national level can be merged and entwined. Methodological cosmopolitanism encourages 'the dualities of the global and the local, the national and the international, us and them, have dissolved and merged together in new forms that require conceptual and empirical analysis' (Beck and Szaidler 2006: 3). As Ruggiero (2007) argues, cosmopolitanism refers to individuals' capacity to live locally while also being connected to global issues and interpreting global issues via the local. The state centric 'war on terror' has dismissed this duality through failing to recognize the impact of foreign policy on the radicalization process, and it was only in the review of Prevent in 2011 that the impact of the state-centric 'war on terror' was recognized

(HM Government 2011). The official narrative therefore dismissed subjectivity, whereas for cosmopolitanism, the extent to which the two levels interact is down to perceptions and subjectivity.

The third requirement is therefore the incorporation of subjectivity. In the 'war on terror', perceptions are also informed by the international level with 'transnational flows and connections'... 'influencing our perceptions of community, identity and culture' (Aas 2007: 284) and as Beck (2002: 28) rightly contends, cosmopolitanism offers the tools through which to explore 'concealed worlds of experience'. Beck (2006: 43) uses the concept of 'biographical cosmopolitanization' which 'means that the contradictions of the world are unequally distributed not just out there but also at the centre of one's own life'. Within this understanding, contradiction is a transient concept and its existence is dependent on perceptions of contradictions and inequality at both the international level and the national level. The concept of 'biographical cosmopolitanization' is important to the 'war on terror', because as already stated, inequality, the demonization of Islam, injustice, etc are all entities that have been perceived as existing on both levels with the 'war on terror'. Cosmopolitanization also denotes 'a second-order level of self-destructive civilization that transcends the nation-state and infiltrates our innermost thoughts and feelings, experiences and expectations' (Beck 2006: 73). The ability of cosmopolitanism to encourage a dialectic analysis means that the international level and the national level can be viewed in terms of impacting each other and as having the ability to 'transforms everyday consciousness and identities significantly' (Beck 2002: 17). Thus, within this perspective one is challenged and indeed encouraged to assess and recognize how the existence of inequality, the demonization of Islam, injustice, etc impact individuals' feelings and emotions and therefore the interaction between structure and agency within the radicalization process.

The fourth requirement is the necessity to incorporate emotions, because emotions are an integral part of the radicalization process (Ahmed 2015a). Changes in identity, perceptions, attachments and loyalties – all of which have been influenced in the 'war on terror' require the inclusion of emotions. Beck (2006) created the phrase, the 'globalization of emotions' and related it to foreign policy in the 'war on terror'. Similarly, Ahmed (2015a) coined the phrase, the 'emotionalization of the 'war on terror'' to denote the prevalence of emotions in individuals' perceptions and experiences of the 'war on terror' (See Ahmed 2015a for discussion on Beck and emotions in the 'war on terror'). When demonstrating the existence of emotions, Beck (2006: 2) states, what the war in Iraq made transparent was how even mass protests could not stop the war, 'for the first time a war was treated as an event in global domestic politics, with the whole of humanity participating simultaneously through the mass media', and 'the protests were driven by what one might call the 'globalization of emotions' (Beck 2006: 6). According to Beck (2006), cosmopolitan empathy constituted the force which acted to unite individuals from different countries to form a shared understanding, and thus empathy of the intended war. As Hudson (2008a: 284) states, cosmopolitan empathy denotes 'where the suffering of persons in other global regions and cultures no longer conforms to the 'friend-foe' divide, but can provoke sympathy for the hardships of fellow humans'. Cosmopolitanism therefore highlights the centrality of emotions and humanity beyond national differences and does not restrict belonging, empathy and emotions to state territory (Appiah 2007; Delanty 2006; Friedrichs 2009). Within the 'war on terror', injustice, anger, empathy, compassion, social activism, vengeance, etc all mark emotional entities that are transient, and not only inform counter terrorism measures put also the process of radicalization.

Discussion

Brassett (2008: 322) highlights how 'mourning for the loss of life, mourning for the other and the possibility of even recognising the suffering of others are often curtailed' through the state invention of simplified and self-serving binaries. Ruggiero (2007: 212) contends that this oversimplification is primarily due to violence being presented as a response to violence, a process in which 'moral and cultural obstacles are sidestepped, as if in the process of civilisation one could start from 'zero'. It is the commitment of cosmopolitanism to a better future, where 'justice calls for dialogue; it depends on

understanding the needs, the motives and the aspirations of the other' that radicalization can be understood (Hudson 2009: 715). Cosmopolitanism offers an alternative vision, one premised on commonality and one in which it is conceivable to seek understanding. Cosmopolitanism does not explore acts such as terrorism as examples of 'aliens' or indeed, as examples of inhumane evilness but rather, through using concepts such as suffering, empathy, humanity and repression, it offers a different way of understanding acts of terrorism and the motivations of terrorists. In the 'war on terror' opposing standpoints, interpretations and understandings should not be marginalized so that future enemies are created, but rather they should be heard so that even if small overlaps do exist, such commonality can be used as a base to build a safer future.

