

Contents

1. Setting the Problem: Liberal Criminal Law and the Preventive Turn	1
The Problem of Preventive Criminal Law	4
The Paradoxes of Liberal Law	11
Methodological Framework: Criminal Law and Ambivalence	16
2. Criminal Subjectivity and Socio-Political Imagination	23
The Subject of Criminal Law: Between Responsibility and Dangerousness	25
The Liberal Imaginary of Criminal Law: Citizenship, Civilization, and the Problem of Insecurity	35
The Boundaries of Responsible Subjectivity: Between Insecurity and Reassurance	44
Conclusion	48
3. Liberty, Insecurity, and the Conceptual Foundations of Reassurance	51
The Paradox of Punishment	54
The Natural Condition of Insecurity	64
The Vulnerability of Individual Liberty	73
Conclusion	78
4. Mutual Benefit, Property, and the Conceptual Foundations of Trust	81
Law and Liberty: Locke's Naturalization of Trust	83
The Inconveniences of Insecurity: From Punishment to Prevention	94
The Ends of Political Society: Criminal Law and Civil Order	101
Conclusion	108
5. Civil Society, Dangerousness, and the Ambivalence of Liberal Civil Order	109
The Civil Dynamic between Nature and Society	110
Abstract Responsibility, Concrete Dangerousness: Hegel's Dialectics of Crime and Punishment	116

Individualizing Responsibility, Socializing Dangerousness: Bentham's Ambivalent Criminal Law	127
Conclusion	133
6. Retrieving Subjectivity: Criminal Law, Terrorism, and the Limits of Political Community	135
Punishment, Communication, and Recognition	137
The Process of Recognition	143
The Limits of Community	152
Conclusion	164
7. The Preventive Turn: An Ambivalent Law in an Insecure World	167
The Conditionality of Democratic Citizenship	168
Social Unravelling, Insecurity, and the Radical Ambivalence of Prevention	178
The Perplexities of Criminal Law	184
Conclusion	187
Epilogue: Criminal Law, Prevention, and the Promise of Politics	189
<i>Bibliography</i>	193
<i>Index</i>	203