Security

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THE CONCEPT OF SECURITY[1]

Rhonda Powell

Introduction

Over the last ten years there has been an increased interest in the concept of security and in particular, its relationship with human rights. In response to a number of terrorist attacks across the globe, a raft of new security legislation has been passed internationally.[2] These measures have been criticised for their impact upon human rights, instigating discussion about the appropriate 'balance' to be struck between human rights and security in the media,[3] government,[4] academy,[5] and courts.[6] Within these debates, people have suggested that we

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[1] This article is a modified and shortened version of chapter two of my doctoral thesis: R Powell, *Security and the Right to Security of Person* (Oxford University DPhil thesis, 2008). Thank you to Dr Naomi Creutzfeldt-Banda for her helpful comments on the article.

[2] United Kingdom examples include Anti-terrorism, Crime and Security Act 2001; Civil Contingencies Act 2004; Prevention of Terrorism Act 2005; Terrorism Act 2000; and Terrorism Act 2006. United States Federal examples include Executive Order 13224 (23 September 2001); Border Protection, Anti-terrorism, and Illegal Immigration Control Act 2005; Homeland Security 2002; Military Commissions Act 2006; REAL ID Act 2005; Support Anti-Terrorism by Fostering Effective Technologies (SAFETY) Act 2002; and Uniting and Strengthening America by Providing Appropriate Tools for Intercepting and Obstructing Terrorism (USA PATRIOT) Act 2001

[3] For example, 'Blunkett defends anti-terror powers' (30 January 2004) <http://www.dailymail.co.uk/news/article-207012/Blunkett-defends-anti-terror-powers.html>; B Moskos 'Balancing Liberty and Security' (2 August 2004) <http://www.washingtonpost.com/wp-dyn/articles/A33132-2004Aug1.html>; 'Judges face human rights shake up' (12 August 2005) <http://news.bbc.co.uk/1/hi/uk_politics/4144186.stm>; but see A Giddens 'Liberty in the balance' (26 July 2007) <http://www.guardian.co.uk/world/2007/jul/26/humanrights.politics> and M Linklater 'Don't panic and break the 28-day detention barrier' (7 November 2007) <http://www.timesonline.co.uk/tol/comment/columnists/magnus_linklater/article2820896.ece> all accessed 17 March 2011

[4] For example, United Kingdom Government 'Security and Liberty - Home Secretary Publishes Balanced Measures' (HMSO London 22 February 2005); United Kingdom Government 'Counterterrorism Powers - Reconciling Security and Liberty in an Open Society: A Discussion Paper' (HMSO London February 2004); Charles Clarke (Home Secretary) 'Liberty and Security: Striking the Right Balance' *Speech to the European Parliament* (October 2005) <http://tna.europarchive.org/20061101012820/http://press.homeoffice.gov.uk/Speeches/speeches-archive/sp-euro-parliament-1005> accessed 17 March 2011

must forgo some of our liberties in the name of security – Michael Ignatieff famously questioned 'whether the era of human rights has come and gone' and put forward proposals that we accept the 'lesser evil' that is limitation of rights.[7] Others have suggested that security and human rights, which protect our liberties, must be reconciled.[8] Yet, others have criticised the idea of 'balancing' security and liberty altogether.[9] These debates rely heavily on the concept of security and yet fail to define exactly what that concept means. It is simply assumed that the meaning of 'security' is clearly understood and can be taken for granted.

A substantial body of academic literature attempting to define the concept of security does exist in the disciplines of criminology and international relations. The former discusses

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[5]For example, GF Treverton 'Balancing Security and Liberty in the War on Terror' (2004) (U of Syracuse, Institute for National Security and Counter-terrorism, Information Sharing and Homeland Security Program) <http://www.maxwell.syr.edu/uploadedFiles/campbell/events/Treverton.pdf> accessed 17 March 2011. See also L Lazarus and B Goold *Security and Human Rights* (Hart Oxford 2007); CA Gearty *Can Human Rights Survive?* (CUP Cambridge 2006); RA Wilson (ed) *Human Rights in the 'War on Terror'* (CUP Cambridge 2005); RC Leone and G Anrig Jr *The War on Our Freedoms: Civil Liberties in an Age of Terrorism* (Century Foundation New York 2003).

[6]For example, part of the Anti-terrorism, Crime and Security Act 2001 was declared incompatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (signed 4 November 1950, entered into force 3 September 1953) in *A v Secretary of State for the Home Department* [2004] UKHL 56; [2005] 2 AC 68 discussed in R Powell 'Human Rights, Derogation and Anti-terrorist Detention' (2006) 69(1) *Saskatchewan L Rev* 79-100. See also recent challenges to the use of evidence obtained by torture in *A v Secretary of State for the Home Department* [2005] UKHL 71; [2006] 2 AC 221 discussed in T Thienel 'The Admissibility of Evidence Obtained by Torture Under International Law' (2006) 17(2) *Eur J of Intl L* 349-367 and challenges to non-derogating control orders made under the Terrorism Act 2005: *Secretary of State for the Home Department v JJ* [2007] UKHL 45; [2007] 3 WLR 642, *Secretary of State for the Home Department v MB* [2007] UKHL 46; [2007] 3 WLR 681, *Secretary of State for the Home Department v E* [2007] UKHL 47; [2007] 3 WLR 720.

[7]M Ignatieff 'Is the Human Rights Era Ending?' *New York Times* (5 February 2002). See also M Ignatieff *The Lesser Evil: Political Ethics in an Age of Terror* (Edinburgh UP Edinburgh 2004)

[8]See RA Wilson 'Human Rights in the "War on Terror"' in *Human Rights in the 'War on Terror'* (CUP Cambridge 2005) 1-36 2; L Lazarus and B Goold 'Introduction: Security and Human Rights: The Search for a Language of Reconciliation' in *Security and Human Rights* (Hart Oxford 2007) 1-24 2 and the works cited there.

[9]D Luban 'Eight Fallacies About Liberty and Security' in RA Wilson (ed) *Human Rights in the 'War on Terror'* (CUP Cambridge 2005) 242-257; J Waldron 'Security and Liberty: The Image of Balance' (2003) 11(2) *J of Political Philosophy* 191-210; RM Dworkin 'Terror & the Attack on Civil Liberties' (6 November 2003) 50(17) *New York Rev of Books* 37-41; RM Dworkin 'The Threat to Patriotism' (28 February 2002) 49(3) *New York Rev of Books* 44-49. For a reply to Waldron arguing that the social contract sees security as a pre-condition of liberty, see T Meisels 'How Terrorism Upsets Liberty' (2005) 53 *Political Studies* 162-181. For an alternative proposal that limitations on liberty are justifiable only if they serve to protect liberty, see FR Tesón 'Liberal Security' in RA Wilson (ed) *Human Rights in the 'War on Terror'* (CUP Cambridge 2005) 57-77.