Cosmopolitanism warns of the dangers of the state deviating from cosmopolitan law. As Beck (2006: 19) states, 'the choice to become or remain an 'alien' or a 'non-national' is not as a general rule voluntary, but a response to acute need, political repression'. The importance of perceived equality is that equal treatment by the state and the police translates into 'equal moral worth' (Brock and Brighouse 2005). It informs citizens of their value and as Bertram (2005: 78) states, citizens must 'be granted by others an unforced recognition of their moral status. A person who lacks a sense of themselves as a significant presence in the world and therefore of their own agency, will hardly be able to form, revise, and pursue a conception of the good'. Cosmopolitanism therefore allows concepts such as human rights, justice, humanity, and ethics to not only be analyzed as being part of the state constructed 'war on terror' discourse, which highlights state actions within the 'war on terror' as protecting these concepts but also allows us to consider how state practices which erode these very concepts impact the radicalization process. In doing so, and affording such a perspective, weight, legitimacy and authority is not applied to one set of peoples over another set of peoples, rather, this privilege is reserved for the concepts of human rights, humanity, ethics, etc which one seeks to investigate. In such an understanding, the 'war on terror' is depoliticized and academic writing and research no longer reproduces state discourses but instead focuses on promoting social justice, which is, as it ought to be, the backbone of the discipline.

References

- Aas, K, F. (2007) Analysing a world in motion: Global flows meet 'criminology of the other'. *Theoretical Criminology* 11(2): 283–303.
- Ahmed, S. (2014a) Constitutive criminology and the 'war on terror'. *Critical Criminology* 22(3), 357–371.
- Ahmed, S. (2015a). The emotionalization of 'war on terror': Counter-terrorism, fear, risk, insecurity and helplessness. *Criminology and Criminal Justice*. 15(5): 545-560.
- Ahmed, S (2015b) Citizenship, belonging and attachment in the 'war on terror'. *Critical Criminology*, 24(1), 111–125.
- Ahmed, S. (2018) British Muslims perceptions of social cohesion: from multiculturalism to community cohesion and the 'war on terror'. *Crime, Law and Social Change*. 20 January 2019. <https://doi.org/10.1007/s10611-018-9804-9>.
- Appiah, K. A. (1996) *Cosmopolitan Patriots*. In: Cohen, J. *For Love of Country: Debating the Limits of Patriotism: Martha C. Nussbaum and Respondents*. Boston: Beacon press. Pp. 21-29.
- Appiah, K A. (2007) *Cosmopolitanism: Ethics in a World of Strangers*. London: Penguin
- Arendt, H., (1951) *The origins of totalitarianism*. New York: Harcourt Brace.

Aradau, C. and Munster, R. V. (2009) Exceptionalism and the 'war on terror' Criminology meets International Relations. *The British Journal of Criminology* 49(5): 686 –701.

Archibugi, D (2001) Terrorism and Cosmopolitanism. SSRC Working Paper, 30 March 2005. http://www.ssrc.org/sept11/essays/archibugi_text_only.htm.

Bauman, Z. (2004) *Europe: An Unfinished Adventure*. Cambridge: Polity Press.

Beck, U. (2002) The Cosmopolitan Society and Its Enemies. *Theory, Culture & Society* 19(1-2): 17-44.

Beck, U. (2006) *The Cosmopolitan Vision*. Cambridge: Polity Press.

Beck, U. and Sznaider, N. (2006) Unpacking cosmopolitanism for the social sciences: a research agenda. *The British Journal of Sociology* 57(1): 1-23.

Beck, U. and Grande, E (2007) Cosmopolitanism: Europe's Way Out of Crisis. *European Journal of Social Theory* 10(1): 67–85.

Benhabib, S. (2004) *The Rights of Others: Aliens, Residents and Citizens*. Cambridge: Cambridge University Press.

Benhabib, S. (2007) Twilight of Sovereignty or the Emergence of Cosmopolitan Norms? Rethinking Citizenship in Volatile Times. *Citizenship Studies* 11(1): 19–36.

Bertram, C. (2005) 'Global justice, moral development, and democracy'. In: Brock, G. and Brighouse, H. (eds.) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge University Press. Pp. 75-91.

