



European Society of Criminology Conference, 2004

By Henk van de Bunt

The fourth annual conference of the European Society of Criminology will take place in Amsterdam from August 25-28, 2004, hosted by the Free University, Amsterdam and Erasmus University, Rotterdam. The conference theme is "Global Similarities, Local Differences."

Amsterdam is the Netherlands' cultural, intellectual, financial, and tourist centre. Schiphol International Airport, the fourth busiest in Europe, and Amsterdam's seaport, the fifth in Europe, are key factors in Amsterdam's energy and cosmopolitanism.

Amsterdam is a multicultural city. Only slightly more than half the population (53 percent) is ethnic Dutch. Amsterdam hosts two universities and has many young people (28 percent are 20-34 years old).



The Dutch attitude is 'live and let live'. Amsterdam is often described as one of the world's most colourful cities, with its famous museums,

orchestras, shops, and flower markets. But it also has an international reputation as a 'sin-city' because of the pragmatic Dutch policies towards drugs and prostitution.

The Conference

European economic and political unification are ongoing, yet Europe has many cultures and languages. Europeans are sticking strongly to their national identities as economic and political unification proceeds.

Criminal justice systems, attitudes to deviance, and criminological traditions manifest national differences. The purpose of the conference is to pay attention to what we have in common and what binds us, and to investigate seriously ways we differ, and want to be different,

Continued on page 4

Violence and the Rise of Modern Society

By Manuel Eisner

Homicide rates fell throughout Europe from the late Middle Ages through the 1950s, though at different times and at different rates. Thanks to the burgeoning field of historical crime and criminal justice scholarship, patterns are becoming clear and plausible explanatory hypotheses are beginning to emerge.

This article summarises key findings about violence in Europe between the 13th and the 20th centuries. Concentrating on homicide, it aims at identifying and understanding long-term trajectories of serious violence.

The Data

I have assembled an extensive database of serial data on homicide in Europe. The resulting "History of Homicide Database" collects quantitative information on homicide over several centuries. The database contains two types of sources. National vital statistics are the most reliable

Continued on page 14

Punitiveness in Europe Revisited

By Max Kommer

The European Sourcebook of Crime and Criminal Justice Statistics¹ is a rich source for comparative research. In this short article, I use data taken from the latest issue to update an article I wrote almost 10 years ago (Kommer 1994). In that article, I discussed punitiveness in several European countries, comparing data on prison populations, types of sentences, and lengths of prison sentences.

Most such comparisons rank countries relative to the number of people held in prisons per 100,000 population.

Continued on page 8

INSIDE THIS ISSUE:

European Journal Mission	page 3
Northern Ireland post "Troubles"	page 3
ESC Executive Secretary Wanted	page 5

Message from the President

Moving Ahead

The two most recent meetings of the board of the European Society of Criminology have focused on organisational matters. The board has decided to ask European Society of Criminology members to approve a variety of changes to the by-laws, to solicit nominations for the next President-elect and new board members to be elected in Amsterdam at the next annual meeting, and to invite applications from people



Ernesto Savona

wishing to be considered for appointment to the new post of ESC Secretary General. This new figure will assure continuity in ESC activities, provide greater professionalism in ESC operations, and in general be part of the move to long-term stability and viability for the ESC.

Planning for the next conferences is well underway. Amsterdam promises to be a great event. Dutch colleagues are working hard to keep this promise. The coincidence of the Dutch Presidency of the European Union and the annual ESC Conference in the Netherlands symbolises the reciprocal interest academics and policy makers have in discussing crime and its prevention in a larger Europe. The 2005 Conference in Krakow will be the first held in one of the new member states of the EU.

Are these events relevant for ESC's structure and activities? We want to increase the number of criminologists attending from Central and Eastern Europe. They bring culture, ideas, problems, and solutions that can be compared and contrasted with experiences in what is sometimes called Western Europe. There are

differences in crime and imprisonment rates, in laws, and in how law enforcement agencies and criminal justice systems perform.

For European Union officials many of these differences have been considered as asymmetries in relation to the EU standards established in order allow their entrance to the European Union. For criminologists, these differences should be understood and explained. The search for solutions to crime problems starts from this

understanding and these explanations.

This year the ESC has launched two new working groups relevant to the enlargement process of the European Union: one on the effectiveness of criminal justice systems and the other on university programmes in criminology across Europe. ESC members interested in contributing should contact Chris Lewis (chris.lewis@port.ac.uk) concerning the effectiveness group and Rosemary Barberet (rbarbere@polsoc.uc3m.es) concerning university programmes. The work of these groups, by eliciting greater cooperation from members, may provide a good platform on which to begin comparative research projects and to solicit universities to rethink, adjust, and promote new opportunities for education in criminology and criminal justice.

These and other issues will reverberate in the next conference in Amsterdam. I welcome contributions that will profit from the symbolic coincidence that the ESC Conference will be held in the country that is chairing the European Council and in the year when ten new countries will enter the European Union. ■



VOL. 3, NO. 1
FEBRUARY 2004

Criminology in Europe is published by the European Society of Criminology. Comments, criticisms, and suggestions for improvements are welcomed. The editorial office is located at The Institute of Criminology, Cambridge University, 7 West Road, Cambridge CB3 9DT, UK .
Tel: 44 1223 335369
Fax: 44 1223 335356
Email: slh30@cam.ac.uk



President—Ernesto Savona
President-Elect—Sonja Snacken
Treasurer—Martin Killias
Secretary—Anna Alvazzi del Fratte
Journal Editor—David J. Smith
Newsletter Editor—Michael Tonry



Communications should be addressed as follows:

To the president:
Ernesto Savona
Catholic University of Milan
Largo Gemelli 1
20123 Milano, Italy
Tel: 39 2 7234 3976
Fax: 39 2 7234 2552
Email: ernesto.savona@unicatt.it

To the business office:
Martin Killias
University of Lausanne
School of Criminology
ISPC/BCH, UNIL ,
CH-1015 Lausanne
SWITZERLAND
Tel: 41 2169 24640
Fax: 41 2169 24605
Email: criminologie@esc.unil.ch

Concerning the 2004 meeting:
Henk van de Bunt
Department of Criminology
Vrije Universiteit Amsterdam
De Boelelaan 1105
1081 Amsterdam, The Netherlands
Tel: 31 20 444 6231
Fax: 31 20 444 6230
Email: h.g.vandebunt@rechten.vu.nl

Criminology, Europe, and *The European Journal of Criminology*

By David Smith

Why launch a new criminology journal in January 2004? From the intensity of discussion at the first three annual conferences of the European Society of Criminology in Lausanne, Toledo, and Helsinki there is a sense that criminology in Europe is reaching a tipping point, and that once this point is reached there will be rapid growth. The purpose of *The European Journal of Criminology* is to support and stimulate that growth.

A number of forces drive the development of criminology in Europe. The most obvious is the rising profile of crime control, criminal justice, and security in European politics. In many European countries the politics surrounding crime control and criminal justice were largely consensual for much of the period since the Second World War, but this is changing. The politicization of crime and punishment combines with a successful effort by far right parties to define migration and asylum seekers as a focal political issue.

Britain is one European country to have seen this kind of political development, but it is not the only one. In the French presidential election of May 2002, when the socialist Lionel Jospin lost to the centre right incumbent, Jacques Chirac, crime control issues were an important factor. It was only because anti-immigration votes were channelled to Jean-Marie le Pen's National Front that immigration did not become a central focus of contest between the mainstream candidates. Anxieties about crime and immigration have contributed to the growth of far right parties in several other European countries, such as Holland, where the populist leader Pim Fortuyn was murdered nine days before a general election scheduled for May 2002; Italy, where these issues are crucial for the whole complexion of regional and national politics; and Switzerland, where a right wing party recently won an unprecedented share of the vote.

A second impetus to European criminology is a heightened awareness of human rights issues, as exemplified by the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment, which entered into force in 1989, and by increasing use of the European Convention on Human Rights (which dates from 1950). Ideals of due process,



Continued on page 18

Criminal Justice in Transition in Northern Ireland

By Kieran McEvoy

A while ago I watched a senior member of the IRA's political wing Sinn Fein tell a crowd of Republican activists with some exasperation that '*...we learnt during the talks that negotiation was a new form of struggle. Since the Agreement we have learnt that getting implemented what we have already negotiated is even tougher... on the worst days you catch yourself longing for the old certainties of the war, but then you remember what that was actually like.*'

Almost six years since the Good Friday Agreement was signed, frustration with the vexed realities of post-agreement implementation have spread well beyond the ranks of Republicanism. The on again/off again history of the devolved legislative assembly (currently suspended for the fourth time) has dominated the headlines and offered an image of political stasis.

Implementation of provisions relating to policing and criminal justice has been amongst the most hard fought battles. A criminal justice system is the state's front line in a 'war on terror' and many within the system become quite fond of the exceptions which were wrought by the conflict, even when the conflict is to all intents long over. However inch by painful inch we have seen considerable changes so that the criminal justice landscape may now accurately be referred to as 'transitional'.

Prisons

The most quickly and arguably most smoothly implemented provisions of the post-conflict era relate to the early release of politically motivated prisoners. An independent commission was established with responsibility for overseeing the release of "qualifying" paramilitary prisoners.

Qualifying prisoners were defined as prisoners convicted of a scheduled or "terrorist" offence before April 10th 1998 when the agreement was signed, that he or she is not a supporter of an organisation not on cease-fire, that if released a prisoner would not be likely to become a supporter of such an organisation, and, for life-sentenced prisoners, if released immediately the prisoner would not be a danger to the public.

The power of the Secretary of State to "specify" organisations provided for both a monitoring function to ensure that organisations maintain their "complete and unequivocal" cease-fires, and allowed sufficient flexibility to encourage organizations not on cease-fire to declare a cessation and ensure that their prisoners would eventually benefit from the early release mechanisms. The latter power ultimately provided a carrot for a number of the smaller dissident organisations to declare a cease-fire and

Continued on page 21

Amsterdam Conference *Continued from page 1*

and how national diversity can be European strength.

The conference will consist of keynote addresses, reviewed panels, regular panel sessions, author-meets-critics sessions, ESC working group sessions, and poster presentations.

The Netherlands Minister of Justice will speak at the Thursday opening. Thursday and Friday will culminate in conference receptions, and the mayor of Amsterdam will welcome participants at an opening City Hall reception.

Keynote Addresses

There will be four plenary sessions, each lasting one hour.

EU enlargement: implications for crime and crime control. The Dutch minister of justice, Piet Hein Donner, has been invited to open the conference with an address on the precarious balance between EU harmonization and local crime control differences. Prof. Alenka Selih, professor of criminal law at the University of Ljubljana, Slovenia, will respond.

Genocide as a subject for criminologists. Genocide and crimes against humanity are seldom studied by criminologists and yet are the largest criminal harms human beings do to each other. Presenters will discuss the relevance of criminological methods, themes, and paradigms for understanding genocide.

Local effects of global developments. Increased migration is a world-wide phenomenon. Increased cultural and ethnic diversity is a common European characteristic. The speakers will be Professor Sophie Body Gendrot, professor of political science at the Sorbonne, Paris, and Jonas Widgren, director general of the International Centre for Migration Policy Development in Vienna.