the relationship between security, democracy, crime control and the 'security industry'.[10] It reflects upon the internal security of society and responses to internal security threats. The latter encompasses the study of national security and armed conflicts[11] and, on the periphery, includes the idea of 'human security' promoted by the United Nations.[12] One can also find some limited discussion of security in moral philosophy literature about social justice and welfare[13] and about property rights.[14] In fact, there has been a long and vibrant academic discussion of the importance and role of 'security'[15] going back to political theorists such as Adam Smith,[16] Thomas Hobbes,[17] Jeremy Bentham[18] and John Locke.[19]

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[10] For example, I Loader and N Walker *Civilizing Security* (CUP Cambridge 2007); I Loader and N Walker 'Policing as a Public Good: Reconstituting the Connections between Policing and the State' (2001) 5(1) *Theoretical Criminology* 9-35; L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214; L Zedner 'Too Much Security?' (2003) 31 *Intl J of the Sociology of L* 153-184

[11] For example, K Booth *Theory of World Security* (CUP Cambridge 2007); B Buzan O Waever and J de Wilde *Security: A New Framework for Analysis* (Lynne Rienner London 1998); B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991); K Krause and M Williams *Critical Security Studies* (U of Minnesota Press Minneapolis 1997)

[12] For example, United Nations Development Programme 'Human Development Report 1994: New Dimensions of Human Security' (United Nations New York 1994); Commission on Human Security 'Human Security Now' (New York 2003); R Falk 'Pursuing the Quest for Human Security' in M Tehranian (ed) *Worlds Apart: Human Security and Global Governance* (IB Taurus London 1999) 1-22

[13] For example, J Elster 'The Empirical Study of Justice' in BM Barry (ed) *Theories of Justice* (U of California Press Berkeley 1989) 81-98; FA Hayek *The Road to Serfdom* (Routledge & Sons London 1944); M Walzer 'Security and Welfare' in *Spheres of Justice: a Defence of Pluralism and Equality* (Robertson Oxford 1983) 64-94

[14] For example, LC Becker *Property Rights: Philosophic Foundations* (Routledge & Kegan Paul Boston 1980); T Honore 'Ownership' in AG Guest (ed) *Oxford Essays in Jurisprudence* (Clarendon Oxford 1961) 107-147; J Riley 'Justice Under Capitalism' in J Chapman (ed) *Nomos: Markets and Justice* (New York U Press New York 1989) 122-162; J Getzler 'Use of Force in Protecting Property' (2006) 7(1) *Theoretical Inquiries in L* 131-166

[15] See the historical summary in E Rothschild 'What is Security?' (1995) 124(3) *Daedalus* 53-99

[16] A Smith *An Inquiry into the Nature and Causes of the Wealth of Nations* (Clarendon Oxford 1976); A Smith *Lectures on Jurisprudence* (Clarendon Oxford 1978) ('Of Jurisprudence' Friday December 24 1762)

[17] T Hobbes *Leviathan* (OUP Oxford 1998); T Hobbes *On the Citizen* (CUP Cambridge 1998)

[18] J Bentham *An Introduction to the Principles of Morals and Legislation* (Athlone London 1970); J Bentham *Of Laws in General* (Athlone London 1970)

[19] J Locke *Two Treatises of Government* (CUP Cambridge 2000) ch 9

Nevertheless, there are surprisingly few attempts to define the conceptual structure of security itself – they are political and not conceptual discussions. Most work also pre-supposes an international relations context and it is not clear how the definitions could apply to other contexts, such as human rights or the environment. There has, in summary, been no acceptable universally applicable definition of the concept of security.

In this article, I put forward a context-neutral analysis of the concept of security. This conceptual discussion is not limited to any particular field in which security issues arise, be it human security, international security, national security, or personal security. Rather, it is consistent with a variety of ideological positions and a variety of contexts: '[t]he definition may advance the case of one such theory, but is successful if it explains and illuminates all.'[20] Analysing security in only one context would be unsystematic and would risk being partial or one-dimensional.[21] It would also fail to address the way in which different contexts affect each other. The conceptual analysis of security should apply equally well to all applications of the concept. The actual application of the analysis is outside the scope of this article.[22]

The existing literature on security does bring to light several features of security which can be drawn upon in developing a conceptual definition. These features include: that security is not a 'substantive' concept,[23] the inherent flexibility of security,[24] the idea that

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[20]J Raz *The Morality of Freedom* (Clarendon Oxford 1986) 166 (discussing the nature of rights).

[21]Halpin would describe such descriptions as 'unvirtuous': A Halpin 'Concepts, Terms, and Fields of Enquiry' (1998) 4 *Legal Theory* 187-205 195-198

[22] The application to the right to security of person and the implications for other areas are discussed in chapter six and the conclusion of my doctoral thesis.

[23]For example, P Digeser 'The Concept of Security' (Presented at the Annual Meeting of the American Political Science Association 14 September 1994) (obtained from author); L Freedman 'The Concept of Security' in ME Hawkesworth and M Kogan (eds) *Encyclopedia of Government and Politics* (2nd ed Routledge London 2003) 30-41; DA Baldwin 'The Concept of Security' (1997) 23 *Rev of Intl Studies* 5-26

[24]For example, P Digeser 'The Concept of Security' (Presented at the Annual Meeting of the American Political Science Association 14 September 1994) (obtained from author); B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991)

security can be both negative and positive,[25] and the idea that the concept of security relies upon a 'politics of security',[26] which determines the extent to which security is instrumental or conservative in any particular context. Also implied into the debate are the importance of the notion of 'threat' and the range of threats (military and non-military) which we might face, the importance of the notions of interests and values and the range of interests and values which might be threatened, and the different levels at which security can be relevant (international, national and individual).

My primary argument is that security is a relational concept. The relational concept of security is similar to Peter Digeser's formal concept of security in that it is not substantive.[27] To understand any discussion of security one must hold certain pieces of information including (a) security for whom (an agent), (b) security of what (a value or interest), (c) security against what (a threat or risk), and (d) security by whom (a provider of protection). It is argued that the concept of security is silent upon the level at which it is applied (international, national, group, individual); that security is silent about the interest or value which is to be secured; that security is silent about the type of threats and risks which are relevant; and that security is silent about who should provide the protection and how they should do so. It is therefore context-sensitive. Contextual discussions of security rely upon a combination of political theory and policy decisions, or a 'politics of security', to determine which interests or values should be preserved or promoted, against which risks and threats, how and by whom. This makes security an adaptable concept and helps to explain why it has come to be used in so many different senses in such diverse fields.

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[25]For example, I Loader and N Walker 'The Good of Security' in *Civilizing Security* (CUP Cambridge 2007)

[26]For example, K Booth *Theory of World Security* (CUP Cambridge 2007)

[27]P Digeser 'The Concept of Security' (Presented at the Annual Meeting of the American Political Science Association 14 September 1994) (obtained from author)

Unlike many substantive notions of security, the relational concept of security is not only negative. It also involves positive mechanisms of protection, facilitation and sometimes provision. Depending on the underlying political theory, the relational concept of security can also be instrumental – it does not simply amount to the protection of what we already have. The politics of security could therefore embody a substantive notion of freedom and look to improve the positions in which we find ourselves.