Bloemraad, I., Korteweg, A. and Yurdakul, G. (2008) Citizenship and Immigration: Multiculturalism, Assimilation, and Challenges to the Nation-State. *Annual Review of Sociology* 34: 153-79.

Bosworth, M., Bowling, B. and Lee, M. (2008) Globalization, ethnicity and racism: An introduction. *Theoretical Criminology* 12(3): 263-273.

Bosworth, M. and Guild, M. (2008) Governing through Migration Control: Security and Citizenship in Britain. *The British Journal of Criminology* 48(6): 703-719.

Box, S (1983) *Power, Crime and Mystification*. London: Tavistock Publications

Brah, A. (2009) 'Non-binarized Identities of Similarity and Difference'. In Wetherell, M., Lafleche, M. and Berkeley, R. (eds.) *Identity, Ethnic Diversity and Community Cohesion*. London: Sage. Pp. 136 -145.

Brassett, J. (2008) Cosmopolitanism vs. Terrorism? Discourses of Ethical Possibility Before and After 7/7. *Journal of International Studies*. 36(2): 311–337.

Breen-Smyth, M. (2007) A Critical Research Agenda for the Study of Political Terror. *European Political Science*. 6(3): 260–267.

Brock, G and Brighouse. (2005) 'Introduction'. In: Brock, G. and Brighouse, H. (eds.) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge University Press. Pp. 1-9.

Burgenthal, T., Shelton, D. and Stewart, D. (2002) *International Human Rights*. St Paul, MN: West.

Cashmore, E. and McLaughlin, E. (1991) *Out of Order? Policing Black People*. London: Routledge.

Clarke, S. et al. (2009) 'Home, Identity and Community Cohesion'. In Wetherell, M., Lafleche, M. and Berkeley, R. (eds.) *Identity, Ethnic Diversity and Community Cohesion*. London: Sage. Pp. 87-101.

Couture, J. and Nielsen, K. (2005) 'Cosmopolitanism and the compatriot priority principle'. In: Brock, G. and Brighouse, H. (eds.) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge University Press. Pp. 180-193.

Dallmayr, F. (2003) Cosmopolitanism: Moral and Political. *Political Theory* 31(3): 421-442.

Delanty, G. (2006) The cosmopolitan imagination: critical cosmopolitanism and social theory. *The British Journal of Sociology*. 57(1): 25-47.

Derrida, J. (1990) Force of Law: The "Mystical Foundation of Authority". *Cardozo Law Review* 11: 919-1045.

Deutsch, M. (2006) A Framework for Thinking about Oppression and Its Change. *Social Justice Research* 19(1): 7-41.

Dower, N. (2008) 'Questioning the Questioning of Cosmopolitanism'. In: Vandekerckhove, W. and Stan Van, H. *Cosmopolitan Corporate Responsibilities*. 30 March 2011. <https://link.springer.com/book/10.1007%2F978-90-481-8704-1>

Ehteshami, A. (1997) 'Islamic fundamentalism and political Islam'. In: White, B. Little, R. and Smith, M. (eds.) *Issues in world politics*. London: Macmillan Press. Pp. 179-99.

Faulkner, D. (2003) Taking citizenship seriously: Social capital and criminal justice in a changing world. *Criminal Justice* 3(3): 287-315.

Fine, R. (2006) Cosmopolitanism and violence: difficulties of judgment. *The British Journal of Sociology* 57(1): 49-67.

Friedrichs, David. (2009) "The cosmopolitan ethic and an emerging global criminology." Paper presented at The International Society for Universal Dialogue, Eighth World Congress. Beijing, China (July 23-28).

Gilroy, P. (2004) *Between Camps: Nations, Cultures and the Allure of Race*. London: Routledge.

Gunning, J. (2007) A Case for Critical Terrorism Studies? *Government and Opposition*, 42(3), 363-393.

Held, D. (2005) 'Principles of Cosmopolitan Order'. In: Brock, G. and Brighouse, H. (eds.) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge University Press. Pp. 10-27.

Hillyard, P. and Tombs, S. (2004) 'Beyond criminology'. In: Hillyard, P., Pantazis, C., Tombs, S. and Gordon, D (eds.) *Beyond criminology: Taking harm seriously*. London: Pluto Press. Pp. 10-29.

HM Government. (2011) Prevent strategy, Stationery Office: London

Howell, J. (2006) The Global War On Terror. *Development and Civil Society* 18: 121-135.

Hudson, B. (2008a) Difference, diversity and criminology: The cosmopolitan vision. *Theoretical Criminology* 12(3): 275-292.

