Chapter 12

Erifyli Bakirli
Panteion University, Greece

ABSTRACT

This chapter reviews the way “home confinement with electronic monitoring” is widespread internationally as an alternative penal sanction to imprisonment, in the globalization era. More specifically, the globalization of criminal activity, the emergence of new forms of criminal behavior, the privatization of anticrime policy, and the appearance of “modern governance of security,” all have allowed technology to infringe into social control of crime. The chapter explores the conception of the idea of a constant electronic surveillance system of offenders into their private space in the late 60s. Since then, such form of punishment has expanded to many penal systems all over the world, having greater appeal in Great Britain than elsewhere in Europe. Greece, following the developments described above, enacted Law No 4205/2013 and therefore, the parameters of the Greek pilot program of electronic monitoring are examined. Finally, the chapter considers all possible violations to ‘prisoners’ fundamental rights and to those residing with them.

DOI: 10.4018/978-1-5225-9627-1.ch012
Economic globalization¹ and a technocratic perception of security that characterize modern societies, have limited states’ ability and power to exert successfully anticrime policy. Given that criminality has been globalized too, as well as the appearance of ‘new’ forms of criminal activities (such as electronic crimes), may confirm Robert Martinson’s article of 1974 that ‘nothing works’, referring to the inadequacy of traditional penal mechanisms’ (such as police and justice) to guarantee security (Crawford, 2003, p. 483).

Thus, ‘governance of security’¹ has emerged, being increasingly complex. On the one hand, states continue to have a major role in security governance and thus the state sector of criminal justice is more extensive than ever. On the other hand, a growing pluralization of security governance is evident. Estimates suggesting that commercial police outnumber public police all over the world (by a ratio of almost two to one in Britain (Johnston & Shearing, 2003, p. 145), two to one in India (Kempa et al., 1999), between two and three to one in North America (Johnston & Shearing, 2003, p. 145), five to one in Hong Kong (Johnston & Shearing, 2003, p. 145) and between five and seven to one in South Africa (Johnston & Shearing, 2003, p. 145).

This pluralization or “multilateralization”² of security governance has been explained, primarily, in terms of ‘devolution’ or ‘dispersal’ of certain state’s policing functions to the non-state sector under neo-liberal conditions (Johnston & Shearing, 2003, p. 145). Thus, it has been claimed that an increasingly ‘hollowed-out’ state (Rhodes, 1994) has employed privatization policies to disburse some ‘peripheral’ security functions to the commercial sector, leaving ‘core’ functions in the hands of state police (Johnston & Shearing, 2003, p. 145). While it is certainly true that the state has played a key role in its own ‘self-deconstruction’, exercising strategies of ‘rule at a distance’ in order better to demarcate core (‘steering’) functions from peripheral (‘rowing’) ones (see Osborne & Gaebler, 1992), what has occurred is far more complex than the mere devolution of state functions under the pressures of neo-liberalism (Johnston & Shearing, 2003, p. 145).


---

¹ Economic globalization
² Multilateralization
³ Governance model
⁴ TREVI group
Facilitating Multicultural Student Team Engagement in Higher Education: A Model for Digital Learning Environments
Soo Jeoung Han, Carla Liau-Hing and Michael Beyerlein (2020). Multicultural Instructional Design: Concepts, Methodologies, Tools, and Applications (pp. 1387-1413).
www.igi-global.com/chapter/facilitating-multicultural-student-team-engagement-in-higher-education/231405?camid=4v1a