Security as a Relational Concept

Gerald MacCallum argued that in order to understand when a person is really free, why freedom is important and what freedom depends upon, it is necessary to identify three contextual factors: whose freedom is in question, what the agent is free from (the preventing condition) and what the agent is free to do, not do, become or not become.[28] In other words, meaningful discussions of freedom need to be placed in context and based upon the appropriate information. It is argued here that the same can be said for security. Meaningful discussions of security rely upon appropriate contextual information about whose security is in question, which value or interest is to be secured, which risk or threat is posed and who is best placed to protect and provide. The concept of security itself does not contain this information. Security is a relational concept because it describes the relation between these four factors and derives its meaning, in any particular context, from them.

A parallel point has been made by Digeser, who puts forward what he calls a formal notion of security. A substantive notion of security (which is the mainstream approach) would see this information as part of the concept of security itself:[29]

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[28]GC MacCullum Jr 'Negative and Positive Freedom' (1967) *Philosophical Rev* 312-334 319

[29]P Digeser 'The Concept of Security' (Presented at the Annual Meeting of the American Political Science Association 14 September 1994) (obtained from author) 8

Under the mainstream approach ... Once we have arrived at an appropriate understanding of persons, states, systems, or institutions, then the meaning of the word will be settled. An alternative possibility is to understand security entirely as a formal concept. ... The problem with the mainstream approach is that it attempts to import a fixed content into a term that necessarily permits variability.

The formal concept of security amounts to the 'reasonable expectation that something of value is going to persist in one's possession into the future'.[30] Digeser illustrates this formal notion of security by reference to the formal notion of equality according to which 'to treat A and B equally is to treat them according to one and the same rule'.[31] The substantive moral content of equality derives from other values. The same can be said for security.

Digeser has identified a major problem with most attempted definitions of security. However, relational is a more appropriate label than formal.[32] A relational concept describes the relations between other things. It is, in a sense, auxiliary or supporting. Describing security as a relational rather than formal concept has two advantages. In the first place, this terminology emphasises the need for more input – information about the appropriate agent, interest, threat and provider – more effectively than the formal concept. In the second place, it avoids the need for value judgments about whether or not a particular substantive concept is preferable – that sort of discussion is left where it belongs, in political theory and policy. Using the term relational rather than formal also avoids the need to engage in and draw

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[30]ibid 9

[31]ibid 8

[32]In highlighting the way in which security has been transformed into a commodity, Spitzer suggests that security is a derivative rather than a primary commodity, which is a similar point: S Spitzer 'Security and Control in Capitalist Societies: the Fetishism of Security and the Secret Thereof' in J Lowman RJ Menzies and TS Palys (eds) *Transcarceration: Essays in the Sociology of Social Control* (Gower Aldershot 1987) 43-58 51.

troublesome parallels with the debate over formal and substantive conceptions of equality, or formal and substantive conceptions of liberty. For instance, one could quite consistently combine a preference for substantive liberty[33] and substantive equality,[34] with the relational concept of security.

Bill McSweeney noticed that security has different forms – a verbal form and a nominal form. The nominal form 'promises something solid and measurable'[35] but is difficult to capture. The relational concept of security explains why. It is difficult to capture the nominal form – security – because the content is determined by context. The verbal form – to secure – is not so apt to mislead. Security does not mean anything more than 'to secure'.

The idea that security is a relational concept is not original. For example, Lawrence Freedman recognised that security is a relational concept. However, he failed to adequately explain the implications of this:[36]

> There can never be an adequate definition of security because it is an inherently relational concept. One can identify physical conditions that are more or less favourable to a secure existence, but these can only be properly assessed in relation to the capabilities and intentions of possible adversaries.

To the contrary, the fact that security is relational does not prevent us from defining it by identifying the structure of the concept. Rather, once it is recognised that security is relational, it is apparent that the structure of the concept is all that there is. The nature of the discussion will change according to the variables in question (security for whom, security of

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[33] AK Sen *Development as Freedom* (OUP Oxford 1999)

[34] AK Sen 'Equality of What' in S McMurrin (ed) *Tanner Lectures on Human Values* (CUP Cambridge 1980)

[35] B McSweeney 'The Meaning of Security' in *Security, Identity and Interests: A Sociology of International Relations* (CUP Cambridge 1999) 13-22 13

[36] L Freedman 'The Concept of Security' in ME Hawkesworth and M Kogan (eds) *Encyclopedia of Government and Politics* (2nd edn Routledge London 2003) 730-741 731-732

what, security against what, and security by whom). These contextual considerations are not part of security itself. This is where substantive definitions of security fail – they mistakenly try to define security as *including* the contextual characteristics, such as the interests to be protected and the threats to be protected against.   Debates about what sort of threats we should protect against need to take place as political debates and not conceptual debates.

André Gorz also notes the significance of the questions security 'against what?', 'for what?' and 'with what?'[37] However, once again, he does not recognise that the answers to these questions do not define security itself but rather are external contextual questions. On the other hand, David Baldwin may have implicitly identified that security is a relational concept, although he did not express it as such. Baldwin refers to the need for 'specifications that would facilitate analysing the rationality of security policy'.[38] In effect he acknowledges that security itself does not contain the information about the relevant 'specifications' which must be taken from context. The primary specifications noted by Baldwin are 'security for whom' and 'security for which values'.[39] Baldwin deliberately excludes the idea of presence or absence of threats because he prefers to focus upon the preservation of acquired values which makes the concept more broadly applicable and avoids issues over whether earthquakes (for instance) can count as 'threats'.[40]

The relational concept of security cannot operate in the abstract. Choices about whose security is relevant, which interests or values to secure, what to secure against, and who should provide protection are informed by political theories and implemented through political policies. Thus, the relational concept of security can look very different in different

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[37]A Gorz 'Security: Against What? For What? With What?' (1984) 58 *Telos* 158-168 158

[38]DA Baldwin 'The Concept of Security' (1997) 23 *Rev of Intl Studies* 5-26 12

[39]ibid 12

[40]ibid 13. McSweeney argues that natural threats do not count: B McSweeney 'A Conceptual Discussion' in
    Security, Identity and Interests: A Sociology of International Relations (CUP Cambridge 1999) 81-100 89-91

contexts, depending upon the 'politics of security', which includes both political theory and policy. The focus of most international relations discussions is at the policy level (and occasionally the level of political theory). The focus of this article is upon the analytical structure of security and not the politics of security.[41]

Contrary to common belief, security is not necessarily a conservative concept.[42] It is not necessarily about maintaining the status quo. Political theories and policies can be forward looking and can aim to secure things which we do not yet have. Security can therefore protect, facilitate and provide for the future in creative ways. The idea that security is a conservative concept merely reflects its use by people with a conservative politics of security.[43] It follows that security is not just about existential threats or about survival. As Ken Booth suggests:[44]

> Survival is an existential condition: it means continuing to exist. Survival is not synonymous with living tolerably well, and less still with having the conditions to pursue cherished political and social ambitions. For the latter, security is required, and not just survival. In this sense security is equivalent to *survival-plus* (the plus being some freedom from life-determining threats, and therefore space to make choices).

