Newsletter of the *European Society of Criminology*

CRIMINOLOGY IN EUROPE

Jan van Dijk on Victimisation Surveys

Rossella Selmini

REFLECTIONS ON THE BURQINI AND PUNITIVENESS IN EUROPE

A year ago, when I was a candidate to become President of the ESC, I wrote in this newsletter that one of my current research interests—and one of my concerns as a citizen and as a woman—was the increasing use of civil and administrative ordinances to criminalise statuses, behaviours, and situations in urban spaces. Recent efforts to forbid Muslim women to wear burqinis on European beaches vividly demonstrate the dangers and problems.

In recent years, many European countries have enacted laws and rules that authorise local institutions, usually—at least in continental Europe—mayors, to issue ordinances that prohibit and punish behaviours. The underlying assumptions are that the behaviours are potentially dangerous and 'criminogenic', even if not criminal in themselves. Examples include the well-known Anti-Social Behaviour Orders in England and Wales in the first decade of the 2000s; the Italian 'ordinanze amministrative', the Spanish 'ordenanzas de civisme', and the French 'Arretés municipaux'. These are not fundamentally different from 'civility laws' and banishment orders in US cities.

A recent special issue of the *European Journal of Criminology* on 'The Renaissance of Administrative Orders and the Changing Face of Urban Social Control', which Adam Crawford and I edited, puts these regulations into comparative perspective. The articles pay attention to inter-connections between different types of administrative orders and the challenges they collectively present to established theory, research, and practice. National case studies report on developments in England and Wales, France, Spain, Italy, Belgium, and the United States.

The articles demonstrate that these new administrative orders and ordinances in Europe and the United States often target women's rights; stigmatise immigrants and undermine their chances for integration; and banish or in diverse ways make life harder for marginal social groups and young people. In many cases the orders substantially or potentially increase control and punitiveness in our societies and reinforce penal populism.

There is, of course, a great difference between Anglo—American laws and regulations and continental European administrative rules in terms of their legal nature, their enforcement, and their penal consequences. Despite these differences, however, these measures share some relevant common features.

First, they are part of a broader tendency to increase the regulation of social problems and various forms of disorder at the urban level by increasing

state controls and increasing the possibility of criminal sanctions. Political discourses everywhere present the orders as more effective (and faster) alternatives to criminal procedures. In practice, the result, as many studies have shown, is to increase the role and the strength of traditional, authoritative criminal justice measures. The orders are often welcomed by the punitive popular culture that they embody and are strongly supported by governments and political cultures that, in many European countries, are shifting towards more punitive approaches.

Second, they are everywhere characterised by 'legal hybridity', which is described well by Katherine Beckett and Steve Herbert in their seminal 2010 book, *Banished: The New Social Control in America*. These orders are hybrids because they are mostly grounded in civil or administrative powers on their face, but their violation frequently results in criminal sanction (always in the Anglo-American systems, but only sometimes in the continental European systems). This mechanism is well described by Andrew Simester and Andreas von Hirsch as 'two-step criminalisation'.

These orders interact with criminal measures in different ways. They criminalise behaviours that were once considered only to be social problems or disorders, but that now are considered to be 'undesirable' features of urban life. In effect, they also re-criminalise behaviours, such as begging and prostitution, that had been de-criminalised in many countries. They increase the stop and search powers of the police, and they anticipate future criminalisation through the criminal laws. In all these ways, the new orders do not result in fewer criminal justice measures, but in more criminal regulations and increased punitiveness.

Third, and not surprisingly, they suffer from an 'expansion syndrome' that broadens the 'targets' of these regulations in almost unlimited ways. The most common targets are, everywhere, the same people and the same situations: sex workers, homeless people, roma, immigrants, young people (and their 'disturbing' life-styles), children, and owners of animals.

Extreme examples have become famous and are a reason for criticism by the most liberal newspapers and commentators. These include prohibitions on wearing some kinds of dress—for example, short skirts or 'weird' dresses in some Italian mayors' orders—or putting up posters about lost cats, feeding wild animals, playing football in the street, throwing rice during wedding ceremonies, or decorating gardens with gnomes. Not rarely, this expansion in targeting behaviours goes hand in hand with a shift in regulation from public spaces to private spheres.

This is the background of the 'anti-burqini' rules established last summer by some French mayors, with the support of prime minister Manuel Valls. The municipal orders that prohibited Muslim women from wearing the burqini on the French beaches attracted substantial attention and criticism, both within and outside of France. But it was not the first time that such orders were issued. It happened in Italy in 2008 when 'anti-burqa' and "anti-burqini" ordinances were issued that constituted symbolic attacks on immigrants' costumes, religious beliefs, and traditions.

In practice, enforcement of these orders has been very weak and they have been successfully challenged in administrative and criminal courts (as happened in France, finally, this summer). However, there are few doubts that they contribute to alarmist campaigns against 'invasions' by immigrants from other countries and that they reinforce and increase anti-foreigner sentiment in European societies. This is not exactly what European societies need in these difficult times.

The burqini cases—like the 'anti-prostitution' ordinances—do not raise issues only about legal rights and ethnicity. They are also on matters of gender in many different ways. They dictate what is 'proper' for a woman to wear and they establish the preeminence of the Western bikini over a different bathing costume. We know from research on similar orders in Italy that they result in Muslim women withdrawing even more from public spaces than they otherwise would. Anti-prostitution orders have similar perverse effects; they make prostitutes more invisible and more vulnerable, as fascinating ethnographic work in Spain by Carolina Villacampa demonstrates.

That's why I said, at the beginning of this message, that I am concerned as a criminologist, as a European citizen, and as a woman.

I believe that criminologists who want to play a critical role in society should engage in research and activism on these issues and alert the scientific and political communities about the risks of over-reaching regulation of people's behaviour and ultimately of increasing criminalisation. As a citizen and as a woman, I think we should be happy to see Muslim women bathing in the Mediterranean Sea, in whatever clothes they choose, rather than dying trying to cross it.

Rossella Selmini is Professor of Criminology at the University of Minnesota Law School, Minnesota, USA, and the President of the ESC .