The impact of September 11, 2001. Laws and criminal justice practices of most countries have changed in response to the fight against terrorism.

The speakers will be Professor Nikos Passas, professor of criminology, Baltimore University, and Professor Jan van Dijk, head of the drugs and prevention division of the UN Office on Drugs and Crime.

Author meets Critics Sessions

Four "author-meets-critics" sessions will be organised. The books to be discussed have yet to be selected.

Reviewed Panels

Ten series of 'exemplary panels' on general conference themes will be scheduled sequentially to enable people to follow the entire series.

- 1) *Public safety* – fear of crime and the community
- 2) *What works?* – the effects of police, prosecutorial, custodial and non-custodial interventions, preventative measures, legislative measures, restorative justice
- 3) *Criminal justice agencies* – policing, private security, victim support, prosecution, sentencing, prisons, profiling, actuarial justice, international police cooperation, International Court of Justice
- 4) *Violence* – street violence, violence against women, racism and inter-ethnic violence, homicide, genocide
- 5) *Drugs* – production centres, drug markets, consumer subcultures
- 6) *Transnational organised crime* – trafficking in human beings, arms, and drugs, terrorism, corruption
- 7) *Measuring crime* – European Sourcebook, International Crime Victims Survey, methodology
- 8) *Crime patterns* – spread of crime, 'hot spots', displacement, victimology studies, repeat victimisation
- 9) *Developmental criminology* – groups, longitudinal studies, criminal careers
- 10) *The criminological enterprise* – education and training, potentials and tensions between research and policy, the labour market for criminologists

Each panel series will have a chairperson who will organise panels of four to five specialists. Together with the local organising committee he or she will assure complementarity and quality in the panels and their papers. Reviewed panels will be given a prominent place on the programme and be held in a larger lecture hall.

Panel Sessions

Regular panel sessions may be organised on the same themes as the reviewed panels, or on other topics. The organising committee is taking an active role with respect to reviewed panels, but will be relatively passive in the case of 'ordinary' panel sessions.

ESC Working Group Sessions

Five working groups have been established within the ESC framework. Time and space will be reserved for these groups to meet and discuss latest developments.

Poster Presentations

Poster presentations are meant to discuss research proposals or 'work in progress'. No paper will be required. The research should be summarised on one poster. There will be a prize for the best one.

Submission of Papers

Anyone is welcome to submit a paper proposal. Panels will ordinarily consist of no more than four papers. Sessions will run for 75 minutes. Presentations should be no longer than 10-15 minutes in order to leave time for discussion.

People proposing to organise a full panel should notify the organising committee before 31st March 2004, by contacting Hans Nelen (Email: J.M.Nelen@rechten.vu.nl)

People wishing to present a paper in a panel session should submit an abstract online at www.eurocrim2004.com or if this is not possible, by email to eurocrim2004@rechten.vu.nl, or by fax to 31 20 4446230 by 30th April 2004.

Sending in an abstract implies a commitment to attend. Those

Calendar of Conference Events

Wednesday, 25 August

16.00 – 18.00 Registration
18.00 – 20.30 Welcome by the mayor of Amsterdam and reception in the City Hall

Thursday, 26 August

09.00 – 10.00 Welcome by the Dutch Minister of Justice (invited) and 1st plenary
10.00 – 10.30 Coffee break
10.30 – 12.15 Panel 1 (10 parallel sessions)
12.15 – 13.15 Lunch
13.15 – 14.30 Panel 2
14.45 – 16.00 Panel 3
16.15 – 17.15 2nd plenary

Reception, main building, Free University of Amsterdam

Friday 27, August

09.00 – 10.00 3rd plenary
10.15 – 11.30 Panel 4
11.45 – 13.00 General assembly
13.00 – 14.00 Lunch
14.15 – 15.30 Panel 5
15.45 – 17.00 Panel 6
17.00 – 18.30 Poster session
Reception, main building, Free University of Amsterdam

Saturday 28, August

09.00 – 10.15 Panel 7
10.30 – 11.45 Panel 8
11.45 – 12.15 Coffee break
12.15 – 13.00 4th plenary
13.00 – 13.30 Closing ceremony

unexpectedly unable to come should make this known to the chairperson as soon as possible.

Payment before 1st August, 2004 is necessary for participation in the programme.

More information on the conference, how to register, and how to reserve hotel accommodation in Amsterdam will be posted on the conference website (www.eurocrim2004.com) by the end of January 2004.

ESC EXECUTIVE SECRETARY/TREASURER NEEDED

The ESC Board wishes to appoint an executive secretary/treasurer for five years (subject to annual reconfirmation).

Applicants should have a deep commitment to scientific criminology in Europe. The position is at the centre of European criminology and includes support for the ESC President and Board. This is an opportunity to work with leading scholars, major research institutes, and the European Journal of Criminology.

An honorarium may be used in full or part to employ office staff. The work is part-time and applicants are expected to be active in criminological research and teaching.

Applicants should provide a complete résumé and a letter explaining why they regard themselves as qualified and how they would conceive the role.

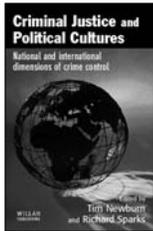
Applications should be received by Martin Killias, ESC-UNIL, 1015 Lausanne, Switzerland, not later than April 1st, 2004: For further details, please contact martin.killias@esc.unil.ch.

Requirements: Excellent knowledge of English and a second European language, strong commitment to the future of European criminology.

Honorarium: 10-20,000 Euros per year (including payment of staff; this does not need to be set in a fixed rule, but is flexible and negotiable).

Duties: Keep the membership database up-to-date, communicate membership changes to Sage (EJC) and the Newsletter Editor, collect membership and conference registration fees, keep a file of registered conference participants, develop and maintain the ESC website, assist conference organisers in preparing the programme, assist conference organisers in making arrangements, keep financial records, prepare annual financial report and budget, assist auditors in checking the financial report, deal with all correspondence with members, and any inquiries about the ESC and its activities, assist the ESC President in representing the society towards third parties, organise Board meetings and the General Assembly, take minutes of Board meetings and the General Assembly, handle payments and reimbursements, keep Board members updated on relevant business, conduct any other business the Board decides delegates

New Criminology Books from Willan Publishing



Criminal Justice and Political Cultures: national and international dimensions of crime control

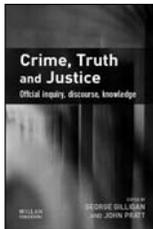
Edited by **Tim Newburn** (London School of Economics) and **Richard Sparks** (Keele University)

The development of ideas and policy on the control of crime has become an increasingly international affair. This book is concerned to address a range of issues, examining the process of policy transfer and reception bringing together an influential international team of contributors to further our understanding of the nature of crime control policy.

November 2003 256pp (234 x 156mm)

ISBN 1-84392-054-9 (paperback) £18.99 / US \$29.95

ISBN 1-84392-026-3 (hardback) £45.00 / US \$59.95



Crime, Truth and Justice: official inquiry, discourse, knowledge

Edited by **George Gilligan** (Monash University) and **John Pratt** (Victoria University of Wellington)

The core focus of this book is to investigate the structures and processes of official discourse, and the ways in which this produces knowledge on crime and justice. This book therefore draws upon contributors from the UK, Europe, North America, Australia and New Zealand to examine such issues as the relationship between official inquiry and modern, democratic society.

November 2003 272pp (234 x 156mm)

ISBN 1-84392-027-1 (hardback) £35.00 / US \$55.00



The Use of Punishment

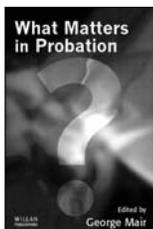
Edited by **Sean McConville** (Queen Mary, University of London)

In recent decades there has been a vast increase in the use of imprisonment and penal supervision, and to many this development appears to be qualitatively as well as quantitatively different. In this major new book contributors from a range of disciplines provide an integrated approach to a range of questions surrounding the use of punishment.

November 2003 304pp (234 x 156mm)

ISBN 1-84392-033-6 (paperback) £25.00 / US \$34.95

ISBN 1-84392-034-4 (hardback) £45.00 / US \$59.95



What Matters in Probation

Edited by **George Mair** (Liverpool John Moores University)

The What Works initiative is having a profound impact on the work of the National Probation Service. Yet there has been little scholarly or professional discussion of the nature and risks of the new paradigm. This book aims to provide a critical overview of What Works, presenting a wider set of perspectives on a project which is vital for the future of the National Probation Service.

November 2003 272pp (234 x 156mm)

ISBN 1-84392-052-2 (paperback) £20.00 / US \$34.95



Cambridge Criminal Justice Series

Confronting Crime: crime control policy under New Labour

Edited by **Michael Tonry** (Director, Institute of Criminology, University of Cambridge)

A distinguished team of academics and senior government policy advisors assess the broader issues underlying proposed criminal justice reforms as well as the past record of the Labour Government – looking especially at proposals to develop a more flexible sentencing regime, and restoring public confidence in the legal process.

September 2003 272pp (234 x 156mm)

ISBN 1-84392-022-0 (hardback) £30.00 / US \$55.00



Sex Offenders in the Community: managing and reducing the risks

Edited by **Amanda Matravers** (Institute of Criminology, University of Cambridge)

This book brings together a leading group of authorities in the field to explore current criminal justice responses to the management of individuals who are convicted of sexual offences, aiming to help policy-makers, practitioners and students to develop an informed position on this complex and increasingly controversial issue.

November 2003 240pp (234 x 156mm)

ISBN 1-84392-015-8 (hardback) £30.00 / US \$55.00

For further information about these and other forthcoming books, or to place an order, please contact

Willan Publishing on:

(tel) +44(0)1884 840337, (fax) +44(0)1884 840251,

E-mail: info@willanpublishing.co.uk Website: www.willanpublishing.co.uk

or write to:

Willan Publishing, Culmcott House, Mill Street, Uffculme, Devon EX15 3AT, UK



**WILLAN
PUBLISHING**

**The University of Lausanne
School of Criminal Sciences
will be accepting a new intake
of students for its**

**MASTER'S
PROGRAMME IN
CRIMINOLOGY**

Starting on 18 October 2004. This is a full-time program extending over 1 to 2 years, depending on the number of credits awarded for previously obtained degrees and practical experience.

The programme includes classes and seminars in Criminology, Criminal Law, Research Methods and Statistics, Economic Crime, Anglo-Saxon Law, Organised Crime, Juvenile Delinquency, Forensic Science, Forensic Medicine, Forensic Psychology and Forensic Psychiatry. Students are expected to spend "stages" (short periods gaining practical experience) in a police department and in a prison service. At the end of the programme, a master's dissertation is to be defended.

The School provides access to numerous international databases for dissertations and other research activities of students, initiation to research methods through individualised "on the job training", and teaching by experienced international staff. Teaching is mainly in French, with opportunities for students from other backgrounds to become familiar with the language.

Eligible are students with a BA in criminology, criminal justice, psychology, social sciences, law, or any related field.