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[41]In chapter three of my doctoral thesis a political theory is discussed which could form the politics of security through which legal policy could be formed in the context of the right to security of person.

[42]cf B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 116; P Digeser 'The Concept of Security' (Presented at the Annual Meeting of the American Political Science Association 14 September 1994) (obtained from author) 11

[43]K Booth *Theory of World Security* (CUP Cambridge 2007) 109

[44]K Booth 'Security, Emancipation, Community' in *Theory of World Security* (CUP Cambridge 2007) 95-111 102

When it is understood that, conceptually at least,[45] security is not just about protection against existential threats, it becomes more obvious why the 'referent object' of security, referred to in security studies literature, must be divided into 'security of whom' and 'security of what'. As well as identifying the relevant level, we must identify the relevant values and interests. It is necessary to secure our values and interests: these can be threatened or put at risk, without putting our 'selves' in a state of existential threat.

The next three sections outline the first three specifications to which the relational concept of security attaches: security for whom? security of what? and security against what? The fourth specification, security by whom? is discussed separately in the final section as this raises a particularly important point: that security is both negative and positive.

Security for Whom?

One of the main differences between security discourses is the level at which they operate. At the international level, the discourse relates to international security. One of the major purposes of the United Nations is to maintain international peace and security[46] and one of the major functions of the Security Council is 'to maintain international peace and security in accordance with the principles and purposes of the United Nations'.[47] Most of the definitions of security discussed to this point have been taken from the field of security studies where national rather than international security is in question. Security is relevant to any number of groups and has long been seen as relevant to individuals too.

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[45]Of course, certain types of threats could be prioritised on a policy level.

[46]Charter of the United Nations (signed 26 June 1945, entered into force 24 October 1945) Art 1(1)

[47]ibid Art 24(1)

Both Hobbes and Locke, for instance, were interested in security of the individual and of society.[48] Bentham and William Blackstone were primarily concerned with security of the individual.[49] Security of the individual concerns those interested in criminology and is the focus of human security programmes. Human rights law concerns itself with both national security and individual security.[50] National security can justify exceptions to individual rights[51] and derogations from human rights instruments.[52] Individual security is recognised in the right to security of person.

Of course, these levels of discourse interact, and individual security depends to a great extent upon national security and international security. As Ian Loader and Neil Walker emphasise, security is a *social* good.[53] Individual insecurity can lead to civil and ultimately international unrest, and therefore individual security can also be said to affect national and international security.[54] The important point to note is that the relational notion of security is unchanged regardless of the level at which it operates. Security is not essentially about the state or essentially about the individual: it is neutral about these choices. In order to have a

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[48]T Hobbes *Leviathan* (OUP Oxford 1998) Part II ch XVIII [9]; J Locke *Two Treatises of Government* (CUP Cambridge 2000) ch 9 [134]-135]

[49]J Bentham quoted by F Rosen's 'Introduction' to J Bentham *An Introduction to the Principles of Morals and Legislation* (Athlone London 1970) xxxvi; W Blackstone *Commentaries on the Laws of England* (Clarendon Oxford 1765) bk 1 ch I

[50]For a discussion of the relationship between security and human rights, see A Ashworth 'Security, Terrorism and the Value of Human Rights' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 203-226. See also the summary of themes in S Marks and A Clapham 'Terrorism' in *International Human Rights Lexicon* (OUP Oxford 2005) 134-358.

[51]For example, the European Convention on Human Rights Art 8(2) states: 'There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security ...'. See also Arts 9, 10 and 11.

[52]For example ibid Art 15 allows derogation in times of 'war or other public emergency threatening the life of the nation'.

[53]I Loader and N Walker 'The Good of Security' in *Civilizing Security* (CUP Cambridge 2007) 143-169

[54]Compare B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 15 and 19 arguing that individual security depends upon national security, and RN Berki *Security and Society: Reflections on Law, Order and Politics* (Dent London 1986) 8 arguing that 'personal security is really the key to modern society'.

meaningful discussion of security in any context it is therefore necessary to specify the relevant level. Which level to focus security policy upon is a political choice that will reflect any underlying political theory.

Security of What?

It is also necessary to identify what is to be secured. In Gorz's words, 'every politics of security runs into difficulty if it does not contain a fundamental answer to the questions: Who are we? What is worth defending?'[55] The relational concept of security does not presuppose which value or interest is to be secured.[56] This information is external to the concept of security. As Barry Buzan reminds us:[57]

> Security as a concept clearly requires a referent object, for without an answer
> to the question 'The security of what?' the idea makes no sense. ... One soon
> discovers that security has many potential referent objects.

It should be noted that in security studies, the 'referent object' corresponds to 'of whom'. There is no distinction in the security studies literature between 'of whom' and 'of what'. However, to conflate the two ignores the fact that both states and individuals have divergent and sometimes contradictory interests and values. Thus, a political choice must be made about which interests and values to secure.

The relational analysis of security therefore contributes an extra important feature to the conceptual framework: the split between 'of whom', the subject of security and 'of what',

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[55]A Gorz 'Security: Against What? For What? With What?' (1984) 58 *Telos* 158-168 159

[56]It is appropriate to include both value and interest in the definition. On the complexities of the relationship between values and interests see O Lee 'Value and Interest' (1945) 42(6) *J of Philosophy* 141-161

[57]B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 26

the referent object or the value or interest to be secured. It is not the state itself or the person which is to be secured, but the state's or the person's interests and values. One reason why the subject and object may have been conflated in security studies literature is the idea amongst the Copenhagen school[58] that security threats are somehow 'existential'.[59] In other words, the only type of relevant threat is that which threatens the very existence of the state or individual. The relational concept of security differentiates between those interests and values which can be threatened (the 'referent object') and the holder of those interests or values (the 'subject'). It thereby accepts the relevance of security to a wider range of threats, including non-existential threats.

For the relational concept of security, the referent object depends on the context and circumstances. Importantly, it also reflects the underlying political theory adopted. Referent objects could include threats and risk to one's way of life, means of life, rights and physical safety. These categories are not intended to be exhaustive. However, they do cater for many of the examples raised in the literature. Some see security as an issue of basic social welfare, which would be included in the means of life.[60] Others see security as an issue of core values or legal order, which would be included in threats to way of life.[61] Yet others are more

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[58]Broadly speaking, the Copenhagen school suggests broadening the range of relevant threats to include the military sector, the political sector, the economic sector, the societal sector and the environmental sector. However, it retains the focus of security upon the state, and upon the use of force as the primary mechanism to combat security risks.