Jan Van Dijk

ILLUMINATING THE DARK FIGURE OF CRIME: VICTIMISATION SURVEYS AND BEYOND

ACCEPTANCE SPEECH AT THE AWARD CEREMONY OF THE EUROPEAN CRIMINOLOGY AWARD IN MUENSTER, GERMANY, SEPTEMBER 23 2016

OPENING REMARKS

Before I say anything else, let me first thank the jury for its decision to bestow on me the European Criminology Award for lifelong contribution to criminology in Europe. I have, as mentioned, received other professional honours, including the Sellin-Glueck and the Stockholm Criminology Prize, but, indeed, for a European criminologist, the European Award is special.

In particular, I want to thank Michael Tonry, the chair of this year's jury, for his eloquently-drafted and personalised jury report, highlighting some of my achievements. And I want, of course, to wholeheartedly thank my compatriot, Catrien Bijleveld, for her kind and flattering words on this happy occasion. Thank you all very much!

It seems a sort of tradition for the winners of this award to use this occasion to look back extensively at their professional careers. I hope you will agree with me that this would be inappropriate in my case. I am, as Michael just hinted, still far too young for such a retrospective. Rather than looking back, therefore, let me share with you some results of ongoing research, and, tell you about my plans for the future.

ESTIMATING THE DARK FIGURE OF CRIME

A constant feature of my criminological work has been the effort to estimate the true volume of crime. This started with my 1974 supervision of the first full-fledged national victimisation survey in Europe, the *Landelijke Slachtofferenquete Misdrijven* (National Crime Victimization Survey) of the Netherlands. This survey subsequently evolved into the International Crime Victims Survey (ICVS), which has been carried out in over 80 countries at least once since 1988 (Van Dijk, Van Kesteren & Mayhew, 2014).

Why is it so important, one could ask, for governments to know how many crimes are actually committed against their populations? First, crimes often inflict harm on ordinary people, and that could and ought to be prevented. Many, if not most, of these crimes are never recorded by the police, and victims of these 'dark numbers' are unlikely to be offered any kind of services or specialised support. This, one could argue, is the basic victimological perspective on measuring the dark figure of criminal victimisation.

In addition, during my years at UNODC I have become convinced that organised crime, human trafficking, corruption and terrorism negatively impact the prosperity and welfare of national populations in a myriad ways. This was expressed in the subtitle of my book, informed by my seven years at the UN, *The World of Crime*, published by Sage in 2008 (Van Dijk, 2008). The subtitle was 'Breaking the silence on the problems of security, justice and development across the world'. The message of the book—that rampant crime hampers sustainable development—has attracted less attention from my fellow criminologists than I had hoped for (Van Dijk, 2010). On a more positive note, it was picked up by experts at the World Bank and others analysing the macro factors impeding human development (Wenmann &. Muggay, 2010). In 2011, the overarching theme of the World Bank's Development report focused on the relationships between conflict, security and development (World Bank, 2011). The report presented new evidence that, as argued in my book, high levels of serious crime impede economic growth, mainly by consuming scarce tax revenues and deterring foreign and domestic investment. In fact, the report shows that over the past 25 years, while poverty is declining globally, the countries most affected by organised crime and violence have been lagging behind in achieving development goals.

This summer, in August 2016, the United Nations's Economic and Social Council (ECOSOC) adopted the 2030 Agenda for Sustainable Development, comprised of 17 Sustainable Development Goals (SDG). Goal 16 specifically addresses the need for effective crime prevention and peace-building, indicating the need to:

■ promote peaceful and inclusive societies for sustainable development,

- provide access to justice for all and
- build effective, accountable and inclusive institutions at all levels.

The adoption of this SDG is, in my view, a belated but most welcome acknowledgement by the world community of the vital importance of effective and humane crime prevention for human development. Fifteen years ago such acknowledgment would have been almost unimaginable. Crime prevention was, much to the chagrin of senior UNODC staff at the time, not even footnoted in the Millennium Development Goals adopted in 2000. At the ECOSOC Summit, the United Nations not only adopted the new Sustainable Development Goals but also reached agreement on the set of indicators by which the progress of the SDGs will have to be monitored. At the advice of some of my former colleagues at UNODC, the indicators to measure SDG 16 include several key findings of victimisation surveys, eminently those of the ICVS:

- 16.1.3 Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months

- 16.1.4 Proportion of population that feels safe walking alone around the area they live
- 16.3.1 Proportion of victims of violence in the previous 12 months who reported their victimisation to the police
- 16.5.1 Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months

The adoption of these indicators is, therefore, most likely to increase global interest in subsequent rounds of the ICVS. After an extensive fifth round of the ICVS in 2005, the project has struggled to raise sufficient funding, largely due to the unfortunate decision of the European Parliament to block Eurostat's well-prepared plans to carry out an adjusted version of the survey in all member states in 2013.

In the meantime the ICVS has since 2010 been duly conducted in 20 different countries from various world regions, namely in:

- Bulgaria (2014), Denmark (2010), Estonia (2010), Germany (2010), Luxembourg (2013), The Netherlands
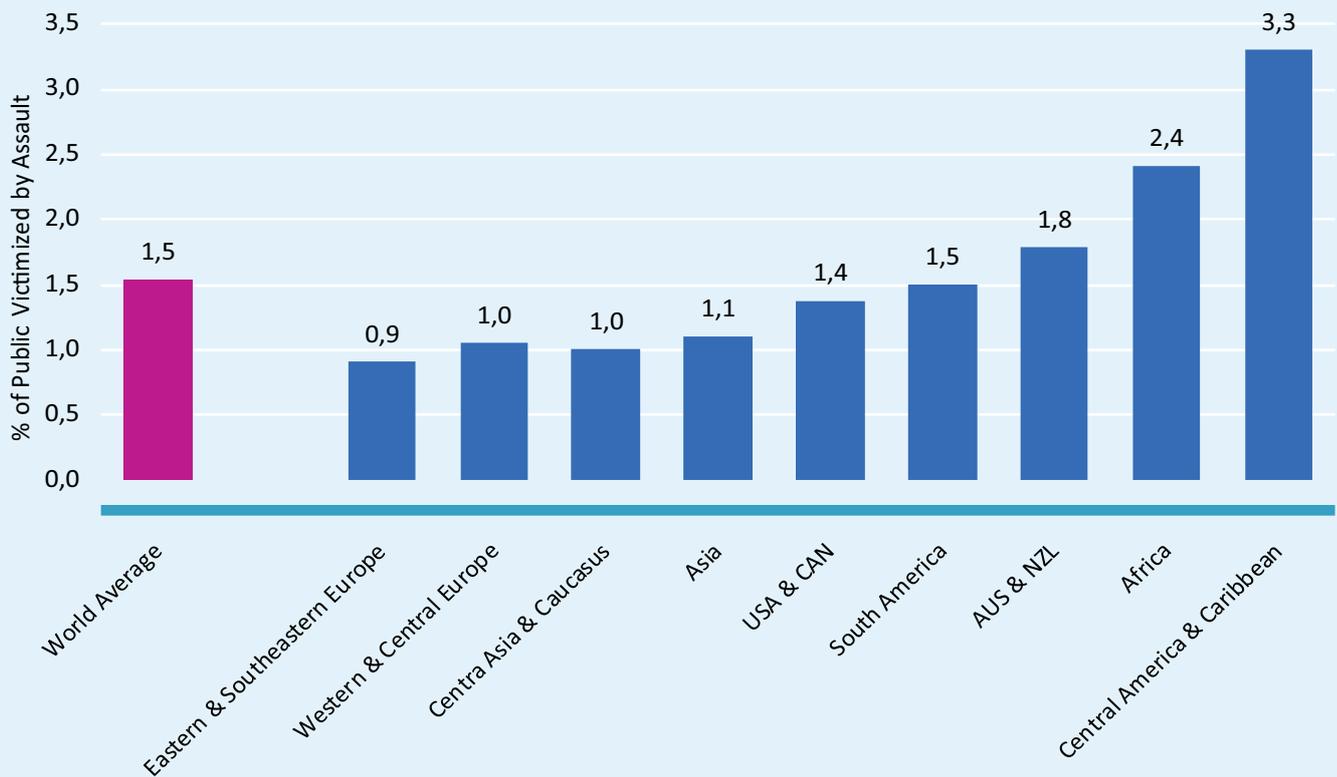
Board Members and President: Nominations and Applications Sought

The nomination and application process for at-large board memberships and the presidency to be elected at the 2017 Annual Meeting in Cardiff is now open. Members are encouraged to nominate others or apply themselves.

Nominations and application shall be sent to the Executive Secretary by not later than 31st March 2017.

Figure 1 Percentages of the Public Victimized by Assaults, by World Region

% of Public Victimized by Assault

Region	Value
World Average	1,5
Eastern & Southeastern Europe	0,9
Western & Central Europe	1,0
Centra Asia & Caucasus	1,0
Asia	1,1
USA & CAN	1,4
South America	1,5
AUS & NZL	1,8
Africa	2,4
Central America & Caribbean	3,3

Source: ICVS 1995–2015/latest available/University of Lausanne

Figure 2 One year prevalence rates of violent crime in the Caribbean

One year prevalence rates	Robberies with knives	Robberies with guns	All robberies	Assaults & threats with knives	Assaults & threats with guns	All assault & threats
Greater Bridgetown (Barbados)	0.5	0.4	1.9	1.0	0.5	6.1
Kingston Metropolitan Area (Jamaica)	0.4	1.3	2.9	1.9	1.1	8.3
New Providence (Bahamas)	0.6	1.4	4.0	0.8	1.9	8.8
Paramaribo (Suriname)	o.4	0.4	1.5	0.6	0.6	4.9
Port of Spain Metropolitan Area (Trinidad and Tobago)	0.6	1.4	3.5	1.8	1.8	5.8
Average for the Caribbean	0.5	1.0	2.7	1.0	1.2	6.8

Source Caribbean crime surveys/Interamerican Development Bank report 2016/forthcoming

(2010), Sweden (2010), Switzerland (2015), and United Kingdom (2010)
- Georgia (2013), Kyrgyzstan (2015) and Kazakhstan (2016)
- Canada (2010) and Brazil (2012)
- China (Beijing)(2014)
- Bahamas, Barbados, Jamaica, Suriname, Trinidad and Tobago (2014/2015)[1]

The latest round of surveys conducted in developing nations has confirmed the potential of the ICVS to estimate not only the levels of frequently-occuring property crimes but also of various forms of serious violent crime as well. For example, Figure 1 presents the percentages of respondents victimised by assaults per world region according to the latest available ICVS results.

The results of the Caribbean surveys have also confirmed the survey's potential to estimate rates of victimisation by sub-categories of violent crime such as weapons-related violence, as shown in Figure 2.

An innovation in the latest ICVS round is a module on victimisation looking at the crime of bride-kidnapping in a USAID-funded survey in Kyrgyzstan. Through a questionnaire completed by the survey subjects themselves as

the final part of face-to-face interviews, married female respondents were asked confidentially whether they had been kidnapped by their husband. Figure 3 presents the results.

According to the survey's findings, almost four percent of married women in the country reported having been kidnapped by their husbands without a prior understanding. A separate question posed to all respondents in the same survey showed that a large majority of the population is somewhat or very worried that "*a daughter / granddaughter / sister will be kidnapped by someone for marriage (bride stealing)*". These questions have also been included in a new ICVS-based survey in Kazakhstan, funded by the European Commission, to be conducted in 2017.

ESTIMATING VICTIMS OF HUMAN TRAFFICKING: ALTERNATIVE METHODS

One of the elements of Sustainable Development Goal 16 and related Goals, such as the one on Gender Equality, is to eliminate all forms of exploitation, human trafficking and modern slavery. The indicator chosen here is the "*Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation*". The explanatory note accompanying the indicator in the report distinguishes between detected and undetected victims, and explains that methodologies for estimating undetected victims are under development.

For some years the Australia-based Walk Free organisation has released updates of its Global Slavery Index (GSI), providing estimates of the numbers of undetected victims per country. In response to reviews of its methodology, Walk Free has recently commissioned a comparative mini-survey on experiences with forced labour. The results of the first round of such surveys in 17 countries, carried out by Gallup International, have been incorporated into the 2016 GSI (Walk Free, 2016). Since the surveys have been confined to developing or middle-income countries, their usefulness to provide estimates of forced labour victims in high-income countries remains unproven. Considering that forced labour is likely to be less common in this latter category of countries and concentrated among special segments of the population, it is doubtful that representative surveys using sample sizes of 1,000 per country can reliably assess its prevalence. Constructing such an estimate requires special sampling methods, including respondent-driven sampling among

Figure 3 Bride-kidnapping in Kyrgyzstan

Percentages of married women in Kyrgyzstan saying they have been kidnapped by their husbands for marriage

If married, please indicate whether you have been kidnapped by the groom and his friends for marriage (bridestealing) ?