For general inquiries about the programme please contact: Raphale.Lasserre@ipsc.unil.ch, or Martin.Killias@ipsc.unil.ch, or see the website: <http://www2.unil.ch/icdp/>.

Registration:

Forms can be obtained on-line at immat@unil.ch, or from the following address: Rectorat de l'Université de Lausanne, Service des Immatriculations, CH-1015 Lausanne, Switzerland.

Forms must be returned by 31 August 2004 to immat@unil.ch or to the Rectorat de l'Université de Lausanne, Service des Immatriculations, CH-1015 Lausanne, Switzerland.

UNIVERSITY OF CAMBRIDGE



INSTITUTE OF CRIMINOLOGY

The Institute of Criminology has a strong international reputation for academic excellence. The Institute has a distinguished senior faculty which includes Sir Anthony Bottoms, Manuel Eisner, David Farrington, Loraine Gelsthorpe, Alison Liebling, Shadd Maruna, Michael Tonry, Per-Olof Wikström, and Andrew von Hirsch. Its multi-disciplinary staff have backgrounds in criminology, sociology, psychiatry, psychology, philosophy, geography, history, and law.

Radzinowicz Library

The Institute's library has one of the world's pre-eminent criminology research collections, including a wide selection of books, papers, periodicals, and historical materials. The library holds over 50,000 books and 18,000 pamphlets, receives nearly 300 periodicals, and has an aggressive acquisitions policy.

The Institute offers a wide range of graduate programmes:

- M.Phil. Degrees in Criminology or Criminological Research (the largest full-time graduate criminology courses in the UK)
- Ph.D. in Criminology
- M.St. in Prison or Police Studies

Students come from around the world, with strong undergraduate records in law, or social or behavioural science subjects, or extensive professional experience in the criminal justice system. The Institute admits approximately 40 M.Phil. students and 4-8 Ph.D. students each year. A number of awards and studentships are available from the University of Cambridge, including the recently established Gates Cambridge Scholarships for non-UK citizens, and other funding bodies.

For UK Students

Arts and Humanities Research Board, University of Cambridge Domestic Research Studentships, Millennium Scholarships, ESRC Studentships, Newton Trust Fellowships.

For International Students

Cambridge Commonwealth Trust, Cambridge Overseas Trust, Cambridge European Trust, Gates Cambridge Trust, Institute of Criminology Wakefield Scholarships, Lopez-Rey Scholarships.

Further information is available from:
The Graduate Secretary, Institute of Criminology, University of Cambridge, 7 West Road, Cambridge CB3 9DT, UK.
Tel: 44 1223 335363, Fax: 44 1223 335356
Email: graduate.secretary@crim.cam.ac.uk
Website: www.crim.cam.ac.uk, www.admin.cam.ac.uk/offices/gradstud/

Punitiveness in Europe Revisited *Continued from page 1*

That, of course, is not the only plausible basis for a ranking of punitiveness. Other possibilities include the number of people committed to prisons per year, numbers held (or committed) per victimisation, reported crime, or conviction, or various measures of sentencing severity.

These comparisons led in the 1994 article to a very inconclusive picture. Countries were ranked in almost any order, depending on the measure used. Some countries, for example, had low imprisonment rates per 100,000, and by that standard were not very punitive, but comparatively high rates of commitments per 100,000, and by that standard were highly punitive.

I had to conclude in the end that only one thing emerged consistently from the data: a relatively mild penal climate in the Netherlands.

It is exactly this conclusion that makes an update interesting: the Netherlands experienced extensive prison building in the second half of the 1990s, and Dutch criminologists generally believe the penal climate has become a lot harsher. The interesting question, of course, is whether that

reflects a general trend in Europe or whether the Netherlands has been catching up, or “reaching the European level”, as the Dutch justice minister who initiated the building program called it.

My conclusion, based on the data reported in this article, is that the Scandinavian countries have the mildest penal climates in Europe, while England and Wales and Scotland are the most punitive. Of the other countries, France, Germany, and Italy seem to be relatively punitive, and Northern Ireland relatively mild (though the reliability of the data seem questionable). Switzerland and the Netherlands seem to hold a middle position. Thus it appears that the Netherlands are indeed, relative to other countries, becoming more punitive.

Methodological Issues

Comparing crime and justice data between countries is always a tricky business. There are differences in how crimes are defined, in criminal procedure, in the types of sentences that can be imposed, and in the way (or even whether) statistics are

collected. As these issues have been discussed extensively elsewhere, I do not go into them here. It should be noted that some of the objections against international comparison apply to what I do here and to the data I use.

However, the European sourcebook has been developed in order to stimulate comparison, and much effort has gone into establishing ways of data gathering and presentation that reduce these problems to acceptable levels. Moreover, the indicator I use as a starting point (the imprisonment rate) is widely used and not too complicated, though it might be argued that at least in some countries an overall incarceration rate, including those detained in mental clinics and forensic hospitals, would be more appropriate.

As regards the comparisons themselves, I use simple rankings only. Others, e.g., Tournier (2000), have used more sophisticated procedures, but I stick to the straightforward method I used in my earlier article.

One last remark on methodology: although the sourcebook provides data on more recent years for some of the

TABLE 1: Prison Statistics for Several European Countries, 1999/2001

	1999				2001	
	total prison population/100,000	percent convicted prisoners	convicted prisoners/100,000	total admitted/100,000	average detention (months)	total prison population/100,000
Finland	50 (1)	86	43 (2)	113 (2)	5,2 (6)	58,7 (2)
France	85 (7)	64	54,4 (7)	123 (3)	8,8 (8)	77,1 (8)
Germany	98 (9)	77	75,5 (9)	899 (7)		95,8 (9)
Italy	92 (8)	17	15,6 (1)	156 (3)	7,9 (7)	95,3 (7)
The Netherlands	85 (6)	67	56,9 (8)		4,4 (5)	95,4 (8)
Norway	57 (2)	76	43,3 (3)		2,7 (3)	59,2 (3)
Sweden	61 (3)	76	46,4 (4)	105 (1)		68,5 (4)
Switzerland	80 (5)	65	52 (5)		2,2 (1)	71,6 (5)
United Kingdom						
England & Wales	123 (11)	88	108,2 (11)	257 (4)	3,9 (4)	126 (10)
Northern Ireland	76 (4)	70	53,2 (6)	349 (5)	2,3 (2)	51,6 (1)
Scotland	116 (10)	85	98,6 (10)	694 (6)		

Source:

1999 figures: European Sourcebook of Crime and Criminal Justice Statistics, 2003, tables 4.B.1.1 to 4.B.2.2

2001 figures: Space 1 (at Council of Europe website, www.coe.int, [pc-cp]space\documents\pc-cp (2002) 1rev -e] PC-CP (2002) 1 rev.

TABLE 2: Sentencing Statistics for Several European Countries, Homicide, 1999

	Court Convictions/ sentences imposed per 100.000	Type of sentence				Length of sentence (cumulative)					
		percent fines	percent immediate custody	percent suspended custody	percent non-custodial sentence	up to 1 yr	up to 4 yrs	up to 5yrs	up to 10 yrs	average length of sentence (months)	% life
Finland (1998)	3,0	0,0	92,4	0,6	0,0	-	-	49,7	81,9	70,3	4,9
France	1,1	0,0	97,2	2,7	0,1	2,8	-	14,6	36,6	143,7	3,7
Germany	1,1	0,5	90,6	8,7	0,1	0,8	-	34,4	71,4	-	14,6
Italy	1,3	0,0	100,0	0,0	0,0	-	-	19,5	38,6	-	-
The Netherlands	1,2	1,0	40,8	8,1	10,2	31,0	66,3	-	-	-	-
Norway	0,6	0,0	74,1	0,0	0,0	5,0	-	20,0	70,0	110,6	-
Sweden	1,5	0,0	95,6	0,0	4,4	-	7,5	63,4	-	81,4	19,4
Switzerland	0,9	0,0	87,1	12,9	-	3,8	-	44,6	74,2	70,7	0,0
United Kingdom											
England & Wales	0,6	0,0	94,5	0,3	2,4	-	-	0,3	8,0	108,4	85,3
Northern Ireland	1,1	0,0	22,2	0,0	0,0	5,6	-	11,2	16,8	152,0	66,7
Scotland	2,2	0,0	87,0	0,0	13,0	1,0	-	25,0	55,0	75,0	33,0

Source:

European Sourcebook of Crime and Criminal Justice Statistics, 2003, tables 3.B.3.3 and 3.B.4.3 (The Netherlands: Statline, www.cbs.nl)

measures I use here, I use 1999 data, as this provided the least missing data. Only when comparing imprisonment rates and average detention lengths have I also used more recent data, partly because these were the only ones available and partly because this extends the possibility of looking at trends.

Imprisonment

Though the rate of imprisonment (number of prisoners per 100,000 inhabitants) is a very raw indicator of punitiveness, it is widely used to compare countries and also to draw conclusions about punitiveness. As in my earlier article, I have used it as the basis for a first ranking (from lowest to highest) of the eleven countries in the comparison. As can be seen in table 1, the three Scandinavian countries (Finland, Norway, Sweden) have the lowest overall imprisonment rates (number in the first column), between 50 and 61. At the other end of the range are England and Wales and Scotland, with rates around 120.

One reason why the imprisonment rate is only a very weak indicator of punitiveness is that it reflects not only the number of people in prison and sentence length, but depends on how pre-trial detention is used. Therefore

we should also look at the third column in table 1, which gives the convicted prisoner rate. Ranking the countries by this rate, we see a somewhat different picture. The Scandinavian countries continue to rank low and the UK (with the exception of Northern Ireland) to rank high, but now Italy has by far the lowest rate.

In other words, if we look at the gross imprisonment rate we would conclude that Italy is quite punitive, and if we look only at the net imprisonment rate the conclusion is that Italy is the least punitive of the countries in this comparison. Of course, this is exactly the kind of conclusion one should refrain from: it just shows that even straightforward measures depend on factors of which the impact is clear but that need a thorough examination to estimate their real numerical effect.

An alternative way to look at imprisonment is to take the admission rate (number of prison entries per 100,000) as a measure. Unfortunately, the sourcebook does not provide this measure for all countries, but the fourth column in table 1 shows that a ranking based on this measure would shed a different light. The Scandinavian countries still have low

rates, but Scotland and Germany have the highest admission rates.

The differences in these rankings reflect the influences of remand practice and sentence length. These also have their influence on the average duration of detention, the last measure to look at. It is given in column 5, and does not refer to 1999 (like the first four columns) but to 2001.

A ranking based on this measure again changes things dramatically: the shortest average confinement periods are found in Switzerland, Northern Ireland, and Norway, the longest in France, Italy, and Finland. Of course, this is partly because the data are for a different year (the ranking, given in column 6, based on the 2001 imprisonment rates also differs from the ranking for 1999) but the main reason appears to be that it is a completely different ratio.