[59]B Buzan O Waever and J de Wilde 'Security Analysis: Conceptual Analysis' in *Security: a New Framework for Analysis* (Lynne Rienner London 1998) 21-47 21

[60]This might include J Elster 'The Empirical Study of Justice' in BM Barry (ed) *Theories of Justice* (U of California Press Berkeley 1989) 81-98; RE Goodin *Reasons for Welfare: the Political Theory of the Welfare State* (Princeton U Press Princeton 1988); FA Hayek *The Road to Serfdom* (Routledge & Sons London 1944); M Walzer 'Security and Welfare' in *Spheres of Justice: a Defence of Pluralism and Equality* (Robertson Oxford 1983) 64-94

[61]For example, A Gorz 'Security: Against What? For What? With What?' (1984) 58 *Telos* 158-168; A Wolfers 'National Security as an Ambiguous Symbol' in *Discord and Collaboration: Essays on International Politics* (Johns Hopkins Press Baltimore 1962) 147-165

concerned with property rights or human rights.[62]   Others still are concerned with the relationship between crime and society, which would be included in threats or risk to both physical safety and way of life.[63]   Security is applicable to any such independent variables. The concept of security is not reliant on a definition of the values or interests to which it might attach. Once again, the choice of which values and interests to protect is a political and not a conceptual question. This is why Michael Walzer is able to discuss security and welfare together.[64]   The provision of social goods and the protection of these goods against threats and risks are two parts of the same idea. 'Security' itself does not determine what the social goods are. This sort of decision-making takes place on the political level.

Security against What?

The relational concept of security protects against threats and risks. In doing so, it can protect and promote a view of human freedom or well-being, as determined by the underlying political theory. The relationship, and the difference, between threat and risk are difficult to isolate, because each term is used in a variety of different senses. It may be, for instance, that a threat is simply a particular type of risk. There are three differences between threat and risk which necessitate the inclusion of both in the relational analysis of security.

Firstly, threats require a separate agent but risks do not. It is possible to put oneself at risk, either intentionally (such as extreme sports or taking a chance) or unintentionally (making a bad decision which puts one in a situation of risk). By contrast, one cannot

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[62]T Honore 'Ownership' in AG Guest (ed) *Oxford Essays in Jurisprudence* (Clarendon Oxford 1961) 107-147; JS Mill *On Liberty* (CUP Cambridge 1989)

[63]I Loader and N Walker *Civilizing Security* (CUP Cambridge 2007); L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214; L Zedner 'Too Much Security?' (2003) 31 *Intl J of the Sociology of L* 153-184

[64]M Walzer 'Security and Welfare' in *Spheres of Justice: a Defence of Pluralism and Equality* (Robertson Oxford 1983) 64-94

threaten oneself (other than figuratively) or put oneself in a position of threat. One can only put oneself in a situation in which *somebody else or something else* poses a threat. The difference is worth observing in order to note that both threat and risk belong to the relational concept of security.

Secondly, risk needs to be included because risk captures security's relationship with probability, chance or uncertainty better than threat does. While some may rely on the idea of probability or chance to a greater extent than others (for example, those who analyse risk statistically), ascertainable or not, the idea of probability or chance is integral to the idea of risk.[65] Insecurity, particularly in its subjective sense (see below) may result from risk, even if that which is risked does not come to pass. For example, a high risk investment may be described as insecure even if in the end it pays well. Insecurity stems from the *risk* (probability or chance) that the investment may not pay, rather than from the actual consequence. It would be awkward to describe this situation in terms of threat. Likewise, a student may be insecure if she is at risk of failing an examination. It would not make sense to describe her situation in terms of threat. This may explain why people often feel insecure when they are uncertain – there is a risk that things may not turn out the way they want.[66] The idea of risk accounts for the connection that many make between uncertainty and insecurity.[67] Interestingly, the German word *Sicherheit* includes three separate concepts in English: security, certainty (freedom from risk) and safety.[68] *Sicherheit* emphasises the relationship between security, certainty and risk.

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[65] cf Steele, who suggests that probability is not essential to the definition of risks and including it compromises the universality of the definition: J Steele *Risks and Legal Theory* (Hart Oxford 2004) 6

[66] ibid 6

[67] J Bentham *Of Laws in General* (Athlone London 1970) ch V [9]; RE Goodin *Reasons for Welfare: the Political Theory of the Welfare State* (Princeton U Press Princeton 1988) 201

[68] Z Bauman 'Global Law, Local Orders' in Z Bauman (ed) *Globalization: the Human Consequences* (Polity Press Cambridge 1998) 103-127 117

Thirdly, threats need to be included because threats introduce an intrinsic badness, which is at least opaque with the concept of risk. Insecurity can be but is not necessarily a bad thing. One can be insecure because of a threat (somebody holds a gun to my head) and this situation is bad whether or not the threat is carried out. The situation with risk is more ambiguous. It is arguable that a risk is only derivatively bad – it is only bad if the risk eventuates. This view emphasises the empowering properties of risk – a life with risk is a life where one can make meaningful decisions. In learning to cope with risk, one can develop one's potential by increasing one's flexibility and adaptability. For example, extreme sports are perceived by some to be valuable, despite (or even because of) the risks involved. On the other hand, some would maintain that a risk is analytically bad because a bad thing *might happen*, actual consequences aside. The premise is that a life with risk (a life where a bad thing might happen) is worse than a life without risk. It therefore takes a view that risks are negative phenomena. The attitude taken to the nature of risk will be pivotal in one's attitude towards security and insecurity. Those who embrace risk as an opportunity for development are also likely to be more accepting of insecurity. One's perspective on this issue will therefore be influenced by one's ideological position.[69]

A related question is whether all threats and risks are relevant, or only some. Buzan, for example, suggests that the relevant types of threats are physical threats, economic threats, threats to rights, and threats to position or status.[70] For Buzan only existential threats are relevant to security.[71] McSweeney, on the other hand, accepts a wide range of threats but not

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[69]Whether or not risk and moreover insecurity can ever be a good thing is beyond the scope of the present discussion. See L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214 202

[70]B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 37

[71]B Buzan O Waever and J de Wilde 'Security Analysis: Conceptual Analysis' in *Security: a New Framework for Analysis* (Lynne Rienner London 1998) 21-47 21

ones that occur naturally, which he understands to be analytically different.[72] The relational notion of security does not narrow the range of relevant threats and risks because security is merely the structure between the interests or values and the threats or risks. Whether only particular types of threats to particular types of values are deemed relevant at a *policy level* is a political decision. In principle all threats and risks are relevant to the relational concept of security. To provide just one example, Walzer writes how the purpose of a political community is to reach decisions and to provide and protect all the goods which are necessary to common life against a range or risks and threats:[73]

> Their survival and then their well-being require a common effort: against the wrath of the gods, the hostility of other people, the indifference and malevolence of nature (famine, flood, fire, and disease), the brief transit of human life.

