

SOCIAL HARM

Some scholars – notably in and around what is known as ‘critical criminology’ – have argued that a disciplinary approach organised around a concept of ‘social harm’ may be more theoretically coherent and more progressive politically than a discipline organised around the state-defined notion of crime. An early statement of this approach, drawing on sporadic, but longer term work in and around criminology, can be found in Hillyard et al, (2004). Herein a social harm approach was considered in theoretical and methodological terms, and applied to a broad range of areas of social life, from migration to murder, to violence and victimisation.

Several clusters of rationales were set out to establish a social harm approach as distinct from criminology. Crime, it was argued, has no ontological reality, but is a category which has to be constructed through law’s complex (and often incoherent) reasonings, and reconstructed through the practices of institutions and agencies of the criminal justice system (Hillyard et al, 2004). Moreover, such constructions of crime simultaneously encompass many petty events and exclude many serious harms. Further, the category of ‘crime’ gives legitimacy to the expansion of crime control – that is, supports the extension of processes which, on any stated rationale for them, do not work, but consistently inflict pain, indeed generate social harm. Overall, ‘crime’ serves to maintain power relations and that criminology, through its perpetuating of the myth of crime, fuelled all of these processes.

Importantly, it was further argued that criminology, since its very inception, has enjoyed an intimate relationship with the powerful. This relationship is determined largely by its failure to analyse adequately the notion of crime – and disciplinary agendas set by this – which has been handed down by the state, and around which the criminal justice system has been organised. For some involved in this project, a social harm approach was designed as a corrective to the limitations of criminology; for others, it was an explicit attempt to develop a new discipline, quite separate from criminology, namely ‘zemiology’, with its etymological roots in ‘xemia’, the Greek word for harm.

Since the publication of Hillyard et al’s (2004) edited collection, numerous attempts to engage with the approach set out therein have emerged. One stream of work has sought to develop and operationalise a harm framework in the context of addressing harms caused by criminal justice systems and practices (Greenfield and Paoli, 2013). Others have attempted to develop distinct ontological approaches to defining harm, such as Yar’s (2012) framing of social harm within theories of recognition, or to develop a general theory of harm via analyses of narrative accounts of a diverse range of harming and being harmed (Presser, 2013). Other responses have been to dismiss social harm claims as over-introspection, as being clear what is opposed rather than what is proposed, or as a redundant since these add nothing to what critical criminologists already do.

Recently, and notably, Pemberton (2015) has sought to refine the definition of social harm. Pemberton (2015, p 9) defines harms ‘as specific events or instances where ‘human

flourishing' is demonstrably compromised', a definition very much rooted within Doyal and Gough's (1991) needs framework. This in turn generates a proposal that these harms can be categorised as 'physical/mental health harms; autonomy harms; relational harms' (Pemberton, 2015, p 9). In terms of the 'social', 'socially mediated' harms are viewed as 'preventable harm' insofar as they are either 'foreseeable' events or the result of 'alterable' social conditions (Pemberton, 2015, pp 9-10). This leads him to argue that harms are not inevitable but are determined by the forms of organisation our societies take. In this way, he introduces the notion of 'capitalist harm' - harms that are inherent to the capitalist form of organisation – and develops a useful typology of harm reduction regimes, which draw upon, but supplement, a combination of existing varieties and models of capitalism literatures, and groups nation states according to the harm reduction/production features they demonstrate.

A social harm approach is very much a work in progress. There remain key issues with the definition of 'social harm', its theoretical justification, ontological bases, and its operationalisation.

STEVE TOMBS

See also: Zemiology

Readings

Doyal, L. and Gough, I. (1991) *A theory of human need*. Basingstoke: Palgrave Macmillan

Greenfield V. and Paoli L. (2013) A framework to assess the harms of crime, *British Journal of Criminology*, 53(5): 864-885.

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Presser, L. (2013) *Why we harm*. New Brunswick: Rutgers University Press.

Yar, M. (2012) 'Critical criminology, critical theory, and social harm', in S. Hall and S. Winlow (eds) *New directions in criminological theory*. Abingdon: Routledge, pp.52-65.