	Frequency	Percent
Yes	195	11.68
No	1,323	79.27
DK/cannot remember	29	1.74
Not married	122	7.31
	n= 1669	

If yes, did you agree to this kidnapping in advance?

	Frequency	Percent
Yes	123	63.08
No	67	34.36
DK/cannot remember	5	2.56
	n=195	

Source: Kyrgyzstan Public Safety Survey 2015

---

1 Full datasets available at www. unil/icvs

high-risk populations, such as irregular migrants. Furthermore, the first batch of Walk Free surveys has uncovered very few cases of victimisation by sexual exploitation, suggesting that the measurement of victimisation by sexual exploitation may, like partner violence or bride-stealing, require special interview modes, e.g. self-completion questionnaires. The survey-based approach, then, however promising in many respects, faces methodological challenges of its own, and should not be seen as a panacea for all problems related to estimating the number of undetected victims of trafficking in persons.

An alternative method to estimate the dark figure of rare events like victimisation by modern slavery is Multiple Systems Estimation (MSE). This technique was originally designed to estimate the dark figure of animals in defined territories, such as salmon in a lake, and is also known as the Capture/Recapture Method. It is increasingly also applied in social research, e.g. to estimate casualties in armed conflicts. By comparing recorded cases on three or more different lists from, for example, police, health institutions, and mass media, and then extrapolating from the numbers appearing on more than one list, the dark figure can be estimated.

In the United Kingdom five different organisations maintain lists of presumed/detected victims, including the police, border police and NGO's running shelter homes. Using the United Kingdom's National Crime Agency's (NCA) multi-source recording system on presumed victims of modern slavery, an analysis was made of the double or multiple counts. Of the total of 2,744 detected victims included in the Strategic Assessment, many appeared on only one of the five lists available, some appeared on two different lists and a few on three or four of the lists. Prof. B. Silverman, chief scientist of the Home Office and his team, applied MSE to estimate the figure of potential victims who do not appear on any

of the lists, and hence to give an estimate of the total number of such victims (Silverman, 2014). The upshot of the MSE carried out on the NCA lists is that the true numbers of victims of modern slavery during 2013 was estimated to be between 7,000 and 10,000, or three to five times the numbers of detected victims. In other words, the ratio between detected victims and undetected victims was estimated as one to four. Calculations based on comparisons between recorded crime and the estimated rates of victimisation from the National Crime Surveys of England and Wales (formerly the British Crime Survey) indicate a ratio of one to four for total crime as well.[2] Considering the relatively hidden nature of human trafficking, compared to, for example, household burglaries, which are—if only for insurance reasons—commonly reported to the police by victims, a ratio of one to four seems comparatively low.

In the Netherlands, the state-sponsored NGO Co-Mensha acts as clearinghouse of cases of presumed victimisation by human trafficking. Relevant governmental institutions, such as the 17 different police districts, the Border Police (Koninklijke Marechausee/Kmar), Regional Coordination Offices (decentralised units of CoMensha coordinating victim services) and Labour Inspectorates (Inspecties Sociale Zaken en Werkgelegenheid/ISZW) are instructed to report on all cases of possible victimisation by trafficking in persons coming to their knowledge. Specialised NGOs offering services to trafficking victims report their cases as well.

By applying MSE to the 1,560 cases recorded on one or more of the six available lists in 2014, Van Dijk and Van der Heijden (2016) arrived at an estimate of 17,800 victims. This estimate suggests that roughly ten percent of all victims are detected, or, in other words, that there are ten times more victims present in the Netherlands in the course of a year than those reported to CoMensha. The 95 percent confidence interval ranges from approximately 14,000 to 23,900. It seems worth noting that the numbers per capita and the ratio between detected and undetected victims are considerable larger than the ones estimated in the United Kingdom. One possible explanation is that, unlike its British counterpart, the Dutch database includes persons reported by the Border Agency who have been assisted in crossing the border in order to work in prostitution in either non-exploitative or exploita-

---

2 The first BCS estimated that there were 11 million crimes in England and Wales in 1981. However, there were fewer than three million crimes recorded by the police in 1981 (Jansson 2006).

tive conditions. Some of these persons may not qualify as victims of modern slavery in a comparative perspective.

The CoMensha databases include covariates such as age (minor or adult), type of exploitation experienced by the victim (sexual services, forced labour, forced criminality and unknown) and nationality (Dutch resident/foreigner). Using these variables, an ongoing study aims to produce both a more accurate total estimate as well as separate estimates for various subgroups of victims.

A follow-up study commissioned by UNODC and Walk Free will try to carry out MSE on the multi-source databases of selected other countries in Europe. The results of these studies will, together with the results of the next round of Gallup sample surveys on experiences with modern slavery, form the basis of new national, regional and global estimates of the numbers of undetected victims in the coming years.

IN CONCLUSION

Over the past four decades, the empirical foundations of criminology have been strengthened by the application of quantitative research methods, perhaps most notably in dark figure studies, such as self-reported delinquency and victimisation surveys. Such surveys are now carried out regularly across the globe and have become a staple of modern criminology. The results of these studies have opened the doors for a renaissance of comparative international criminology (Van Dijk, 2015), once pioneered in the 19th century by Quetelet, Lacassagne, Von Mayr and Bonger inter alia, when administrative data on crime had first become widely available.

More recently, victimisation surveys have also attracted the attention of international organisations such as UNODC, UNDP and the ILO and of international non-governmental organisations (INGOs) such as Transparency International, Walk Free, the World Justice Program and the World Internal Security and Police Index. Several organisations now regularly commission comparative surveys on people's or business executives' experiences with crime and the police. More and more survey-based crime data are becoming available. On the downside, few of these studies meet the quality standards developed by criminologists over the past four decades of surveying crime. Definitions of criminal victimisations tend to be unspecific and /or insufficiently fixed in time. For example, a question might ask: have you or any one else in your household ever been the victim of a theft? And the sample designs often leave much to be desired, too.

Obviously, the freshly agreed-upon UN indicator of victimisation by physical, psychological sexual violence poses major methodological challenges in terms of both the formulation of questions and the appropriate interview mode. If the statistical authorities of countries and concerned INGOs are truly committed to measuring progress in implementing SDG 16, they will need to hire criminological expertise. Criminological knowledge, then, is likely to be more in demand in the coming years than before. I, for one, regard that as good news for our profession. We have our work carved out for us.