Subjective and Objective Security

As Lucia Zedner emphasises, the pursuit of security (in the sense of implementing security protection mechanisms) increasingly appears to require the reinforcement of *public perceptions* of safety.[74] Drawing on the same idea, Steven Spitzer criticises approaches which assume 'that security can be understood without examining the hopes and fears of those who are willing, in ever increasing numbers, to purchase it in the market place'.[75] It is

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[72]B McSweeney 'A Conceptual Discussion' in *Security, Identity and Interests: A Sociology of International Relations* (CUP Cambridge 1999) 81-100 99

[73]M Walzer 'Security and Welfare' in *Spheres of Justice: a Defence of Pluralism and Equality* (Robertson Oxford 1983) 64-94 65

[74]L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214 201

[75]S Spitzer 'Security and Control in Capitalist Societies: the Fetishism of Security and the Secret Thereof' in J Lowman RJ Menzies and TS Palys (eds) *Transcarceration: Essays in the Sociology of Social Control* (Gower Aldershot 1987) 43-58 46

clear from the way that the term security appears in ordinary usage that both threats and risks can be subjective or objective. This has also been widely recognised in the literature.[76] By subjective I mean that the threat or the risk is perceived, whether or not it actually exists. I can feel at risk or feel threatened and this says nothing about whether I am at risk or I am threatened in any way. By objective, I mean that there actually is (or will be) a risk or a threat, regardless of whether or not I perceive or acknowledge it. For example, I may be asleep and not see the person pointing a gun against my head. Conversely, I may be aware of a threat, but not feel threatened by it through my own strength of character (or recklessness). There is no reason to believe that feeling threatened necessarily requires one to be threatened or vice versa. Zedner tells us that national crime surveys reveal a lack of connection between objective and subjective security, as exemplified by elderly women living alone who feel disproportionately insecure and young men at pubs who exhibit a disproportionate sense of security.[77]

The subjective aspect of security is brought out in the idea of a guarantee. 'Guarantee' is one of the meanings of security listed in the *Oxford English Dictionary*.[78] Even though insecurity may result from uncertainty, this does not mean that one can truly guarantee security. If insecurity is caused by risk or threat, then in order to guarantee security one would need to eliminate risk and threat. Given that almost everything we do carries some risk, to guarantee security would be very difficult indeed. On the other hand, perhaps

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[76] E Rothschild 'What is Security?' (1995) 124(3) *Daedalus* 53-99 61; B Buzan O Waever and J de Wilde 'Security Analysis: Conceptual Analysis' in *Security: a New Framework for Analysis* (Lynne Rienner London 1998) 21-47 29; L Zedner 'The Concept of Security: an Agenda for Comparative Analysis' (2003) 23 *LS* 153-176 155; I Loader and N Walker 'The Good of Security' in *Civilizing Security* (CUP Cambridge 2007) 143-169 157; K Booth 'Security, Emancipation, Community' in *Theory of World Security* (CUP Cambridge 2007) 95-111 105; cf DA Baldwin 'The Concept of Security' (1997) 23 *Rev of Intl Studies* 5-26 14

[77] L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214 202

[78] OUP, 'Oxford Dictionaries Online' <http://www.oxforddictionaries.com/view/entry/m_en_gb0748730#m_en_gb0748730> accessed 17 March 2011

when one talks of security as *a guarantee*, one is identifying the provider's role in providing protection *or some substitute*. When a product is guaranteed to be a certain way (a certain number of chocolates in the box for example), this does not mean that it is 100 per cent likely to be that way. Rather, if it turns out otherwise, compensation or restitution will be made. This alludes to the positive aspect of security which will be discussed below. If nothing else, it can be observed that guarantees bring with them a salience that makes people *feel* secure due to the perceived certainty that the guarantee brings. The subjective dimension of security is highly responsive to guarantees.[79]

Security by Whom? Negative and Positive Security

Security has often been understood to be a 'negative' concept. Negative security suggests that we are secure if something does *not* happen to us (or, for subjective threats, that we do not think something will happen to us). For example, Arnold Wolfers argues that '[e]fforts for security are bound to be experienced as a burden; security after all is nothing but the absence of the evil of insecurity, a negative value so to speak.'[80] This idea has been accepted by several theorists.[81]

Nevertheless, this view is only partially correct. The relational concept of security has *both* inherent negative and inherent positive characteristics. Indeed, the fact that security has positive features is implicit in Wolfers' statement above that 'efforts for security are

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[79]This may explain the Thames Valley Police Authority's previous aim to 'combat crime, disorder and fear' <http://www.thamesvalley.police.uk/news_info/info/aims.htm> accessed 15 August 2005. This statement draws upon the idea that fear is subjective and not necessarily dependent upon a decrease in crime.

[80]A Wolfers 'National Security as an Ambiguous Symbol' in *Discord and Collaboration: Essays on International Politics* (Johns Hopkins Press Baltimore 1962) 147-165 153

[81]For example, L Freedman 'The Concept of Security' in ME Hawkesworth and M Kogan (eds) *Encyclopedia of Government and Politics* (2nd edn Routledge London 2003) 730-741 731; A Wolfers 'National Security as an Ambiguous Symbol' in *Discord and Collaboration: Essays on International Politics* (Johns Hopkins Press Baltimore 1962) 147-165 153; S Spitzer 'Security and Control in Capitalist Societies: the Fetishism of Security and the Secret Thereof' in J Lowman RJ Menzies and TS Palys (eds) *Transcarceration: Essays in the Sociology of Social Control* (Gower Aldershot 1987) 43-58 47-48

bound to be experienced as a burden'. The reason for departure is that Wolfers seems to view security as an end which can be achieved. He therefore understands the positive efforts to be part of the means to achieve security but not part of security itself. The relational concept of security presented in this article challenges this perspective. It suggests that security should not be seen as an end or condition because it lacks 'content'. Positive measures are integral to the concept of security itself and are not merely means of achieving security. The positive features include the ideas of both protection and provision. This is not a context-dependent aspect of security (unlike of whom, of what, against what). Security is *inherently* both negative and positive.

I am not the first to suggest that security can be thought of positively. McSweeney makes the point in a different way, in suggesting that a parallel can be made with the concept of health:[82]

> Where health policy is oriented to the provision and use of high technology, the tendency to think of health in terms of disease and its cure is reinforced. But there are other, more positive and arguably better, ways of conceiving of health, with corresponding differences in health policy and the organization of medicine as a profession. Disease is to health what material threat is to security: a significant hazard which cannot be ignored, but not its defining characteristic.

McSweeney notes that the positive notion of security is more easily called to mind when one thinks in terms of the verb – to secure – rather than the noun.[83] The same idea is inherent in Otis Lee's discussion of values and interests, in which he claims that:[84]

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[82]B McSweeney 'A Conceptual Discussion' in *Security, Identity and Interests: A Sociology of International Relations* (CUP Cambridge 1999) 81-100 92

Security is the possession of goods which will satisfy future interests if they arise; I am secure when I have at my disposal the means to go somewhere in a hurry if I should wish to do so, to fill my stomach if I should become hungry. Here the actual itself reduces largely to the potential. And it must, so far as valuing includes an element of judgment, for the latter is, on this theory a prediction of future consequences.

The positive aspect of security helps account for the need to secure our values and interests for the future as well as to respond to unanticipated threats and risks. The reason why security is both negative and positive is that security takes into account both one's state of *security from* threat and risk and also the *positive actions* of oneself and others in protecting against threat or risk and in providing the means of ensuring the value or interest in question.