Although we should keep in mind that the rankings given in table 1 are based on measures that are partly missing for several countries, we can now draw some tentative conclusions. Firstly, the Scandinavian countries and Northern Ireland quite consistently rank low on the punitiveness measures used so far, with the exception of

Continued on next page

Punitiveness in Europe Revisited *Continued from previous page*

average sentence length on which Finland scores relatively high. Secondly, equally consistent are the high scores for England and Wales, Scotland (though the 2001 figures are missing), and Germany. For the other countries, the picture is mostly consistent too, in the sense that they rank somewhere in the middle on all measures – with Italy as the odd outlier when it comes to the rate of convicted prisoners.

Sentencing

A different, though not unrelated, way to look at punitiveness is to use sentencing statistics. The European sourcebook offers those for a limited number of offences²; here I restrict myself to an even smaller number – mainly because using all the available data would not make things much clearer.

The first thing to look at might be the number of court convictions or sentences per 100,000. This number, however, is dependent on the number of cases cleared, and therefore also on the number of crimes committed. More interesting would be to look at the way the police and prosecution

deal with suspects – the proportion prosecuted or sanctioned by the police or the prosecutor³ could be seen as another indicator of punitiveness. Unfortunately, for most countries these figures are not given in the sourcebook, and they are quite hard to get from other sources. Therefore, I look only at the types of sentences and the lengths of prison sentences.

In table 2, the relevant figures are given for homicide (total, i.e., completed and attempted). Not surprisingly, in most countries the majority of those sentenced for this offence receive a custodial sentence.

Only in the Netherlands and Northern Ireland is the percentage of custodial sentences (far) below 50; in over half of the countries the percentage is over 90. As the variation in this measure mainly stems from outliers that seem to be questionable in themselves⁴ it is best not to look at it any further, and to proceed to the data on sentence lengths.

Here there are some interesting differences. While in five countries (France, Italy, Norway, England and Wales, and Northern Ireland) 20 percent or less of the sentences are

under five years, in four countries (Finland, the Netherlands, Sweden, and Switzerland) over 40 percent are. In Sweden, however, the proportion of life sentences is relatively high – although not as high as in the different parts of the UK (where a life sentence is mandatory for completed homicide, but not for manslaughter and infanticide).

Taking also into account the average sentence length, this table suggests a relatively mild penal climate in Finland, the Netherlands, and Switzerland, while France, Germany, England and Wales, and Northern Ireland seem to be the most punitive.

Table 3 gives the same data for rape. It shows remarkable differences in the use of custody as such – at least, when the difference between suspended and unsuspended custody is made. Finland, Germany, and Switzerland use suspended custodial sentences rather frequently, while in the Netherlands a relatively low percentage of custodial sentences is evident.

The distribution of sentence lengths shows relatively high

TABLE 3: Sentencing Statistics for Several European Countries, Rape, 1999

	Court Convictions/ sentences imposed per 100.000	Type of sentence				Length of sentence (cumulative)					
		percent of fines	percent immediate custody	percent suspended custody	percent non-custodial sentence	up to	up to	up to	up to	average length of sentence (mths)	% life
						1 yr	4 yrs	5yrs	10 yrs		
Finland (1998)	1,1	0	48,3	51,7	3,4	18,5	-	96,3	100	27	-
France	2,9	0	89,2	9,8	1	5,1	-	21,1	54,6	104,2	0,2
Germany	2,7	0,3	45,4	48,6	5,7	4,8	-	83,3	99,9	-	-
Italy	2,1	0,2	99,8	0	0	20,4	-	92,4	99,7	-	-
The Netherlands	0,4	0,9	40,7	9,7	10,6	32,6	96,5	-	-	22,6	0
Norway	0,7	0	100	0	0	32,2	-	100	-	23,4	0
Sweden	1,1	0	91,8	0	8,2	7,8	89,7	-	-	29,7	-
Switzerland	1,3	0	70,1	29,9	0	1,5	-	76,5	83,9	46,2	-
United Kingdom											
England & Wales	1,2	0	96,3	0,2	2,3	1,1	-	19,7	76,5	79,8	10
Northern Ireland	0,4	0	100	0	0	0	-	14,3	43,9	91	0
Scotland	0,5	0	96,3	-	3,7	0	-	30,8	80,8	81	0

Source:

European Sourcebook of Crime and Criminal Justice Statistics, 2003, tables 3.B.3.6 and 3.B.4.6 (Figures on convictions/ type of sentence for The Netherlands: Statline, www.cbs.nl)

TABLE 4: Sentencing Statistics for Several European Countries, Robbery, 1999

	Court Convictions/ sentences imposed per 100.000	Type of sentence				Length of sentence (cumulative)					
		percent of fines	percent immediate custody	percent suspended custody	percent non-custodial sentence	up to 1 yr	up to 4 yrs	up to 5yrs	up to 10 yrs	average length of sentence (mths)	% life
Finland (1998)	8,5	0,9	98,9	34,7	6,8	47,4	-	96,6	99	14,5	-
France	8,7	1,4	59,9	27,3	11,4	61,4	-	90,1	96,1	15,4	0
Germany	13,1	0,7	37,9	35,8	25,6	12,8	-	88,3	98,5	-	0
Italy	11,5	0,4	99,6	-	-	19	-	97,1	99,7	-	-
The Netherlands	3,6	1,4	41,1	13,4	18,7	66	96	-	-	13,8	0
Norway	4,1	0	75,3	14,3	9,3	42,4	-	198,6	99,3	10,7	-
Sweden	6,9	1,1	64	5,7	29,1	19,5	92,5	-	-	22	-
Switzerland	5,2	0	42,9	57,1	0	20,6	-	62	64,5	30	0
United Kingdom											
England & Wales	10,8	0,2	72,3	0,6	25,6	10,9	-	83,1	97,3	35,7	0,9
Northern Ireland	7,9	0,8	52,7	14,7	31,8	8,8	-	86,7	97	31	0
Scotland	12,7	4,9	70,4	-	24,8	35,4	-	81,8	99,1	28	0

Source:

European Sourcebook of Crime and Criminal Justice Statistics, 2003, tables 3.B.3.12 and 3.B.4.12 (Figures on convictions/ type of sentence for The Netherlands: Statline, www.cbs.nl)

percentages of prison terms of (less than) one year in Finland, Italy, the Netherlands, and Norway, and very low percentages of sentences up to (and including) five years in France and the United Kingdom. As this picture is consistent with the one that arises from the average sentence length, the conclusion must be that this is also the conclusion with regard to punitiveness generally.

Table 4, in which the equivalent data are given for robbery suggests a problem with Finland (the percentages for suspended and unsuspended custody are inconsistent). If we look at the other countries, the main difference in type of sanction seems to be that in Germany, Sweden, and the UK non-custodial sanctions (other than fines) are meted out more frequently than in other countries. The lower percentage use of these sanctions in France, the Netherlands, and Norway, however, seems to be “compensated” by relatively high percentages of prison sentences of one year or less.

Looking at the overall picture, the main difference between countries seems to be whether they apply a broad variety of sanctions or not. For those countries that do, the picture is

not very clear. Most of them seem to express in the sanctions large differences in severity of the offence. Of those countries that seem to rely mainly on prison sentences, Italy and England and Wales appear to be the most punitive.

The last type of offence looked at (see table 5) is drugs offences (trafficking and all other combined). Here there are large differences: in the rate of court convictions and in the usage of types of sanctions – but not so much in sentence lengths. The typical outlier seems to be the Netherlands, with a very low rate of court convictions, relatively low rates of unsuspended prison sentences, and also short average terms. At the other end of the range are Norway and Scotland, with high rates of court convictions (of which high percentages are fines) and relatively short terms in Norway, but long ones in Scotland.⁵

If we look at custodial sanctions (immediate and suspended combined) only, the high percentages in Italy and Switzerland seem to indicate punitiveness, but the distribution of sentence lengths (and average sentence length in the case of Switzerland) does not point in the

same direction. Again, the differences in types and severity of sanctions seem to reflect differences in offence severity – but here one might argue that the prosecution of less severe offences as such is a measure of punitiveness.

Taking all that into account, the Nordic countries, Switzerland, England and Wales, and Scotland seem to be more punitive ones in relation to drugs while the Netherlands and Northern Ireland might be described as more lenient or maybe more selective.

Overall Picture and Trends

Compared to the conclusions in my earlier article, the positions of most countries are more or less the same, except the Netherlands, for which the picture is remarkably different. In 1994, when I looked at figures relating to 1990, I came to the conclusion that the Netherlands was the least punitive country.

This would suggest that the feeling of Dutch criminologists that their country has rapidly become more punitive is correct. Not only did the absolute value of one indicator (the imprisonment rate) double in 10 years,

Continued on next page

Punitiveness in Europe Revisited *Continued from previous page*

TABLE 5: Sentencing Statistics for Several European Countries, Drugs Offences, 1999

	Court Convictions/ sentences imposed per 100.000	Type of sentence				Length of sentence (cumulative)				average length of sentence (mths)	% life
		percent of fines	percent immediate custody	percent suspended custody	percent non-custodial sentence	up to 1 yr	up to 4 yrs	up to 5yrs	up to 10 yrs		
Finland (1998)	88,2	70,6	27,6	11,9	2,7	64,1	-	88,1	93,9	14,5	-
France	37,8	15,2	36,4	38,1	10,2	60,2	-	93,8	99,5	15,4	0
Germany	65,9	39	16,7	27,6	16,7	34	-	94,9	99,7	-	0
Italy	31,5	1,7	98,3	0	0	55,1	-	92,1	98,7	-	-
The Netherlands	7,6	14,6	26,8	15,8	16,2	67,4	96,9	-	-	13	0
Norway	183,3	65,1	14	19,1	1,8	75,5	-	96,4	98,8	10,7	-
Sweden	82,2	50,4	20	0,5	29,1	65,4	92,5	-	-	15,3	-
Switzerland	110,9	6,3	38,4	55,3	0	66,8	-	88,6	90,8	10,9	0
United Kingdom											
England & Wales	93,2	47,4	17,8	0,7	33	37	-	85,6	97,1	28,7	-
Northern Ireland	35,7	48,2	15,3	16,4	20	33,7	-	96,6	100	18	0
Scotland	123,2	63,2	14,8	0	22	58,2	-	92	98,9	19	0

Source:

European Sourcebook of Crime and Criminal Justice Statistics, 2003, tables 3.B.3.12 and 3.B.4.12 (Figures on convictions/ type of sentence for The Netherlands: Statline, www.cbs.nl)

but it is also clear that the Netherlands did not just follow a general European trend. In most countries – excepting Norway and Sweden – the imprisonment rate rose, but considerably less than in the Netherlands. However, the analyses of types of sentences and sentence lengths indicate that the doubling of the prison population is only to a small extent the result of longer sentences for individual offence types, and mainly of a larger number of prison sentences, reflecting a larger proportion of serious offences in the total number of offences that the courts deal with (cf. Grapendaal 1997).

References

European Sourcebook of Crime and Criminal Justice Statistics – 2003. (Second edition). Meppel, 2003, Boom Juridische Uitgevers.
 Grapendaal, M., P.P. Groen and W. van der Heide. 1997. *Duur en Volume*. Den Haag: Wetenschappelijk Onderzoek, en Documentatiecentrum.
 Kommer, M.M. 1994. ‘Punitiveness in Europe - a

Comparison.’ *European Journal on Criminal Policy and Research* 2(1):29-43.