Jan Van Dijk is emeritus professor victimology, INTERVICT, Tilburg University, the Netherlands

Silverman, B. (2014) *Modern Slavery: an application of Multiple Systems Estimation, Home Office*. Available at: https://www.gov.uk/government/publications/modern-slavery-an-application-of-multiple-systems-estimation

Dijk, J.J.M. van (2008), *The World of Crime; breaking the silence on problems of justice, security, and development across the world*, Thousand Oaks: Sage

Dijk, J.J.M. van (2014). "Crime." In: D. Rowe (ed), *Achieving Sustainability: Visions, Principles, and Practices*, Detroit: Macmillan Reference USA

Dijk, J.J.M. van (2015). The case for survey-based comparative measures of crime, in: *European Journal of Criminology*. Vol 12, 4, p. 437–456 19 p.

Dijk, J. J. M. van, van Kesteren, J. N. & Mayhew, P. (2014). The international crime victims surveys: A retrospective, in: *International review of victimology*. 20, 1, p. 49–69, 21 p.

Dijk, J.J.M van & P. G.M. van der Heijden (2016), *Multiple Systems Estimation for estimating the number of victims of human trafficking across the world*, Research Brief, Vienna: UNODC

https://www.unodc.org/documents/data-and-analysis/tip/TiPMSE.pdf

Jansson, K. (2006). *British Crime Survey—Measuring crime for 25 years*, London: Home Office

Kyrgyzstan Public Safety Survey 2015 (2015), wp.unil.ch/icvs/news/information-and-data-from-kyrgyzstan

Wenmann, A. and Muggah, R. (2010), More Violence, Less Development. Geneva: Geneva Declaration Secretariat. Available at http://www.genevadeclaration.org/fileadmin/docs/MDG_Process/MoreViolenceLessDevelopment.pdf

Walk Free (2016), *Global Slavery Index 2016*, www.globalslaveryindex.org/

World Bank (2011). World Development Report 2011: Conflict, Security and Development. Washington, DC: World Bank. Available from http://publications.worldbank.org/index.php?main_page=product_info&products_id=23888.

Johann Koehler

DISLODGING THE STANDARD NARRATIVE OF CRIMINOLOGY'S HISTORY

THE BERKELEY CHAPTER[1]

'Europe', wrote Susanne Karstedt last year in the pages of this newsletter, 'is the birthplace of modern criminology.'[2] A standard narrative of criminology's history might read as follows: Lombroso (setting aside all the misgivings the field harbours about him) was the first to apply the tools of science to the *prediction* of criminal behaviour. The field of 'criminology', then in only incipient form, focussed on the geographic distribution of crime in the study of 'moral statistics' and the persistent offending behaviours of the/his *Criminal Man*. If nothing else, Lombroso's timing was certainly impeccable. The Progressive Era, during which he published *L'Uomo Delinquente*,[3] was characterised by a fascination with yoking organs of state control to the rational-legal policy innovations that scholarly expertise promised. It was by relying on science, so the prevailing mythos developed, that government would prevent the upheavals of the previous order.[4]

Following on the heels of Lombroso's contribution, it wasn't long before criminology emerged as a distinctive subfield, albeit nested within traditionally established disciplines. In Europe, criminology took root first in departments of law under the auspices of Max Grünhut and Leon Radzinowicz; in the United States, it did so in departments of sociology under the auspices of Thorsten Sellin and the Gluecks on the East Coast, and of Edwin Sutherland and the Chicago scholars in the Midwest. By the time the turmoil of the post-war period settled, so the standard narrative continues, criminology and criminal justice had become institutionalised in dedicated university departments on both sides of the Atlantic. Many of those departments of criminology advanced the express purpose of developing knowledge about patterns of offending and victimisation that could inform and guide prudent justice policy.[5]

The standard narrative is consistent with Karstedt's account: criminology was born in Europe in the late nineteenth century, and it proliferated internationally shortly thereafter, although under the aegis of more firmly established departments like sociology and law. Then, by the late twentieth century, departments of criminology were welcome on university campuses, where they enjoyed healthy institutional support and produced scholarship essential to the refinement of justice policy.

But that standard narrative is unsatisfying in an important respect. It problematically smoothes over a key ripple in criminology's history. Work by Lombroso and his fellow Italian positivists Garofalo and Ferri conspicuously differed from the work to which most modern criminologists owe their mid-twentieth century genealogy (such as, for example, Shaw, McKay, Sutherland, and Radzinowicz, to name only a few). Those differences are not just disciplinary. The 'jump' from Lombrosian phrenology to freshwater urban sociology, saltwater psychiatry or British jurisprudence is a massive one: the Lombrosian tradition from which modern criminology claims ancestry was also *epistemically* different from what followed immediately thereafter. Where Lombroso positioned the refinement of criminal justice policy through science as the heart of the criminological enterprise, early twentieth century European and American criminology had a more complicated approach to scholarship's role in guiding policy.[6] The technocratic thread re-surfaced in mainstream criminology only after the Second World War, where it

1 It was deeply touching and a sincere honour to receive the European Society of Criminology's Young Criminologist Award for 2016. The article that formed the basis for the award, which appeared in the November 2015 issue of the journal *Criminology*, was entitled 'Development and fracture of a discipline: Legacies of the School of Criminology at Berkeley' (*Criminology*, 53(4): 513–544). I am especially grateful that the award jury recognised the Berkeley story's implications for an international audience; in this essay, I therefore present some of the findings from that article. I thank Chase Burton, Ashley Rubin, and Tobias Smith for suggestions that greatly improved this essay.

2 Karstedt, Susanne. 2015. 'A short history of the present (and the past).' *Criminology in Europe: Newsletter of the European Society of Criminology*, 14(3): 4–6. p.4.

3 Lombroso, Cesare. 1876. *L'Uomo Delinquente*. Milan: Ulrico Hoepli.

4 Wiebe, Robert H. 1967. *The Search for Order, 1877–1920*. New York: Hill and Wang and Willrich, Michael. 2003. *City of Courts: Socializing Justice in Progressive Era Chicago*. New York: Cambridge University Press.

5 See, for example, Walston, Catharine. 2009. *Challenging Crime: A Portrait of the Cambridge Institute of Criminology*. London: Third Millenium.