An analogy may be drawn with freedom, which some suggest includes an element which depends on one's condition and which in turn determines one's ability to pursue one's goals (positive freedom), and an element which depends on what other people do or do not do to one (negative freedom). Traditionally these have been seen as two types of freedom.[85] However, it may be preferable to see positive and negative freedom as two aspects of the whole – freedom requires both an absence of interference and the means to pursue one's goals.[86] In turn, in order to understand the value of freedom it is necessary to know both

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[83]B McSweeney 'The Meaning of Security' in *Security, Identity and Interests: A Sociology of International Relations* (CUP Cambridge 1999) 13-22 15

[84]O Lee 'Value and Interest' (1945) 42(6) *J of Philosophy* 141-161 144

[85]The classical statement is made by I Berlin 'Two Concepts of Liberty' in *Four Essays on Liberty* (OUP Oxford 1969) 166-217

[86]See MacCullum's argument that 'freedom from' and 'freedom to' are both essential parts of freedom and that those who favour either negative or positive freedom are merely emphasising one aspect rather than the other: GC MacCullum Jr 'Negative and Positive Freedom' (1967) *Philosophical Rev* 312-334 318

what we are free from and what we are free to do, to be, to not do, and to not be.[87]   John Rawls makes a similar argumentidea in suggesting that 'liberty can always be explained by a reference to three items: the agents who are free, the restrictions or limitations which they are free from, and what it is that they are free to do or not to do'.[88]   The same can be said for the relational concept of security – both an absence of threat or risk (one's condition) *and* the provision of protection are needed for one to be secure.

One way to understand the point that security necessarily includes positive elements is to think about security's converse relations or opposites: insecurity and non-security.   In practice, most (or all) of the time one is in a state of insecurity which can be greater or lesser.[89]   The extent or magnitude of threats and risks which one faces partially determines one's state of insecurity.   Attaining the conditions for complete security is rare because we can never be completely free from threats and risks.[90]   We are nearly always in a state of insecurity because everything we do is risky.[91]   Another factor is our relative vulnerability to threats and risks (both subjectively and objectively).   Some of us are less vulnerable than others, particularly to subjective insecurity.[92]   These two elements represent the 'condition' of security.   Without a secure condition, one is insecure.

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[87]ibid 329. See also Sen's substantive notion of freedom in AK Sen *Development as Freedom* (OUP Oxford 1999) ch 1.

[88]J Rawls *A Theory of Justice* (OUP Oxford 1972) 202

[89]A Wolfers 'National Security as an Ambiguous Symbol' in *Discord and Collaboration: Essays on International Politics* (Johns Hopkins Press Baltimore 1962) 147-165 cf Buzan's statement that 'The word itself implies an absolute condition-something is either secure or insecure-and does not lend itself to the idea of a graded spectrum': B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 18

[90]cf B Buzan *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (2nd edn Harvester Wheatsheaf New York 1991) 18

[91]J Gardner 'General Editor's Preface' in JC Inness (ed) *Privacy, Intimacy, and Isolation* (OUP Oxford 1992) vii

[92]Freedman refers to this as the internal aspect of security: L Freedman 'The Concept of Security' in ME Hawkesworth and M Kogan (eds) *Encyclopedia of Government and Politics* (2nd edn Routledge London 2003) 730-741 732

However, this is only part of the picture. One can also be 'not secure'. Security requires mechanisms of protection against future or unforeseen threats and risks, and depending upon the politics of security espoused, security may require mechanisms of facilitation or provision. One is not secure if there is no provision for or protection against threats and risks, *whether or not* there actually is a threat or risk. Thus, one can be simultaneously not insecure (there are no threats or risks and one is not particularly vulnerable) and yet not secure (there are no mechanisms in place for protection).

It is interesting to consider Hobbes' state of nature in this light. In the state of nature life is 'solitary, poor, nasty, brutish and short'.[93] There is no state apparatus to provide protection. One is therefore not secure. That said, one may not necessarily be insecure. For example, one may be in an isolated area, where one is completely self-sufficient and completely protected against any possible threats or risks (which Hobbes assumed to come primarily from other people and other nations). In this situation, one would not be secure (there are no mechanisms of protection), yet one would not be insecure (there is no threat or risk). RN Berki uses a similar example of 'an island in the ocean, far from everywhere, inhabited by a single individual who has gone to live there by his own choice, in his quest after perfect security'.[94] There is no provision of security other than that which he provides himself. In this situation, despite the absence of risk or threat, the person is not secure because there are no mechanisms for protection. The source of the non-security is the *absence of protection* by a social body, rather than any real or perceived threat or risk[95] that would render him insecure.

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[93]T Hobbes *Leviathan* (OUP Oxford 1998) Part I ch XIII [9]

[94]RN Berki *Security and Society: Reflections on Law, Order and Politics* (Dent London 1986) 22

[95]ibid 22 and 26

The fact that security is inherently both positive and negative also reinforces the idea that security is a social concept – it cannot be achieved by independence, even if this entails the neutralisation of risks and threats.[96] This is partly because one can rarely protect against future risks alone. In fact, Loader and Walker would go further and suggest that security is constitutive of our sense of community.[97] The extent to which the positive features of security require provision as well as protection will depend on the political theory espoused. For example, a conservative political theory which aims to preserve the status quo for the future might only result in duties of protection. However, a theory based on a substantive notion of freedom or aiming to further social change might require duties of provision. In other words, if one's political theory aims to *increase* the well-being of individuals rather than preserve the status quo, the policies of security will need to include duties of facilitation or provision.[98]

These examples not only help us understand the relationship between insecurity, non-security and security, but also point to an important feature of security: the provider of protection. It is the idea of protection which makes security an inherently positive concept (not forgetting that security is also inherently negative). This idea of a provider is integral to the concept of security. Without it, we simply have non-security. The provider of protection serves to lessen the threat or risk (objective sense) and to quash fears of threat and risk (subjective sense). As suggested above, however, the presence of a security provider can

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[96]ibid 22-23

[97]I Loader and N Walker 'The Good of Security' in *Civilizing Security* (CUP Cambridge 2007) 143-169

[98]In chapter three of my doctoral thesis, the 'Capabilities Approach' is put forward as a theory of personhood upon which to base the right to security of person: MC Nussbaum *Frontiers of Justice: Disability, Nationality, Species Membership* (Belknap Press Cambridge, Mass 2006); MC Nussbaum *Women and Human Development: The Capabilities Approach* (CUP Cambridge 2000); AK Sen *Commodities and Capabilities* (North-Holland Amsterdam 1985); AK Sen *Development as Freedom* (OUP Oxford 1999). This approach requires positive duties of provision as well as protection in order to secure the essential capabilities, which may be threatened, at risk, or simply non-existent. A similar idea is proposed in S Fredman 'The Positive Right to Security' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 307-324.

sometimes have the opposite effect with regards to subjective security, as it can increase the perceived immediacy of the threat or risk.[99] If policies are designed to cater to subjective security concerns, providing more visual security protection may not always be effective. Sometimes the provider of protection can have the opposite effect with regards to objective security too.

Discussions of security often assume that the provider of security would be the state. The relational concept of security does not specify whether this needs to be so. Indeed, until the mid 19th century in Britain, protection was provided by local initiatives, rather than a national police force.[100] Moreover, there is a current shift towards the commoditisation and privatisation of security, which coincides with a loss of state control over the provision of protection.[101] Loader and Walker's work may be partly a reaction to this – they wish to reassert the positive role of the state in civilising security.[102] However, the identity of the provider is really one of the context-dependent variables. To take just one example, in the context of the legal right to security of person, there is no reason to assume that the state is the only provider of security. Decisions about who should protect, facilitate and provide are made on a policy level, and informed by political theory. This is determined by one's theory of rights, not the concept of security.