Tournier, P.V. 2000. ‘The Prisons of Europe, Prison Population Inflation and Prison Overcrowding.’ *Penal Issues* 12(2):6-9.

Notes

¹ A second edition covering the years 1995 – 2000 was completed in 2003 and presented at the ESC conference in Helsinki. It was published by the Ecole des sciences criminelles of the Institut de criminologie et de droit penal (Université de Lausanne), the Home Office, and the WODC through Boom Juridische Uitgevers in December 2003. For more information see: www.europeansourcebook.org or www.wodc.nl

² One of the ways to make comparison possible is to compare only relatively sharply defined categories of offences, and this is exactly what the group of specialists that developed the sourcebook did.

³ As sanctioning by the police or the prosecutor is not possible in all

countries, the conviction rate as such is not a very useful measure for international comparisons.

⁴ The percentage reported for Northern Ireland (20) is not very consistent with the percentage of custodial sentences for completed homicide (100), while the proportion of completed homicides in the total is about 90%; the figures for the Netherlands are based on a different source.

⁵ The Dutch picture is consistent with the policy of prosecuting only drugs trafficking and production, and not possession or consumption. The Norwegian and Scottish figures seem to reflect a policy in which possession and consumption are prosecuted but not punished very harshly. ■

* * * * *

Max Kommer is employed at the Strategy Development Department of the Ministry of Justice, The Netherlands.



The ESRC Cambridge Network

SCoPiC



For the study of the social contexts of pathways in crime

First annual international conference 2-3 June 2004

The Social Contexts of Pathways in Crime;

Development, Context and Mechanisms

Hosted by the SCoPiC Network at the Institute of Criminology, University of Cambridge.

SCoPiC is a five year Research Network funded by the UK Economic and Social Research Council (ESRC). The unifying theme of the Network is to advance the understanding of pathways into and out of crime as a result of interactions between individual characteristics and behavioural contexts. The Network's 2004 conference is the first in a series of four and will focus on advancing theory relating to the understanding of the social contexts of pathways in crime. The 2005 conference, organised by Professors Raudenbush and Wikström, will focus on methodology in the study of social contexts of pathways in crime.

KEYNOTE SPEAKERS

Professor **Mario Bunge**

McGill University

The Systemic Approach to Social Facts.

Professor **Marc Le Blanc**

University of Montreal

Self-Control and Social Bonds in a Developmental Perspective.

Professor **Robert J Sampson**, Harvard University

How Does Community Context Matter?

Social Mechanisms and the Explanation of Crime.

Professor **Rolf Loeber**

University of Pittsburgh

Developmental Pathways to Serious Delinquency: Individual Contagion, and Contextual Effects.

Professor **Per-Olof Wikström**,

University of Cambridge

Linking Individuals, Settings, and Action.

Situational Mechanisms and the Explanations of Crime.

Professor **Terrie Moffitt**

King's College London

Testing Causal Models in Developmental Criminology: Contributions from Genetically Sensitive Research Designs.

KEYNOTE DISCUSSANTS

Professor **Sir Anthony Bottoms**, University of Cambridge

Professor **David Farrington**, University of Cambridge

Professor **John Laub**, University of Maryland

FULL DETAILS OF THE CONFERENCE AND DOWNLOADABLE REGISTRATION FORMS ARE AVAILABLE ON OUR WEBSITE AT

www.scopic.ac.uk

Violence and the Rise of Modern Society *Continued from page 1*

source. In most European countries, data series start during the second half of the 19th century. The database includes 10 European countries with annual homicide data series stretching over more than 100 years.

For earlier periods, data accumulates from painstaking archival work of historians who scrutinize large numbers of judicial sources, produced for widely varying purposes, and not originally intended for statistical analysis. We have a patchwork of local studies.

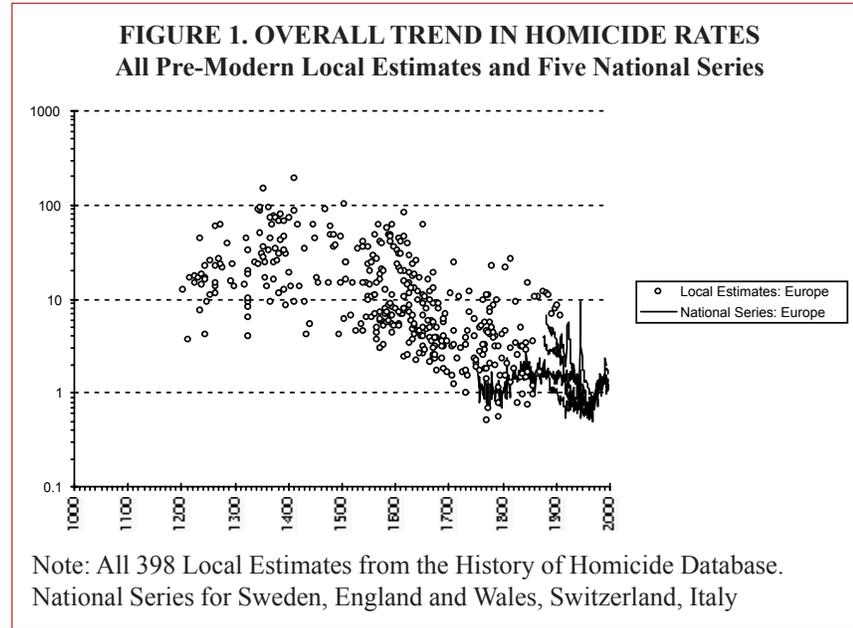
The database includes approximately 390 estimates of pre-modern homicide rates based on more than 90 publications. Coded variables include the geographical area, time period, counting units (offenders, victims, offenses), type of source, absolute number of cases, population estimates used, and assessments of data quality. I also coded information on female offenders and victims and on infanticides when data were available.

Variations Between Regions

Figure 1 displays the overall trend across Western Europe. The estimates fall within a band whose upper and lower limits gradually decline from around 1500 until the mid 20th century. This suggests a gradual continent-wide decline of serious interpersonal violence. During the Middle Ages, the 13th-15th centuries, average homicide rates were in the range of 25-40 per 100,000, although local estimates deviate considerably.

About 80 estimates are available for the 16th century suggesting an initial drop to probably 15-20 homicides per 100,000, declining further to about 10 in the 17th century and 3 in the 18th century. Homicide rates hit an all-time low around the 1950s when many countries had rates well below 1 per 100,000 inhabitants.

During any period there is considerable variation. It may be due to three different sources. Measurement errors (systematic or random) certainly influence each estimate for various reasons (e.g., gaps in the sources, unrecorded homicides, faulty



population estimates). Variability may result from historically contingent conditions such as food crises, local warfare, or banditry. Finally, variation in each period may reflect large-scale systematic differences between European areas.

A large-scale pattern of geographic variation emerged from the 16th century onwards, due to different trajectories in the transition from high to low levels of lethal violence. The data for the period until about 1500 suggest a startlingly homogeneous pattern throughout Europe, with haphazard variation between single estimates but few systematic differences between larger areas.

By the late 16th century significant large-scale regional differences begin to emerge. They suggest that the trajectory towards low levels of lethal violence took different shapes in different areas. England appears to have been the pioneer. Homicide rates in Elizabethan and Early Stuart England typically range between 3 and 10 per 100,000, considerably lower than during the Late Middle Ages. In the Low Countries, too, evidence indicates a decline from high homicide rates during the 16th century.

In Scandinavian countries, the evidence suggests a dramatic shift during the 17th century. During the

first decades, Swedish cities probably had much more lethal violence than cities in England or the Netherlands. From about 1620 onwards, however, Scandinavian scholars observe a staggering decline. By the second half of the 17th century, rates had dropped to around 8-10 homicides per 100,000, while estimates for early 18th century Sweden were around 4. By 1754, when national death statistics were initiated, the Swedish homicide rate had dwindled to 1.3 per 100,000.

A very different trend is found in Southern Europe. Lethal violence remained common until well into the 20th century. During the 18th and 19th centuries, typical homicide rates in the backward areas of Southern Italy, Sardinia, and Corsica remained at 30-50 per 100,000. Italian national statistics in the 1880s show levels of around 8-10 per 100,000.

Developments in Germany and Switzerland are hard to track, but by the early 19th century a north-south divide may have come into existence with higher levels in many areas in Switzerland and Southern Germany.

The large scale ecology of lethal violence in Europe around the turn of the 20th century resembles a trough with low homicide rates in the highly industrialized countries of Northern Europe and including Germany and

TABLE 1. HOMICIDE RATES IN FIVE EUROPEAN REGIONS

Period	England	Netherlands & Belgium	Scandinavia	Germany & Switzerland	Italy
13 th and 14 th c.	23	47	--	37	(56)
15 th c.	--	45	46	16	(73)
16 th c.	7	25	21	11	47
17 th c. (1st half)	6	(6)	24	11	(32)
17 th c. (2nd half)	4	9	12	(3)	--
18 th c. (1st half)	2	7	3	(7)	(12)
18 th c. (2nd half)	1	4	0,7	(8)	9
1800-24	2	2	1,0	3	18
1825-50	1,7	--	1,4	4	15
1850-74	1,6	0,9	1,2	2	12
1875-99	1,3	1,5	0,9	2,2	5,5
1900-24	0,8	1,7	0,8	2,0	3,9
1925-49	0,8	1,3	0,6	1,4	2,6
1950-74	0,7	0,6	0,6	0,9	1,3
1975-94	1,2	1,2	1,2	1,2	1,7

Note: Data are arithmetic means of all available estimates for a given period and region. Estimates based on local data are rounded to the next integer. Figures in parentheses are particularly unreliable because they are based on fewer than five estimates. Figures in italics are based on national statistics.

France. The trough is surrounded by a rim of high-homicide countries including Portugal, Spain, Italy, and Greece in the South and all Eastern European countries including Finland (see figure 2).

Modern Variations within Regions

Nineteenth century regional differences followed a similar pattern. In Italy, homicide rates were higher in the rural south with its low literacy rates than in the more industrialized north. French maps suggest higher levels of homicide in southern France than in the prosperous and urbanized north. Within Germany, homicide and assault rates were generally higher in areas characterized by low urbanization, low proportions of professionals and public servants, and high overall death rates. In Switzerland, too, homicide rates were negatively correlated with urbanization and industrialization.

The late 19th century distribution can be characterised along a center-periphery dimension. Homicide was low in the centres of modernization characterized by high urbanization, industrialisation, literacy, and

education. Elevated levels of violence could be found in the peripheral, predominantly rural areas with high birth rates and illiteracy rates.

A Theoretical Framework for Explanation

Explanation of these changes requires grand theories that place the history of interpersonal violence in the context of societal macro-dynamics. The theory of the “civilizing process” developed by the German sociologist Norbert Elias during the 1930s offers a useful framework.

Elias predicted a long-term internal pacification of European societies over the centuries. His framework embraces long-term social dynamics at a macro level and changes in typical psychological traits and developments in characteristic modes of behavior at a psychological micro level.