6 Laub, John H, and Robert J. Sampson. 1991. 'The Sutherland-Glueck Debate: On the sociology of criminological knowledge.' *American Journal of Sociology*, 96(6): 1402–40.

eventually developed into what we now associate with the regnant trope of 'evidence-based criminology'.

That jump leaves criminologists today with a conundrum. Why does the standard narrative of criminology's history trace a line of descent from the urban sociologists and the jurisprudes of the mid-twentieth century, when one of modern criminology's staple features—its technocratic commitments—may actually trace its lineage much more directly to the Italian positivists of yesteryear?

One possible answer is that we may have overlooked an important chapter in criminology's history. As it happens, at the same time that the aforementioned scholars in departments of criminal law, sociology, and psychiatry produced work on crime, scholars even farther to the West—in Berkeley, California—plied their trade in the very first department to bear the name 'criminology' above its entryway.

In the early twentieth century, just as the Progressive Era drew to a close, the inaugural Chief of the Berkeley Police Department—an imposing man named August Vollmer—fancied himself the champion of a new approach to the administration of criminal justice. In 1916, he hoped to harness the scientific prowess of the neighbouring University of California to the practice of policing by establishing a School of Criminology that would inject modern scientific techniques into police training curricula. Vollmer, a shrewd opportunist, tapped into the same *zeitgeist* that spurred Lombroso three decades earlier: the new 'police science' (a term he coined) was central to the ambition to professionalise the practise of criminal justice administration. By inaugurating a summer session at Berkeley in 1916, which then expanded into a full-fledged regular session in 1931, Vollmer positioned himself at the vanguard of law enforcement modernisation. The curriculum emphasised instruction in the mechanics of police work by assigning readings in toxicology, psychiatry, elementary criminal law, and microbiology. Thus, Vollmer—who had already introduced handwriting analysis and fingerprinting in his police department—ensured that the natural sciences were a central focus of the new police education model.

In outlining his vision, Vollmer was explicit from the outset about the proposed function of this professional, and not academic, unit:

> The school as planned is in reality a part or branch of the Police Department, is in direct control of the Department, and is intended for the benefit of the men in the service of the Department. Thus far no provisions have been made to admit men not in the service.[7]

The continuity between Vollmer's brand and Lombroso's scholarship from four decades earlier was therefore not just disciplinary; it was also ideological. Like Lombroso before Vollmer, and *unlike Vollmer's contemporaries to whom we conventionally credit the continuation of criminology*, the style of instruction at Berkeley was first and foremost in the service of refining techniques of criminal justice.

From 1950 onwards, criminology at Berkeley charted a peculiar trajectory. Despite an uneasy beginning plagued by institutional uncertainty about the calibre of scholarship that was being produced at Berkeley, a new School of Criminology opened its doors on campus. From its humble beginning as a summer session up until the School's eventual closure in 1976, graduates of the School regularly secured positions in leading offices of law enforcement throughout the United States and beyond, where they exported the model of criminology that Vollmer first made famous: in both policing and corrections, the operations of criminal justice and the study of crime were susceptible to advanced scientific measurement and prediction.

Criminology at Berkeley never really crystallised beyond the narrow technocratic mould that Vollmer first envisioned in the early twentieth century. Still, for more than thirty years after it first began offering instruction, the School of Criminology enjoyed robust institutional support from the law enforcement and correctional communities into which it was placing its graduates. Nonetheless, despite spurring the professionalisation of criminology and of criminal justice, University administrators contested the School's legitimacy on campus throughout the duration of its existence. More precisely, those administrators repeatedly queried what role criminology ought to play in an elite university.

From the late 1950s onward, the School responded to campus-wide befuddlement about the propriety of its professional law enforcement training by shoring up its scholarly profile. What had been a narrowly technocratic research agenda expanded to accommodate more academic and less vocational pursuits. Research adjusted to accommodate both the applied as well as the basic. Faculty continued to produce studies that explored the mechanical refinement of police operations, but new professors also joined the School's ranks, and these additions complemented the more historically-embedded research profile with a new style of criminological scholarship that sought to problematise the role of the state.

It's difficult to overstate how odd, fragile, and impressive the School of Criminology was for the brief moments that these antagonistic research agendas cohabited under the same roof. From the 1960s through to the

mid-1970s, the School of Criminology at Berkeley was responsible for producing more than technocratically-minded graduates and research that served law enforcement and corrections. Down the corridor, professors in the same department were co-teaching lectures with members of the Black Panther Party; they were staging high-profile conferences that were outspoken in their denunciation of then-Governor Reagan's law enforcement practices; they were protesting local police control; and they were producing scholarship that situated Berkeley at the epicentre of a new tradition in scholarship under the banner of 'radical criminology'.

The intellectual strands of scholarship represented within the School weren't always harmonious. Each professed a different set of epistemic premises about the nature and goals of criminological scholarship, and they derived their legitimacy from different sources, depending on the institutional field they defined for the knowledge they produced. The result was a tense environment in which scholars from each tradition routinely contested the other's vision of the proper role of the criminologist. The fissures that emerged in those disputes arguably remain cracked to this day. Criminologists continually bemoan the divide between basic and applied research; between academic and vocational scholarship; and between criminology and criminal justice. All of these now-familiar schisms have a precedent that traces its origins not to the august departments of sociology or law in European and American universities; rather, they emerged at Berkeley in the world's first department of criminology.

The School ultimately suffered an ignominious end. Before Reagan ascended to the Oval Office, he installed his then-Solicitor General Ed Meese to the governing Board of Regents of the University of California, with instructions to close down the School of Criminology. To Reagan, the faculty had become a tiresome nuisance: from the radicals, he had endured too many decades of wearisome protest; as for the technocrats, it was no longer apparent what function they served on an elite

campus that they couldn't satisfactorily accomplish at one of the state college campuses that were designed for vocational instruction. Meese was successful, and the School closed its doors in 1976. While compliant tenured faculty were shortly thereafter comfortably displaced to the School of Law, which bore none of the trappings of its earlier criminological counterpart, untenured radical faculty struggled to secure employment. Mainstream criminology, for its part, assured radical criminology's excommunication only three years later in the only special issue that the field's flagship journal, *Criminology*, has ever assembled. Five essays by grandees of the discipline excoriated radical criminology for, among other things, 'masquerading as science'.[8]

The infamy into which radical criminology descended in the 1970s may account for Berkeley's absence from the standard narrative of criminology's history. Perhaps a yet more conspicuous absence, however, is the fact that it was at Berkeley—not the vaunted departments where criminal lawyers or sociologists of crime rose to prominence after the Italian classical positivists had faded into memory—where scholars not only embraced the label of 'criminology', but also viewed their scholarship as hand-in-glove with the refinement of institutions of state control. It's *these* continuities that may merit re-positioning Berkeley more centrally in the standard narrative than conventional wisdom might suggest.