In summary, some accounts of security focus on the negative aspect of security (freedom from something) and some focus upon the positive aspect (the provision of something or the protection of something). Both of these aspects are essential to the

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[99] B McSweeney 'The Meaning of Security' in *Security, Identity and Interests: A Sociology of International Relations* (CUP Cambridge 1999) 13-22 13

[100] L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214 203-206

[101] S Spitzer 'Security and Control in Capitalist Societies: the Fetishism of Security and the Secret Thereof' in J Lowman RJ Menzies and TS Palys (eds) *Transcarceration: Essays in the Sociology of Social Control* (Gower Aldershot 1987) 43-58

[102] I Loader and N Walker 'Uncivil Security?' in *Civilizing Security* (CUP Cambridge 2007) 7-31 25

relational concept of security. If we faced no threats and no risks but had no protection against future threats and risks, we would not be secure. Neither would we be secure if we had an effective security service, but still faced enormous threats and risks. However, the extent to which the positive aspect of security includes provision as well as protection will depend upon the underlying political theory.

Conclusion and Applications

This article put forward a conceptual analysis of security, building upon the most promising features of other existing theories. The central argument is that security is a relational and not a substantive concept. This makes the notion of security flexible and means that intelligible conversations about security need to be put in context and based upon a political theory. The relational concept of security can therefore be instrumental to furthering social change to protect, facilitate provision and provide for the future. For example, we can have meaningful and conceptually correct discussions about food security or security from environmental threats.[103] The relational concept of security is inherently negative and inherently positive. It is best thought of in verbal form – to secure – rather than nominal form – security – because the nominal form is apt to mislead and to imply that security is a concept of substance.

It is hoped that this article can provide a framework within which applications of the concept of security can be made. The discussion was deliberately kept abstract, in line with the usual approach to conceptual analysis and thus should be applicable to all a wide variety of fields which use the concept of security. Whilst the analysis drew upon the best attributes of previous attempts to define security, the outcome is nevertheless unique. For example, the focus upon the interests protected and the separation of the 'referent object' between the person and their interests has not played a part in discussions of security in international

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[103]In chapter 4 of my doctoral thesis, I discuss the wide range of interests which could in theory be secured by a right to security of person.

relations. These ideas are extremely important in the field of human rights law, in which it is commonly believed that rights are based upon interests. For example, this theoretical framework can be used to develop an improved understanding of the right to security of person, the jurisprudence about which is in-cohesive.[104]

There has been a proliferation in recent years of discussions about the nature and breadth of the discipline of security studies. Nevertheless, although the discussions purport to discuss the concept of security, upon closer analysis, the meaning of the term 'security' itself often seems to be taken for granted. The structure put forward in this article could therefore help clarify the debates as to the nature of that discipline. For example, the analysis shows that the agent may be, but is not necessarily, the state, and that security may relate to, but is not necessarily limited to, military threats. Equally, it provides the conceptual tools for discussions about broadening the sort of interests protected by state security policies. Whilst these debates are already taking place in security studies,[105] the conceptual analysis can contribute to them by clarifying that many of these debates are really about *policy priorities* rather than about the nature of security, as they sometimes purport to be. There is nothing about 'security' which precludes any of the suggested extensions of security studies. The conceptual analysis is equally relevant to criminological debates about security and the 'security industry'.[106]

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[104]This was the purpose of my doctoral thesis. For a summary of the legal right, see S Fredman 'The Positive Right to Security' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 307-324; L Lazarus 'Mapping the Right to Security' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 325-346

[105]Compare K Booth *Theory of World Security* (CUP Cambridge 2007) and B Buzan O Waever and J de Wilde *Security: A New Framework for Analysis* (Lynne Rienner London 1998). See the summary in P Hough 'Security and Securitization' in *Understanding Global Security* (Routledge London 2004) 1-20

[106]For example, I Loader and N Walker *Civilizing Security* (CUP Cambridge 2007); I Loader and N Walker 'Policing as a Public Good: Reconstituting the Connections between Policing and the State' (2001) 5(1) *Theoretical Criminology* 9-35; L Zedner 'The Concept of Security: an Agenda for Comparative Analysis' (2003) 23 *LS* 153-176; L Zedner 'The Pursuit of Security' in T Hope and R Sparks (eds) *Crime, Risk and Insecurity: Law and Order in Everyday Life and Political Discourse* (Routledge London 2000) 200-214; L Zedner 'Too Much Security?' (2003) 31 *Intl J of the Sociology of L* 153-184

More generally, this conceptual analysis highlights the need for specificity in claims about measures to improve security. The structure of security itself means that any such measures need to identify what threat or risk is at hand, what values or interests are to be secured, whose security is at stake, and who will protect it. At times the rhetoric of security can support otherwise unacceptable policies such as compulsory conscription into the army,[107] the suspension of civil liberties[108] and the detention of aliens.[109] The rhetoric of security also limits the courts' willingness to examine some governmental action.[110] A clearer conceptual framework would increase transparency and discourage hiding behind vague notions such as 'security' in order to increase governmental power and curb civil liberties.[111] This is timely, given the way in which security has become a priority over the last ten years. The assertion of security as a relational and not a substantive concept draws doubt into the meaning of 'security' in its nominal form: security itself should not be the focus of policy debate. It is more important to ask questions about our values and interests and the way in which they can be protected and promoted for the future.

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[107]National Service (Armed Forces) Act 1939

[108]Defence of the Realm Act 1914; Defence of the Realm Regulations 1914

[109]Immigration Act 1971

[110]*Council of Civil Service Unions v Minister for the Civil Service* [1985] AC 374 (HL). It may be that Courts are becoming increasingly willing to question deprivations of rights in the name of security: *Secretary of State for the Home Department v E* [2007] UKHL 47; [2007] 3 WLR 720, *Secretary of State for the Home Department v MB* [2007] UKHL 46; [2007] 3 WLR 681, *Secretary of State for the Home Department v JJ* [2007] UKHL 45; [2007] 3 WLR 642, *A v Secretary of State for the Home Department (No 2)* [2005] UKHL 71; [2006] 2 AC 221, *A v Secretary of State for the Home Department* [2004] UKHL 56; [2005] 2 AC 68. See the criticism of the ungrounded approach to deference taken by the courts in D Dyzenhaus 'Deference, Security and Human Rights' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 125-156

[111]A Ashworth 'Security, Terrorism and the Value of Human Rights' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 203-226; L Zedner 'Securing Liberty in the Face of Terror: Reflections from Criminal Justice' (2005) 32(4) *J of L and Society* 507-533; L Zedner 'Seeking Security by Eroding Rights: The Side-stepping of Due Process' in L Lazarus and B Goold (eds) *Security and Human Rights* (Hart Oxford 2007) 257-276