

Newsletter of the *European Society of Criminology*

CRIMINOLOGY IN EUROPE



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on Fiscal Crises and Mass Imprisonment in the US and in Europe

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on European and American Criminology

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Vesna Nikolić-Ristanović

PENAL STATE AND PENAL INTERNATIONAL COMMUNITY

DEVELOPING CRIMINOLOGY THROUGH INTERNATIONAL COOPERATION



In my first presidential message, I called for more attention to be given within criminology to the crimes for which the most powerful are responsible, particularly state sponsored violent crimes. I also called for strengthening the cooperation of criminologists worldwide and for sharing our experiences about how to make the voice of criminologists heard, in both professional discourses on policy and public discourses on crime. In this message, let me pick up this thread once again.

But first, I would like to pay tribute to Professor Stan Cohen, who, unfortunately, left us recently. Stan Cohen is one of the leading critical criminologists in the field of state crime and crime control from whom I myself learned a lot. I believe that his contribution to the study of state violence and human rights abuses will continue to be an inspiration for new critical thinking on contemporary crime and crime policy issues worldwide, as well as a strong moral base for action¹. I also want to highlight Cohen's belief that criminologists always have to be prepared to deconstruct common knowledge, especially when it tends to confirm and strengthen the penal state and punitive approach in more general terms, which is of particular importance for criminologists in today's Europe².

In relation to that, and bearing in mind that the region I am living in is well known for large scale crimes organized by the state, I would like to draw the attention of criminologists to two recent decisions of the International Criminal Tribunal for the Former Yugoslavia (ICTY). The decisions of the ICTY Appeals chamber to acquit high ranking military officials from Croatia and Serbia, found guilty for crimes against humanity and war crimes as commanders, and sentenced to long prison terms ranging from 18 to 24 years by the ICTY Trial Chamber shed light on many important legal and criminological issues.

1 Cristie, N., Words on Stan, p. 4.

2 Cohan, Stanley. 1990. *Intellectual Scepticism and Political Commitment: The Case of Radical Criminology*. Stichting W.A. Bongers-lezingen. Bongers Lecture, May 14.

One of these issues is the discrepancy between high expectations from punitive (transitional) justice, having been raised in the last 20 years in relation to crimes in the former Yugoslavia, and the failure thereof to bring the most powerful players to justice. This seems to confirm Cohen's statement that legal verdict cannot be understood as "historical record of the event, let alone its context and why it happened"³. Moreover, it can lead toward deepening the 'interpretative denial', a concept developed by Cohen to describe a form of denial in which the facts are not disputed but interpreted in a way that distorts them⁴, and to increasing the divisions between the two sides of the conflict. For example, the acquittal of a Croatian general accused of war crimes cemented opposing truths and denials of crime in both Serbia and Croatia, and instead of contributing to reconciliation, spoiled the results achieved so far.

The most recent decisions of ICTY added further justification for the criticism that its sentencing practice are confusing, disparate, and inconsistent⁵. These decisions may also be assessed in the context of the international penal community, which offered grand promises but produced counterproductive results. There is a huge discrepancy between the expectations of victims and societies influenced by the political construction of punitive mechanisms as the part of transitional justice imaginary, and their frustrations at its results. This seems to be pervasive in transitional mechanism worldwide⁶. The fact that international involvement is significant not only in prosecuting war criminals but also in governing parts of the world (e.g. Bosnia-Herzegovina and Kosovo) as well as in re-construction of (penal) state institutions, makes this an important international issue, worthy of international research projects as well as of advocacy agendas and policies.

This brings me to the issue of cooperation. I welcome Robert Sampsons' paper from this issue of Newsletter that calls for cooperation and dialogue between European and American criminologists. I also appreciate his

quote from ACS president Bob Agnew, calling for more research devoted to harmful acts of the state and examining crimes in both non-Western and Western societies⁷. I would add to this charge the importance of strengthening the cooperation and dialogue between non-Western and Western countries, since this is particularly important for overcoming stereotypes and breaking down old boundaries.