The tumultuous rise and fall of criminology at Berkeley, then, is not merely a parochial story about one department's tribulations. Rather, in between the half century from when Vollmer first imagined criminological scholarship as part and parcel of the project to professionalise policing, up until when Reagan sought to silence it, the Berkeley story enables a different version of criminology's history. That different history invites us to consider anew why criminology adopts some of the features it does; what are its sources of legitimacy; what are its normative and epistemic commitments; and what is it criminologists *do*, and *why*?

Perhaps, by excavating the Berkeley chapter, we can go some length toward repairing the problem that the late Nicole Rafter identified, that in establishing a sense of criminological tradition, 'Where we need words, we have silence. Where we need traditions, we have forgetfulness ... What we need is a history—*or rather, histories—*of our science.'[9]

Johann Koehler is a PhD Student at the University of California, Berkeley, and the recipient of the Young Criminologist Award.

---

7   Vollmer, August, and Albert Schneider. 1916. "The school for police as planned at Berkeley." *Journal of the American Institute of Criminal Law and Criminology*, 7: 877–98. p.880. [I've never encountered a citation system that looks like this, but it's consistent, so assuming it's fine.]

8   Toby, Jackson. 1979. "The new criminology is the old sentimentality." *Criminology*, 16: 516–526. p.516.

9   Rafter, Nicole. 2010. "Silence and memory in criminology: The American Society of Criminology 2009 Sutherland Address." *Criminology*, 48(2): 339–55. p.340-41, emphasis added).

Éva Inzelt

REPORT OF THE ANNUAL CONFERENCE IN MÜNSTER

The 16th Annual Conference of the European Society of Criminology, entitled *'Crime and Crime Control. Structures, Developments and Actors'*, was held between 21 and 24 September 2016. It was hosted by the Criminology Department in the Faculty of Law at Münster University. One thousand fifty participants attended the conference and created fruitful discussions throughout the 900 presentations. The plenary lectures were presented by Frieder Dünkel, Alexandra Jour-Schroeder, Klaus Boers, Alison Liebling, Thomas Feltes, Robert Sampson, Manuel Eisner, Wim Huisman, and Alette Smeulers. The award winners were Jan van Dijk (ESC European Criminology Award) and Johann Koehler (ESC Young Criminologist Award).

Münster is a cosy town with 300,000 inhabitants. However, you can feel the energy and the vibration of science because of the 50,000 students belonging to the eight Universities located in the city. Münster is the bicycle capital of Germany, which means that this is the general mode of transportation in the city. Münster's past is also very attractive, since many important events of the European history occurred here, e.g., the Anabaptist rebellion during the Protestant Reformation or the Treaty of Westphalia, which ended the Thirty Years' War in 1648.

The venues of the conference were located in a beautiful green area where one could have lunch on the bank of the river 'Münstersche Aa'. It gave participants a good opportunity to have a little rest in the middle of the day and recharge themselves to continue the vivid discussion during the afternoon sessions.

Our/The farewell dinner was in the Restaurant 'Uferlos', which is situated on the bank of Münster's Lake Aasee. The band, 'Box in the Attic', created a fantastic atmosphere and encouraged almost everybody to dance.

Because of limited space in the report and because it was impossible to listen all the lectures, I will discuss only some sessions in detail. Nevertheless, I hope that it will give a good example of the importance of ESC conferences and the active work during the meeting. Since I am a member of the European Working Group on Organisational Crime (EUROC), I mostly attended these panel session, which focused on the following issues: the prevalence and risks of corruption; the innovative responses to global corruption; the prevention of corruption in Germany; illicit markets for economic crimes; causations of corporate and academic crime; money laundering; reporting and whistleblowing in white-collar crime cases; the effects of sanctioning white-collar crime; regulation of markets and professions; and the criminal justice responses to white-collar crime.

In his plenary lecture—which belonged to this area—Wim Huisman talked about the twofold approaches of white-collar and corporate crime, like its legal and non-legal characteristics, the offender-based or offence-based definitions, the question of focusing the individual leaning or the organisational structures and cultures, applying rational choice or deterministic explanations, as well as concentrate exogenous or endogenous factors. It implies conceptualising these crimes. He argued that we need to create an integrated approach to understanding financial and economic crimes. He emphasised that we have to pay attention both to the system and to individuals. He proposed three levels, namely the individual actions and capacities, the institutional and organisational conditions and the social and economic systems, at/through which we could examine the different factors which promoting white-collar crime.

In the Follow-Up Panel on Economic and Financial Crime, one of the discussants, Nicholas Lord, used the so-called 'organisation' of white-collar crimes to understand the phenomenon. He argued that we have to consider the 'real' factors that influence these crimes, such as capacities, social relations, social distribution of opportunities, and capital,. He drawn up five 'real' factors such as the 'crime commission' the 'criminal cooperation', the 'crime capital' the 'crime capacities' and the 'crime conditions'. He arose the question why certain industries, sectors and/or organisations are more immune to white-collar crime.

Corruption has been a recent focus of both the scientific and the social and political discourse. Peter Stiernstedt used grounded theory to analyse corruption transactions and argued that corruption is an opportunity based crime. The motivation and opportunity is conditioned by rationalisation and neutralisation. Fabrizio Costantino draw the attention to the fact that corruption hinders private companies access to the market and growth. I

dealt with the Hungarian public procurement system and concluded that competition in public procurement remains limited in Hungary, while unpredictable regulatory changes burden hamper private business and investments.

Giang Ly Isenring compared two types of *anti-corruption initiatives*, namely the structural interventions which have led to an overall improvement in public services and governance, because they undermine the roots of corruption, and the effectiveness of the deterrence-based measures. Nikos Passas emphasised the problem of the ineffective anti-corruption initiatives, which sometimes create opportunities for serious misconduct in both the private and public sectors.