He argued that, over a period of several centuries, personality structures were transformed in a distinct cumulative direction. It is characterized by increasing affect control, a higher emphasis on long-term planning, a rationalized manner of living, a higher reflexive sensitivity to inner psychological states and

processes, and decreasing impulsivity – in brief: higher levels of *self-control*.

The idea that historical variation in criminal violence can be understood as the result of changes in self-control should be attractive to many criminologists. The overlap between the theory of the civilizing process and current criminological thinking ends, however, with the question of why levels of self-control vary. Criminology has pitifully little to offer.

Norbert Elias, in contrast, proposes a coherent theory. He argues that variation is due to the internalization of general social control, which, in turn, is the result of increasing interdependency between social actors.

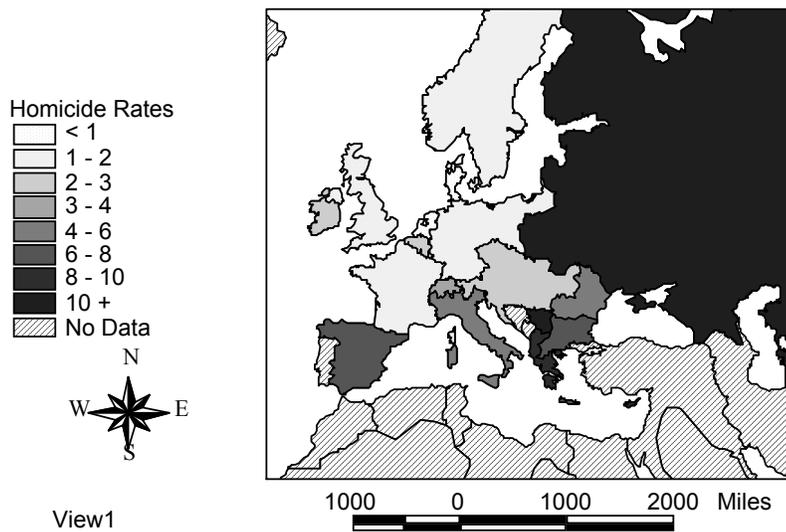
Higher interdependency in complex and extended chains of interaction – buttressed by stable social institutions – promotes self-control, since it creates advantages for those able to dampen affect and rationally plan their behaviour.

Two interrelated macro-level dynamics have promoted this long-term change. First, the expansion of the state with its monopoly of violence

Continued on next page

Violence and the Rise of Modern Society *Continued from previous page*

FIGURE 2. HOMICIDE RATES AROUND 1880



Sources: History of Homicide Database

enforced the gradual disarmament of competing power-holders and their submission to more bureaucratically organised modes of competition. Secondly, Elias assumed that the extension of the market economy resulted in increasing functional interdependency that made physical force increasingly vile and dysfunctional.

Recent research and the data just presented make it clear, though, that the “civilizing process” framework leaves out several important factors.

First, the existence of a strong state in the sense of a monopoly of power fails to explain geographic differences during early modern Europe. Rather, the divergence may be related to the evolution of different models of the relationship between the state and civil society. Northern European societies were increasingly characterized by gradually increasing legitimacy of the state, while the South remained marked by a deep rupture between the population and state authorities until well into the 20th century.

Secondly, “honor” as a concept was largely ignored by Norbert Elias. The high levels of violence in mediaeval society were embedded in the pivotal role of honor as a social resource.

Empirical research emphasizes the crucial role of insults in triggering situational conflicts in any mediaeval or early modern society. Insult constituted a major class of criminal offences, frequently brought to court and often resulting in severe fines paid to the victim. This accords with a society in which “honour” constitutes a highly important symbolic, and economic, resource to be legally protected and publicly regulated. It requires retributive violence as a potential and culturally accepted means for maintaining one’s honour.

The long-term decline in violence appears consistently to have been paralleled by decline in the cultural significance of honour. The gradual withdrawal of honour from being a symbolic resource to be defended, if necessary, by physical force, may be related to the expansion of reliable state structures.

Finally, culture – neglected in much current criminology – probably played an important role. At least two broad cultural streams may have been influential – Protestantism and modern moral individualism. Much of the early Protestant ethic can be read as a gigantic disciplining project that emphasized fulfillment of one’s duty, sobriety, frugality, and a methodical

conduct of life.

Inner-directedness and a conscientious life were among the principal commands of early Protestantism, making relentless introspection into the self and the cultivation of shame and guilt a pervasive cultural goal, especially among the Puritan and Pietist strands of the reformation.

The rise of moral individualism from the sixteenth century onwards is interrelated with, but clearly distinguishable from, Protestantism. It embraces the diffusion of a specifically modern ideal of the self, characterised by “disengagement” and “inwardness”. It implies an orientation towards guiding ideals such as autonomy, self-responsibility, and authenticity.

To criminologists, the rise of moral individualism should not be an implausible explanation of the fall in criminal violence. A large number of recent surveys find that violence is correlated with low autonomy, unstable self-esteem, a high dependence on recognition by others, and limited competence in coping with conflict. Together, these correlates may be interpreted as sub-dimensions of low moral individualism.

To this we might add the hypothesis that the secular decline of lethal violence occurred when institutional structures and educational practices supported stabilization of the type of individualized identity that is shaped to meet the challenges of modern life.

Note

This is a summary of findings and arguments developed in Eisner, Manuel (2003), “Secular Trends of Violence, Evidence and Theoretical Interpretations,” *Crime and Justice: A Review of Research*, Vol. 30, edited by Michael Tonry, where references and more detailed information can be found. ■

Manuel Eisner is reader in quantitative criminology at the Institute of Criminology, University of Cambridge.



DEPARTMENT OF CRIMINOLOGY POSTGRADUATE STUDIES

MA CRIMINOLOGY MA CRIMINOLOGY AND RESEARCH METHODS MARIE CURIE FELLOWSHIPS

The Department of Criminology at Keele University

The Department has established a national and international reputation as one of Europe's premier research training sites in criminology. Our position as a leading provider of postgraduate research training is recognised by Britain's Economic and Social Research Council. And, in 2002, the Department gained recognition as a Marie Curie Training Site (MCTS) in criminology from the European Union.

Research and teaching in the Department is inspired by a broad concern with the study of crime and the connected issues of social cohesion and social justice. The Department is home to a number of internationally renowned scholars working on all aspects of crime, criminal justice and crime prevention from a broad social science perspective. Members of staff come from several countries across the EU and speak a number of European languages. Together with the Graduate School of Social Sciences we offer a wide range of courses and training programmes for young researchers. The beautiful rural campus of Keele University is situated between the cities of Manchester and Birmingham in the heart of the English Midlands, and offers all the advantages of a flourishing academic community of students and teachers.

MA Criminology and Research Methods/ MA Criminology

Our MA degrees provide students with a thorough grounding in criminological theory and contemporary debates in crime control and criminal justice, as well as rigorous training in all theoretical and practical aspects of criminological research. Well established links with teachers and researchers across Europe, North America, Australasia and Southern Africa are amply reflected in the scope of the taught postgraduate programmes. For further information contact the **MA Co-ordinator, Ms. Ruth Jamieson** by e-mail (r.m.jamieson@keele.ac.uk) or visit us on the web at www.keele.ac.uk/depts/cr/postgrad.htm.

Marie Curie Fellowships

The Governance of Urban Safety: Crime Prevention and Public Policy

MCTS fellowships are funded by the European Union with the aim of giving doctoral students the opportunity to spend some time away from their home institutions at selected sites with proven excellence in research and research training. Between 2003 and 2005 the Department of Criminology at Keele offers a number of Marie Curie Fellowships to doctoral students from all over the EU, and Associated States, who want to pursue their studies in a broad range of topics related to community crime prevention. Fellows must not be UK nationals and must be registered on a doctoral programme at a non-UK university. They may study in the department for periods of between six months and a year. All fellows are welcome to take advantage of courses on the Department's taught MA programmes and to undertake research training in the Graduate School of Social Sciences.

Your application is welcome at any time. Applicants should contact the **MCTS Co-ordinator, Professor Susanne Karstedt** by email (s.karstedt@crim.keele.ac.uk) or by post at the address given below.

Department of Criminology, Keele University, Keele Staffordshire, ST5 5BG, UK

www.keele.ac.uk/depts/cr

The European Journal of Criminology Continued from page 3

especially the fair treatment of suspects, are enunciated more clearly than ever before, but criminologists have the task of investigating how far such ideals are embodied in the actual processes and institutional structures existing across the range of European countries.

A third and entirely different stimulus is the growing communication between countries across the wider Europe, and not just within the European Union. Increasing contacts create the need to exchange information and to work towards common standards. As the transnational dimension of crime increases in importance, there is growing pressure to create transnational institutions for law enforcement, or more effective linkages between national ones. Equally important is what Sheptycki (1998) calls the 'transnationalization of clandestine markets'. A confusing array of policing institutions has grown up as a response: TREVI, Schengen, and Europol within Europe, and Interpol extending beyond Europe. As the transnational dimension in crime and law enforcement grows in importance, this highlights the need for a corresponding Europe-wide effort of social science scholarship.

Europe and America

American scholarship was crucially important in the middle childhood of criminology, although France and Germany were more important in its infancy. But in recent years criminology has lost ground relative to other subjects in US universities, and new ideas are no longer coming primarily from the US.

Here is a field in which Europe can realistically aspire to establish a distinctive tradition: one that communicates with American scholarship, but responds to a much wider view of the world that takes in the variegated scenery of countries from Russia and Lithuania to Holland, Greece, and Ireland.

It is reasonable to hope that the criminology that now begins to

emerge in Europe will be different from American models in a number of ways. There is an increasing need for highly diverse countries to learn more about one another, especially since so many problems (such as drugs, terrorism, or dirty money) seem to come from abroad. This leads to an emphasis on comparative research.

Also, as the institutional framework of Europe is under continuous negotiation, there is still much vital space left for the kind of reformist spirit that has always provided the theoretical drive for the social sciences. Criminologists in Europe draw from a variety of traditions and intellectual backgrounds. This opens the way for a broader form of criminology in Europe than in the US, more closely linked with reform agendas, with stronger development of theory allied to empirical methodologies, and with a particular emphasis on interdisciplinary and comparative approaches.

The Role of Social Science

On one view criminology is an academic discipline: a coherent body of knowledge built up by a common fund of research methods, with a corresponding, clearly identifiable group of scholars and academic institutions. On another view, criminology is but a field of application: a set of inter-related problems that are addressed by scholars from a variety of disciplines, and using contrasting and sometimes conflicting methods. The *European Journal of Criminology* inclines to the second, more inclusive interpretation.

The journal does not, therefore, project a single, coherent approach. It is not analogous to the *International Journal of Theoretical Physics*, but is more like the *Journal of Aging Studies*, in that many different disciplines and methods can be applied to the study of ageing, or crime and criminal justice.

Yet a prison suicide or a paedophile ring are hot topics on which every cab driver will readily express an opinion, whether the passenger likes it or not. What is

distinctive about criminology's contribution that makes it different from that of the demagogue, the woman in the café, or the man in the pub? It is partly a matter of using a systematic and rigorous approach, and applying high standards of consistency, logic, and evidence. Scholarship is a continual act of renewal of the collective memory, and a systematic effort to build on it.