I wish more criminologists from Central and Eastern Europe, Asia and other parts of the world would join us as members and conference participants. It is good to know that ASC is getting more and more international, and that ESC is moving in the same direction. As current president of ESC I am doing my best to promote cooperation in the countries of the former Yugoslavia and other countries of Eastern Europe. In January I also had a chance to be Opening Keynote speaker at the Second International Conference of South Asian Society of Criminology and Victimology, held in Kanyukumari, India, the main topic of which was *Revisiting interpersonal crimes and victimisation*. The range of issues addressed at the conference was wide, including crimes against women and children; men as victims: the myths and realities, and cyber-crimes committed via social networking sites. The recent rape and murder of the young woman in Delhi was, of course, "in the air", and it was very often referred

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- 3 Cohen, S. 2009. "Unspeakable Memories and Commensurable Laws." In *Legal Institutions and Collective Memories*, edited by S. Karstedt. Portland, OR: Hart Publishing.
- 4 Cohen, S. 2001. *States of Denial*. Cambridge, UK: Polity.
- 5 Hola, B., C. Bijleveld, and A. Smeulers. 2012. "Consistency of International Sentencing: ICTY and ICTR Case Study." *European Journal of Criminology* 9(5).
- 6 Hinton, A. 2012. *The Transitional Justice Imaginary: Uncle San, Auntie Yan, and Outreach at the Khmer Rouge Tribunal*. Plenary presentation at the 14th International Symposium of the World Society of Victimology, the Hague, May 20–24.
- 7 Sampsons, R. Common Concerns, Unique Cultures? *European and American Criminology*, p. 12.

FROM THE NEXT ISSUE

- > *Budapest Welcomes the ESC*
- > *Crime and Criminology in Hungary*
- > *New Series: Trust in Criminal Justice*

as a turning point in the way Indian society look at rape. Particularly striking to me was the discussion about the appropriate penalty for the men who raped and killed the girl. I liked very much the balance between the expertise of Western and Eastern speakers, and the passion and enthusiasm of colleagues from Asia for changing laws and policy on gender-based violence in the context of their rigid patriarchal traditions and their complex societies. I was happy to provide information about the Euro-

pean Society of Criminology and the European Journal of Criminology, as well invite colleagues from South Asia to cooperate with the ESC in various ways, including participation in ESC annual conferences, exchange of information, and study visits.

Vesna Nikolić-Ristanović is Professor of Criminology at the University of Belgrade and the President of the ESC.

Nils Christie

WORDS ON STAN

Stan Cohen died on Monday, January 7th. In accordance to Jewish traditions, the funeral took place already Thursday that week, at Edgwarebury Cem-



etery, near London. Here there were warm words from oldest daughter, granddaughter and a brother,— and from friend and colleague Laurie Taylor. A farewell to the man, but not to his ideas.

Home from his funeral, I took out his books from the shelf just behind me. They left a big whole there, just as his death does to so many of his friends. I looked again into some of these books, particularly “Visions of Social control”. And once more I got an opportunity to reflect on Stan’s reflections. Reflections are just what make this book so important. It is not a simple book on social control. Its core is not descriptions, conclusions and advice for action. Its content is thoughts, critiques of these thoughts, and critique of the critique. It is a book about how to think about social life, and on the moral base for action.

But these are not reflections without a solid empirical base. He laid much of the foundation for “Visions” with the book on “Folk Devils and Moral Panics”, as well as the one with Laurie Taylor on “Psychological Survival”. These books, and of course later books as “States of Denial” and “Against Criminology”, they are treasures in the criminology of our time.

Let me add some observations on Stan’s importance, as seen from my Scandinavian corner:

I have kept a relatively close contact to British criminology throughout my whole life. From the old guard with Hermann Mannheim and Max Grünhut, and a bit later Leon Radzinowich. And of course at that time Leslie Wilkins, always an outsider in his land. But then, slowly, a new and important figure emerged: Stan, in the beginning shy and complicated to understand, but after a while experienced as a warm, thoughtful but also admirable provocative person in the new generation of British criminologists. He was also soon to become one of the central participants when delegations from Great Britain were invited to Scandinavian seminars. To me, he became a dear friend.

