

Criminology and war - missed or unwanted encounter

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War generally comprises personal and material victimisation of outstanding dimensions and a damage which by far exceeds the consequences of criminal offences in the period of peace. It can be nevertheless established that a "criminology of war" is in general relatively poorly developed and from the point of view of theory, rather underdeveloped orientation in criminology. This is quite surprising, even astonishing fact which undoubtedly needs a special explanation. An important reason may be the fact that the most prominent criminologists come from the countries, which were involved in the most bloody and destructive (neo)imperialistic/(neo)colonialist conquests (and were later on confronted with movements of liberation). A deep incomprehension of criminological mainstream for war themes is also unusual, because we can find a range of parallels between a war in the most strict meaning of the word and a "war on crime": in both cases there is a similar ideology of just and deserved exclusion and the mobilisation of aggression/repression against the "enemy of good and innocent society". And even more, typical post-modern military-police operations remind us of pre-modern - selective, arbitrary, cruel and spectacular - punishment, only that these operations are mainly directed against entire collectives (and indirectly against their members), i.e. wicked, bad and delinquent states. As it seems, we are now witnessing a rise of specific transnational punitive "justice", which has in its terror inflicting armoury a series of penal sanctions, in which a military aggression (including collective death penalties, corporal punishment, shame inflicting sanctions, expulsions, destruction and confiscation of social property and natural wealth) represents only an ultima ratio. And yet, even more extended are socio-economic punitive measures, implemented by a market, by financial and speculative capital or by individual transnational corporations. The aim of these post-modern penalties is clear and unequivocal: it is to sanction strictly and relentlessly anyone, who does not want to subject to the rule of global state of capital or to the logic of capitalist oppression and exploitation. Special attention is paid to the recent aggression on Iraq, which is specific in sense that the attacked state did not pose a threat to anyone, neither to its neighbours, nor (and even less) to the attacking states. Official reason (actually one in a series of reasons) was that Iraq could become a threat (once in the future): in order to avoid this, it was necessary to punish it preventively, that is, to subject it to sanctions (ante delictum), the aim of which is (was) to prevent crime (threatening of other states) before it is committed. In short, in this case punishment took place before the commission of crime (and even its attempt), and is meant to be a kind of "pre-delinquent" preventive sanction.

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