It is especially because symbolic values and public rituals dominate public debate that criminology is important. For example, the idea that punishment is natural, just, and necessary merges in our common culture with the idea that it reduces crime. One distinctive contribution that social science can make is to examine whether increasing the amount of punishment (for example, the number of people committed to prison) does reduce the amount of crime. Another distinctive contribution is the use of analysis and theory to show how closely the justification of punishment is linked with crime reduction, and how far the symbolic values and psychological satisfactions of punishment are independent of its effectiveness as an instrument of control.

Thus criminology does have a distinctive role that sets it apart from common sense or casual opinion, but it is one that makes room both for theory and analysis and for cumulative social science.

Comparative Research

The *European Journal of Criminology* is particularly concerned to support, encourage, and facilitate comparative research. The potential of comparative research is largely unrealized as yet in criminology and yet Europe provides much leverage for comparisons.

Fifty years ago it was difficult to do comparative research on economic growth or labour markets because the basic tools were not available: there was no reliable method of comparing the purchasing power of different currencies, or rates of unemployment in different countries. Since then, a

large effort has been devoted to developing these tools, which have transformed the comparative study of economic performance.

In the case of criminology, the tools needed for comparative research are only now starting to be developed. It remains extremely difficult to compare rates of recorded crime or numbers of police or private security personnel between different European countries.

The importance of comparative work can be seen from considering any well-known book or theory in the field. Here are three examples. In the 1930s, Robert Merton developed a theory (adapted from Durkheim) of blocked opportunity as the main cause of crime. It was based on three assumptions about American society (that everyone wanted to be rich, that everyone believed in the ideal of equal opportunity, and that opportunities were unequal in practice).

In the 1970s, Michel Foucault's *Discipline and Punish* used historical sources drawn primarily from eighteenth and nineteenth century France to support a completely general argument about a key transformation (from punishment of the body to discipline of the person) that was said to have occurred as society entered the modern period.

More recently, in *The Culture of Control*, David Garland used evidence from England and the United States to support a completely general argument about social, political, and cultural processes said to explain increasing levels of imprisonment.

In all three cases, a reading of developments in a single country (in Garland's case, a country the French might call *Anglosaxonia*) was used to support a general theory. Lesser writers have generally been content to propagate such ideas, while assuming their universality, at least as long as they remain fashionable.

That is a very important failure. The original writers could not be expected to test their ideas against developments in a wide range of countries with which they could not be familiar. But that is exactly what criminologists elsewhere should be doing. Only by the detailed

development of comparative research can the claims of these grand narratives be tested and refined.

Policy of the Journal

The *European Journal of Criminology* is a refereed journal published jointly by Sage and the ESC. It is published in English because in practice that is the best medium for the international exchange of information.

The journal publishes articles using

There is a particular emphasis on the use of evidence generated by sound social science methods to evaluate criminological ideas and policy.

varied approaches, including discussion of theory, analysis of quantitative data, comparative studies, systematic evaluation of interventions, and study of institutions and political processes (the list is not exhaustive).

The journal gives no preference either to quantitative or to qualitative or ethnographic methods. It covers analysis of policy but not description of policy developments. There is a particular emphasis on the use of evidence generated by sound social science methods to evaluate criminological ideas and policy.

The journal expects to include contributions from the widest possible range of European countries, both within and beyond the European Union. Submissions from outside Europe are considered if they touch on issues of universal significance or specific European concerns.

The journal has a small editorial board, but a large international advisory board from which reviewers are normally drawn.

Articles are anonymously reviewed by at least two referees. The anonymized comments are sent to the authors along with the editor's decision, and any request for

revisions. Reviewers are informed of the decision at the same time as the authors.

Each issue contains a 'country survey'. Over a five-year cycle it should be possible to cover all countries in Europe, and over the following five years each country will then be covered a second time. The aim is to provide accessible, but authoritative and detailed summaries of research on crime and criminal justice. This should help to create the conditions in which comparative research can develop.

Country surveys discuss in a thematic way the most important publications in recent years, and also describe the infrastructure of research and policy-making, and recent trends in crime and punishment. Country surveys are commissioned, but are subject to the same process of anonymous review as other material.

At present the journal does not carry conventional book reviews, bearing in mind the enormous difficulties involved in covering books published in so many different languages. However, we will experiment from time to time by asking leading writers to review recent books of their own choice.

References

- Downes, D., and P. Rock. 2003. *Understanding Deviance*, 4th edition. Oxford: Oxford University Press.
- Foucault, M. 1973. *Discipline and Punish: The Birth of the Prison*. London: Allen Lane.
- Garland, D. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University Press.
- Merton, R. 1938. 'Social Structure and Anomie.' *American Sociological Review* 3:672-82
- Sheptycki, J.W.E. 1998. 'Policing, postmodernism, and transnationalization.' *British Journal of Criminology* 38(3):485-503.

Note

The full version of this article appears in 1 (1) of the *European Journal of Criminology* and is adapted for reproduction here with the permission of Sage. ■

**CENTRE DE RECHERCHES SOCIOLOGIQUES SUR LE DROIT
ET LES INSTITUTIONS PÉNALES (CESDIP)
Advanced Research in Criminology and Criminal Justice**

Fellowships available now!

CESDIP is the main French research centre in the area of crime and criminal justice. A joint centre of CNRS and the Ministry of Justice, it is part of an international network (GERN, Groupe européen de recherches sur les normativités) and has a joint research program with the Max Planck Institut für internationales und ausländisches Strafrecht (Freiburg, Germany). It cooperates with a wide range of specialized French and foreign agencies. CESDIP is located about 20 kms from Paris, near Versailles and easily accessible by metro.

One or more Marie Curie research fellowships are offered each year for periods of 3 to 12 months. Research fellows may have a background in any of the social sciences or law. Research fellows have full access to the centre's activities, facilities and library. They will be assisted in making contacts with other agencies. They will be supervised by one of the centre's senior researchers.

Main research topics:

1. Socio-political analysis of the law-making process (substantive or procedural criminal law)
2. Enforcement of legal norms and the criminal justice process
 - Public and private police organisations
 - Legal professions
 - Specific crimes (homicide, violence, drugs, money-laundering, organized crime etc.), specific deviant sub-populations (adults, women, juveniles, migrants etc.)
 - Sentencing
 - Corrections
3. Victim surveys and fear of crime
4. Theoretical and historical approaches
 - History of criminology and related sciences
 - History of crime and criminal justice
 - Sociological theory of crime, deviance and norms

Post-graduate students will be selected on the basis of their scientific ability, current research programme, and compatibility with the centre's programme. They will be expected to have a working knowledge of French. The CNRS is an equal opportunity employer.

Application deadline: None

Starting date: by agreement with the selected fellow. Duration: 3 to 12 months

Send your application to Ms. Sylvie Zemb at the address below; please include CV, research project outline, letter of recommendation from doctoral supervisor.

CESDIP, Immeuble Edison, 43 boulevard Vauban 78280 Guyancourt
rlevy@ext.jussieu.fr , zemb@ext.jussieu.fr, <http://www.cesdip.msh-paris.fr>

Transition in Northern Ireland *Continued from page 3*

for their prisoners to qualify for early release.

The Secretary of State also retained an overall power to suspend or later revive the scheme or prevent the release of a person adjudged to be failing to meet any of the criteria. The scheme came to an end with a total of 447 eligible prisoners released (194 Loyalists, 241 Republicans, and 12 others) by the end of October 2000.

Painful though the early releases were for many victims and their families, they were a necessary and, on the whole, well managed element of the conflict resolution process.

The infamous Maze prison has closed. A lively debate has emerged as to whether at least parts of it should be turned into a museum. It would be wrong, though to suggest that Northern Ireland's prisons have been totally normalised.

Republican politically motivated-prisoners belonging to organisations opposed to the peace process are currently held in Maghaberry prison. Members of dissident Loyalist groups, and members of mainstream groups such as the UDA whose cease-fire is no longer recognised as valid, and which have at least partially transmogrified into organised criminal gangs, also are held at Maghaberry.

The resulting tensions have seen a re-run of the debates of the 1970s and 1980s concerning the pros and cons of segregating prisoners belonging to opposing factions. Recently, and quite sensibly in my view, the government acquiesced and conceded 'separation' according to faction.

The result is that, albeit with considerably reduced numbers, Northern Ireland's prison system continues to hold a combination of implacably opposed paramilitary inmates, as well as ordinary prisoners. The key difference, unlike during the conflict, is that those in prison have little if any organised political support in the community.

Policing

The local police, previously known as the Royal Ulster Constabulary (RUC), have a controversial history.

They were almost exclusively protestant, Unionist in ethos, and involved in human rights abuses including torture, 'shoot to kill' operations against terrorist suspects, and collusion with Loyalist paramilitaries. The RUC had almost 300 officers killed and over 7000 injured during the conflict. Parallel histories of repression and discrimination, and of sacrifice and bravery, ensured that change in policing arrangements was one of the most politically contested arenas.

The Good Friday Agreement provided for the establishment of an independent commission (chaired by former Hong Kong governor, Chris Patten) to review policing arrangements. That commission, widely commended for its breadth and vision, recommended fairly dramatic changes, notably:

- That the RUC be renamed the Police Service for Northern Ireland;
- That policing should be overseen by a new, much more powerful Policing Board to replace the largely discredited RUC Police Authority. This board would include ten political representatives according to the percentage of the vote gleaned in the local Assembly elections, and nine independent members;
- That all new recruits would be on a 50/50 basis of Catholics and Protestants;
- That each of 26 local District Councils be required to establish local District Policing Partnership Boards to ensure local accountability and direction of policing services;
- The recommendations of a previous review of police complaints be implemented and an office of Police Ombudsman be created, with wide powers of investigation;
- That the anti-terrorist specialist section of the RUC, the Special Branch, which Patten acknowledged as a 'force within a force', should be merged within the crime branch, reduced considerably

in size, and its officers not be allowed to spend long periods in such security work divorced from 'normal' community policing;

- That the ethos, culture, symbols, and oath of the new police service be changed to reflect the centrality of human rights protections, and that the Union flag no longer be flown from police buildings.

The process ostensibly designed to implement Patten's recommendations has been dogged by political controversy and persistent allegations that civil servants within the policing establishment have sought to dilute the report's potential.

The Police Bill 2000, which was supposed to implement the report, was described by Professor Clifford Shearing, one of the members of the Patten Commission, as "not having cherry picked but rather gutted" the original report¹ After some toing and froing during consideration of the legislation, the Bill was rejected by both the main Nationalist parties (Sinn Fein and the SDLP). Given that much of the thrust of Patten was to find a policing service that was acceptable to the Nationalist community, this was a major set back.

Many of the managerial and structural changes have been implemented since 2000. After further lengthy negotiations in 2001, a revised "implementation plan", and the promise of new legislation, the SDLP decided to support the new Police Service and took up positions on the Police Board with Unionist and non-aligned colleagues.

Despite further lengthy negotiations, Sinn Fein (which became the largest Nationalist party by a considerable margin in the November 2003 Assembly elections) have continued to withhold support.