As far as illicit markets for *economic crimes* are concerned, Katie Benson talked about the organisational structures of counterfeit alcohol distribution. She pointed out how the legitimate market provided opportunities for concealment and how this is abused by the criminal enterprises.

Kai Bussmann expounded resent research results on *money laundering* in the non-financial sector. The German Financial Intelligence Unit (FIU) registered roughly 16,000 allegations per year, mostly coming from the financial sector. In contrast, the number of reported suspicious cases in the non-financial sector is only approximately 260 per year. These are cases where there is doubt concerning the identity of the customers or when the customers avoid signing a contract. However, according to the survey, the number of suspicious cases in the financial sector is around 28,000 per year and 15,000 in the non-financial sector per year.

Judith van Erp examined the different motives of *whistleblowers and 'bellringers'* for reporting a crime. 'Bellringers' are external witnesses who maintain a close relation with the offending organisation (e.g., suppliers, clients, and competitors). They have no legal obligation to report the case. Despite this fact, according to her research results, when such individuals do report illegal activity, their motivations are generally driven by problems with unfair competition, moral obligations, and the reputation of the business sector.

The newly-introduced *Follow-Up Panels* was a really great idea, because it provided enough time to have further discussion on a certain topic. In my opinion, similar follow-up panels should be organized in upcoming conferences.

We congratulate all the delegates for their excellent oral and poster presentations contributing to the high scientific quality of the meeting. Thanks are also due to the members of the Organizing Committee for their efforts in making the meeting a success. We would also like to recognize the student helpers for their dedication and enthusiastic assistance during the conference.

Eva Inzelt is Assistant Professor at the Department of Criminology, ELTE University Budapest

Rossella Selmini and Marco Calaresu

THE EUROPEAN CRIMINOLOGY ORAL HISTORY (ECOH) PROJECT STARTED THIS YEAR IN MÜNSTER!

The ESC is growing in members and in attendance at its annual conferences. European criminology has developed rapidly in recent decades, and despite many challenges, it is still growing. There are now several generations of European criminologists, many different working groups and networks, and many schools of thought and empirical and theoretical approaches. No doubt, the ESC has played a major role in these developments.

Now the ESC is engaged in a new project that aims to support these developments further by strengthening connections among generations of scholars and making the thoughts and ideas of prominent European criminologists available in a new way. It is the Oral History project, approved by the ESC Board, and supervised by new President Rossella Selmini, with the assistance of Marco Calaresu of the University of Sassari.

Our goal is to give voices (and faces!) to scholars and researchers who have played roles in this process, by creating an archive of video-recorded interviews. These will allow all of us to look backwards at the lives, ideas,

and accomplishments of people who laid the foundations of modern European criminology. The videos will also be immensely useful for research and teaching. The archive will be hosted on the website of the ESC.

A similar project has been underway for many years by the American Society of Criminology. The two archives will be coordinated and mutually reinforcing. However, the ESC focus is, of course, more on "Europe" and on matters and people of particular significance in the European context.

The interviews are broadly based on the following themes: the interviewees' careers; their past and current research interests; their views on criminology in national and European contexts; the role of ESC; and their predictions about future developments in European criminology. We think it is important that interviewers know the people being interviewed well, usually either because they have a mentor-mentee relationship or have worked together in some other capacity in the past. In this way the interviews become conversations between generations on which viewers can eavesdrop.

We envision three stages. In the first, we are mostly interviewing founding members of the ESC, former ESC presidents, and people who received ESC Career Scholarship Awards. The spectrum of interviews will be broadened in the second stage to include other European criminologists who played prominent roles in the development of criminology in their own countries or in Europe generally, even if they have not been actively involved in the ESC. Finally, in the third stage, the focus will broaden again to include younger generations of European criminologists.

We began the first stage this year at the ESC annual conference in Münster, wonderfully supported by the local organizers and particularly by Daniele Florio, a Münster University student volunteering at the conference. We completed the first eight interviews—a great success, considering that organizing, conducting, and filming them proved to be logistically and technically complicated. We were lucky to find a promising young, award-winning videographer Enrico Rassu, whose involvement assures the technical quality of the work. By coincidence, the team was entirely Italian, which should assure a great aesthetic result!

We will keep members updated through the newsletter on the development of the project and on when the tapes will be available on the ESC website.

Rosella Selmini is Professor of Criminology at the University of Minnesota Law School, Minnesota, USA, and the President of the ESC
Marco Calaresu is Doctoral Candidate at the University of Sassari, Sassari, Italy

POSTGRADUATE STUDY IN THE INSTITUTE OF CRIMINOLOGY AND CRIMINAL JUSTICE

School of Law

Queen's University Belfast
27-30 University Square
Belfast BT7 1NN
Northern Ireland
United Kingdom

+44 (0)28 90973451
law-enquiries@qub.ac.uk

Research Performance
The Institute for Criminology and Criminal Justice is located in the School of Law. The School of Law received an impressive top-ten ranking in the 2008 Research Assessment Exercise, finishing 7th in the UK. The School of Law was also ranked 8th in *The Guardian* University Guide 2014.

Staff Research Interests
Clare Dwyer – Penal policy; prisoners; transitional justice

Graham Ellison – Policing & police reform; community safety; sex trafficking & prostitution

Shadd Maruna – Desistance; psychosocial criminology; prisoner reintegration

Anne-Marie McAlinden – Child sexual abuse; sex offenders; restorative justice

Kieran McEvoy – Restorative justice; truth recovery; transitional justice

Marny Requa – Truth recovery; human rights; transitional justice

Phil Scraton – Deaths in controversial circumstances; criminological theory; prisons

Pete Shirlow – Segregation and violence; ethno-sectarianism; political violence

Yvette Russell – Feminist legal theory; gender & crime; sexuality

Criminology & Criminal Justice Programmes in the School of Law
LLM Criminology
LLM Criminal Justice
LLM in Human Rights & Criminal Justice

The School of Law also has a vibrant PhD research programme and a number of studentships are made available each year. Please contact Dr Graham Ellison (g.ellison@qub.ac.uk) for information relating to PhD opportunities in the School.

Further Information
Further details about full range of taught postgraduate programmes available in the School of Law are available online:
www.law.qub.ac.uk
Alternatively contact the School's Postgraduate Office at:
pglawenquiries@qub.ac.uk