Hudson, B. (2008b) 'Re-imagining Justice: Principles of Justice for Divided Societies in a Globalized World' In Carlen, P (ed.) *Imaginary Penalties*. Cullompton: Willan. Pp. 275-293.

- Hudson, B. (2009) Justice in a time of Terror. *The British Journal of Criminology*, 49(5): 702–717.
- Hudson, B. and Walters, R. (2009) Criminology and the war on terror. *The British Journal of Criminology* 49(5): 603–608.
- Hussain, Y. and Bagguley, P. (2005) Citizenship, Ethnicity and Identity: British Pakistanis after the 2001 'Riots'. *Sociology* 39(3): 407–425.
- Jamieson, R. (1998) 'Towards a criminology of war in Europe'. In: Ruggiero, V., South, N. and Taylor, I. (eds.) *The New European criminology: Crime and Social Order in Europe*. London: Routledge. Pp. 480-506.
- Jones, C. (1999) *Global Justice*. Oxford University Press: Oxford.
- Kaldor, M. (2000) Cosmopolitanism and organised violence, 29 March 2009. <http://www.theglobalsite.ac.uk/press/010kaldor.htm>.
- Kaldor, M. (2003) *Global civil society: An answer to war*. Cambridge: Polity Press.
- Keith, M. (1993) *Race, Riots and Policing: Lore and Disorder in a Multi-racist Society*. London: UCL Press.
- Linklater, A. (2002) 'Unnecessary Suffering'. In: Booth, K. and Dunne, T. (eds.) *Worlds in Collision: Terror and the Future of Global Order*. Basingstoke: Palgrave Macmillan. Pp 303-213.
- Loader, I. and Walker, N. (2007) Locating the Public Interest in Transnational Policing. 26 December 2007. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1022882.
- Nash, K. (2009) Between Citizenship and Human Rights. *Sociology* 43(6): 1067-1083.
- Nussbaum, M. (1996) 'Cosmopolitanism and Patriotism'. In: Cohen, J. (eds.) *For Love of Country: Debating the Limits of Patriotism*. Boston: Beacon Books. Pp. 3–21.
- Pain, R. (2009) Globalized fear? Towards an emotional geopolitics. *Progress in Human Geography* 33(4): 466-486.
- Pemberton, S (2007) Social harm future(s): exploring the potential of the social harm approach. *Crime, Law and Social Change* 48:27–41.
- Rehman, J. (2007) Islam, "War on Terror" and the Future of Muslim Minorities in the United Kingdom: Dilemmas of Multiculturalism in the Aftermath of the London Bombings. *Human Rights Quarterly* 29(4): 831-878.
- Rowe, M. (1998) *The Racialisation of Disorder in Twentieth Century Britain*. Aldershot: Ashgate.
- Ruggiero, V. (2007) War, crime, empire and cosmopolitanism. *Critical Criminology* 15(3): 211–221.
- Sadiki, L. (2002) One 'Islam', Many 'Islams': Understanding the Arab-Islamic Perspective on 11 September in a Globalising World, *Irish Studies in International Affairs* 13(1): 43-60.
- Selcuk, R. S. and Fine, M. (2007) Hyphenated Selves: Muslim American Youth Negotiating Identities on the Fault Lines of Global Conflict. *Applied Development Science* 11(3): 151-163.
- Soros, G. (2006) A Self-Defeating War. 20 November 2007. https://www.georgesoros.com/2006/08/15/a_self-defeating_war/.

Spence, K. (2005) World Risk Society and War Against Terror. *Political Studies*, 53(2): 284–302.

Sypnowich, C (2005) 'Cosmopolitans, cosmopolitanism, and human flourishing'. In: Brock, G. and Brighouse, H. (eds.) *The Political Philosophy of Cosmopolitanism*. Cambridge: Cambridge University Press. Pp. 55-74.

Turam, B. (2004) The politics of engagement between Islam and the secular state: ambivalences of 'civil society'. *The British Journal of Sociology* 55 (2): 259-281.

Turner, B. S. (2009) T.H. Marshall, social rights and English national identity. *Citizenship Studies*, 13(1): 65-73.

Turner, J. (2007) Justice and emotions. *Social Justice Research* 20: 288-311.

Walker, N. (2005) Making a World of Difference? Habermas, Cosmopolitanism and the Constitutionalization of International Law. EUI Working Papers Law No. 2005/17. 10 December 2010. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=891036.

Young, I. M. (1990) *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.

Young, J. (2003) Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression. *Theoretical Criminology* 7(3): 389–414.