The central tenet of their opposition is that Sinn Fein can offer its support to the new policing arrangements only when all justice powers are properly devolved to the local legislative assembly. The reality is that Sinn Fein's sitting on the

Continued on next page

Transition in Northern Ireland *Continued from previous page*

Policing Board will be de facto recognition of the end of the IRA as an active paramilitary group. The absurdity of continued IRA activities while Sinn Fein sits on a Police Board or indeed with a Sinn Fein Minister of Justice is obvious to all, including Republicans themselves.

Criminal Justice

The Good Friday Agreement also contained provisions for more general review of the criminal justice system (excluding Emergency Legislation), albeit in this instance a government-led review with some independent advisors. The Review in March 2000 proposed 294 recommendations for reform. This included a number of significant and far-reaching recommendations such as:

- New procedures for all judicial appointments including the establishment of a Judicial Appointments Commission.
- Creation of a new, independent Public Prosecution Service.
- Measures to promote a representative workforce in all parts of the criminal justice system.
- Proposals aimed at placing human rights at the centre of all criminal justice service policies.
- Reform to aspects of youth justice including placing restorative justice at the core of juvenile justice.
- Recommendations dealing with structures and arrangements relating to the possible devolution of justice powers.

In November 2001, one and a half years later, the government made public its response in the Criminal Justice Review Implementation Plan. The Plan accepted the majority of the recommendations which, considering that the Review was government-led, was not entirely surprising.

One significant failing is that the Implementation Plan, despite its name, did not spell out precise measures or indeed strict time frames. The Plan referred in many instances to the need for legislation to implement particular recommendations and thus a

draft Justice (NI) Bill was also included.

In July 2002, the Justice (NI) Act was given Royal Assent. It made provision for many of the Review's recommendations including the new procedures for judicial appointments, the creation of the Judicial Appointments Commission, the new Prosecution Service, the creation of a Chief Inspector for Criminal Justice, lay magistracy (new to Northern Ireland), reform of the youth justice system, and new regulations on the use of courtroom symbols, flags, and oaths of allegiance.

The Bill produced fierce debates during its passage through Parliament...

The Bill produced fierce debates during its passage through Parliament, and a number of the Review's recommendations, which had not received full support from the government, were excised or considerably diluted. One prominent example was the express extension of Review Recommendation 141 on the display of symbols inside and outside of courthouses. As with police stations, prominent displays of Union flags and the British Crown have been cited by Nationalists as denoting the identity only of one section of the community and thus undermining claims to neutrality and fairness.

Under political pressure, the then Secretary of State, Dr. John Reid, citing reasons of "architectural or historical merit"²² proposed an amendment which exempted a number of courts from the recommendations of the Review on the display of symbols inside certain designated courthouses. This came into effect as Section 66(2) of the Justice Act.

Moreover, the Secretary of State, in a complete departure from the original review, interpreted Recommendation 141 to mean that *new* courthouses should be able to display coats of arms. This had the effect of allowing

the new high-profile Laganside Courthouse in Belfast, which opened in February 2003, to bear the Royal Coat of Arms.

The larger issue has been the significant delay to the commencement of most of the Justice Act's provisions. The vast majority of the Act has not yet entered into force, despite publication over a year and a half ago. The sections that have taken effect to date are, with the exception of the new office of the Chief Inspector for Criminal Justice and changes to the Youth Justice system, some of the least significant. Too much has been deferred by express and in some instances arguably unnecessary linkages to the devolution of justice powers which, with the Assembly prorogued at the time of writing, would seem some way off.

Again, as with policing, apparent institutional and organisational resistance to change has been met with increased pressure from political negotiations. In April 2003, again following lengthy discussions between the British and Irish governments and key political parties, the governments published a joint declaration for implementation of outstanding elements of the agreement which included further support for criminal justice reform.

For example, the British government committed to appoint an independent Oversight Commissioner to provide independent scrutiny of the government's decisions on the Review, a position filled in June 2003 by former Scottish Law Lord, Lord Clyde.

The Declaration also referred to "major transformational change" that would form the basis of an updated government implementation strategy and promised the introduction of a second Justice Bill to amend the Justice (NI) Act 2002.

This 'Updated Implementation Plan' (published in June 2003) set out in some detail activities and fixed time-frames by which the different agencies would give effect to the Review. Thus, for example, it spelled out progress made by the Prosecution

Service in implementing its recommendations including new codes of practice and ethics, the changes to the youth justice and community safety partnerships arrangements, and the creation of a Youth Conference Service. The new Justice (NI) Bill committed to in the Updated Plan will include provisions such as the commitment to establishing the Judicial Appointments Commission *prior to*, as opposed to after, the devolution of criminal justice and policing powers. And so it goes on...

Conclusion

The Northern Ireland experience of the management of change is instructive. Where transformative provisions were tied tightly down in the Good Friday Agreement (as with prisoner release), this was achieved relatively swiftly and managed quite effectively. Where other changes were

less tightly defined, requiring commissions, complex legislation, and the like, there has been a constant battle between the political will for reform and institutional resistance to it. Policing and criminal justice have each required two separate acts, tightly defined implementation plans, independent overseers, and endless rounds of political negotiations. And it remains a far from settled terrain.

These days Belfast is described by many tourist brochures as a café latte society with 'an interesting history'. Certainly the embourgeoisement of areas of the city has been remarkable. A five-minute taxi ride, however, reminds you that the conflict is still very much alive in areas of the city. Despite its more genteel exterior – police cars are now brightly multi-coloured and the new Laganside courts are the epitome of glassed urban chic – the criminal justice

system remains highly contested. The key difference is that struggles these days are around implementation and oversight mechanisms. Whatever the frustrations for all of the protagonists, we do well to remember every once and a while what the alternative old certainties were really like.

References

- Patten, C. 1999. *Report of an Independent Commission on Policing in Northern Ireland*. Belfast: HMSO.
 Criminal Justice Review. 2000. *Review of the Criminal Justice System in Northern Ireland*. Belfast: HMSO.

Notes

- ¹ *The Guardian*, 14th November, 2000
² NIO Press Release, 1st March 2002. ■

Kieran McEvoy is professor of law and transitional justice, Queen's University Belfast.

EVENTS IN 2004

April

1-3 Spanish Criminology Conference
Violence and Society. Salamanca, Spain. (See www.criminologia.net)

May

13-15 Societies of Criminology 1st Key Issues Conference
What Works in Reducing Crime? Paris, France. (See www.asc41.com/paris)

June

2-3 SCoPiC. First Annual International Conference
 The Social Contexts of Pathways in Crime; Development, Context and Mechanisms
 Cambridge, UK. (See www.scopic.ac.uk)

July

6-9 British Society of Criminology Conference 2004
Criminology, Governance and Regulation. Institute of Criminal Justice Studies, University of Portsmouth (See <http://www.port.ac.uk/icjs>).

August

25-28 4th Annual Conference of the European Society of Criminology
Global Similarities, Local Differences. Free University, Amsterdam and Erasmus University, Rotterdam (See www.eurocrim2004.com).

September

8-10 XXXIVe Congrès français de criminologie.
Responsables, coupables, punis. Agen, France. (See www.afc-assoc.org)

November

17-20 American Society of Criminology Annual Meeting
Taking Stock: The Science of Criminology and the Pursuit of Justice. Nashville, Tennessee (See www.asc41.com).

TRY AND TEST THE ONLINE VERSION!



Presenting a completely new editorial team to boost quality, speed of publication and social relevance

European Journal on Criminal Policy and Research

Available in all major libraries via www.KluwerOnline.com

Over 15 million desktops are connected worldwide!

Editor-in-Chief:

Ernesto U. Savona *Catholic University, Milan and Transcrime, Research Centre on Transnational Crime, University of Trento, Italy*

Managing Editor:

Barbara Vettori *Transcrime, Research Centre on Transnational Crime, University of Trento, Italy*

Editorial Board:

Marcelo Aebi, *University of Sevilla, Spain*; **Rosemary Barbaret**, *Universidad Carlos III, Madrid, Spain*; **Henk van de Bunt**, *Free University of Amsterdam and Erasmus University of Rotterdam, The Netherlands*; **Ronald V. Clarke**, *Rutgers University, Newark, NJ, USA*; **Josine Junger-Tas**, *Utrecht University, The Netherlands*; **Gilles De Kerchove d'Ousselghem**, *Council of the European Union, Brussels, Belgium*; **Uberto Gatti**, *Università di Genova, Italy*; **Hans-Jürgen Kerner**, *Universität Tübingen, Germany*; **Michael Levi**, *Cardiff University, UK*; **Nikos Passas**, *Northeastern University, Boston, MA, USA*; **Alenka Selih**, *Institute of Criminology, Ljubljana, Slovenia*; **Louise Shelley**, *American University, Washington D.C., USA*; **Andrzej Siemasko**, *Warsaw University, Poland*; **Lode Walgrave**, *Katholieke Universiteit Leuven, Belgium*

Try and test the online version!

See for yourself and visit the journal's homepage at

www.kluweronline.com/issn/0928-1371 to view one of its issues for FREE!

The *European Journal on Criminal Policy and Research* is a platform for discussion and information exchange on the crime problem in Europe. Two issues a year will concentrate on one central topic in the criminal field incorporating different angles and perspectives. The other two will be filled with articles submitted to the journal. All articles will be peer reviewed. The journal is policy-based and scientific at the same time. It is both informative and plural in its approach. The journal is of interest to researchers, policy makers and other parties that are involved in the crime problem in Europe.

Are you interested to receive advanced notification of research published in *European Journal on Criminal Policy and Research*?

Sign up to Kluwer Alert at www.kluweralert.com to receive FREE email notification on the tables of contents and more as soon as it becomes available.

To order or for more information: jasper.deVaal@wkap.nl T +31 78 6576 290

For more information: www.kluweronline.com/issn/0928-1371

Contact Information:

Customers in Europe, Middle East, Africa, Asia and Australasia:

Kluwer Academic Publishers, Order Dept, P.O. Box 322, 3300 AH Dordrecht, The Netherlands

F +31-78-6576476 T +31-78-6576050 E orderdept@wkap.nl W www.wkap.nl

Customers in the Americas:

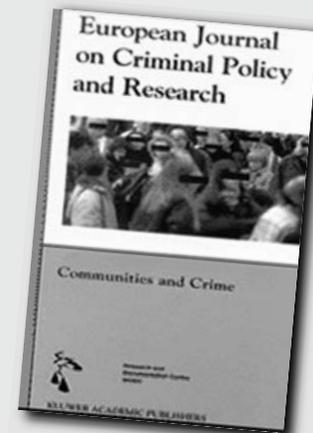
Kluwer Academic Publishers, Order Dept, P.O. Box 358, Accord Station, Hingham MA 02018-0358, USA

F +1-781-681-9045 T +1-781-871-6600 or (toll free within US) +1-866-269-wkap E kluwer@wkap.com W www.wkap.com

2004, Volume 10 (4 issues)

ISSN 0928-1371

Back in business, more relevant than ever before!



Current issues from a policy-based and theoretical perspective

Published in cooperation with the Transcrime Institute of the University of Trento in Italy

 **kluwer**
the language of science