For a period, he and his family stayed in Israel. Also there he was, in quite an extraordinary way, able to stick to ideals of intellectual integrity. He, together with his wife Ruth, became important independent voices in Jerusalem, courageously fighting for the preservation of human rights in the middle of the fierce conflict.

He was a great gift to so many among us.

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Susanne Karstedt

NEVER WASTE A GOOD CRISIS!

FISCAL CRISES AND CRIME POLICIES IN THE US ... AND EUROPE?

1. WHAT CRISIS?

Criminologists are used to think about economic crises in terms of rising crime rates. As unemployment increases, so should crime figures; pressures on small businesses push up fraud and white collar crime, while large businesses and banks are identified at least as drivers, if not as perpetrators with criminal intent behind the crisis. In addition, the contemporary crisis coincides with increasing inequality in most European countries and in the US, a development that should entail higher levels of violent crime in the long run, and might lead to a boom of violence during the 'bust' of the economy. However, the present economic crisis seems to resist the more simplified and grand narratives of the political economy of crises, and presumably what Xenakis and Cheliotis (2012, p. 9) noted for Greece is true for many other European countries: 'the relationship between crime and financial crisis in Greece has been non-linear, irregular, and complex.'

This picture would certainly become more complex if criminologists looked at the impact of the economic crisis not on crime, but on criminal justice policies generally, and on imprisonment in particular. According to well-established traditional and contemporary theories of punishment, at least unemployment—if not increasing crime—should increase imprisonment, and economic busts should trigger not only crime booms but also booms in the prison system. Henrik Tham (2012) offers a number of additional crisis-related reasons why such a boom and punitive turn can be expected: unemployment and inequality; resentment against immigrants and populist voices, which soon become main-stream and shape crime policies; and cuts in welfare provision that increase crime as well as imprisonment.

It looks like this time criminologists will be taught a different lesson by the present economic crisis. The crisis at least coincides, if not drives a decrease in imprisonment particularly across the United States, similar developments have recently been observed in Europe though at a much lower level (e.g., Greece). Criminologists should not waste this crisis: rather they should try to understand the mechanisms that seemingly bring down imprisonment rates in the present crisis. As Jonathan Simon asks

in his blog (2012): Is this just exceptional weather or is it real climate change? Is this just related to the rainy season and cloudy skies of the world-wide recession, or is the economic crisis decisive in a thorough revision and even turn in criminal policies? It is a good opportunity to review our theories and political economies of punishment, and see whether they stand the test of the crisis. We therefore need to inquire into its very nature, explore mechanisms, and look for and potentially find those unusual suspects and actors in the field of criminal justice. Finally, we need to direct attention to ideas, 'ideologies', and values. Do 'times of austerity' have an impact on penal cultures and its very underpinnings?

Importantly, the present economic crisis is also a severe fiscal crisis in many states in the Western world and the Global North, predating it in a number of countries. The recession that started in 2008 was decisive in revealing untenable debts that Western countries had accumulated in the preceding decades, and the turmoil in financial markets exacerbated the situation in many states. Indeed, several European countries suffered in particular, like Iceland, Greece, Spain, and Italy, however it also affected the fiscal situation of others like France and the United Kingdom, and ultimately spread across the Euro-zone. Collectively, these states got under high though unevenly distributed pressure to balance their budgets. In the US, the emerging fiscal crisis became obvious and was first recognized in California and other US states like New York as early as in 2003 (Greene 2003). Surprisingly, there was no hesitation among the political class and think tanks to instantly point fingers at the bloated and increasingly expensive prison system. Similarly, in 2010–2011 the new coalition government of the UK announced its austerity policies in conjunction with a promise to revise the crime policies of the country and cut down on police (Innes 2011) as well as imprisonment. In Germany, new initiatives for penal reform are presently justified by the costs of imprisonment, and receive bi-partisan support from social democratic and conservative parties as in Hamburg (Die Welt, 28 Dec 2012). The most recent declaration of European crime and justice policies, the Aubervilliers and Saint Denis Manifesto of



the European Forum for Urban Security, agreed upon by representatives of 180 cities and 36 countries, and covering the whole political spectrum, establishes exactly that link. However, it also introduces a note of cost-efficiency which is mostly absent from similar statements in the US: ‘... when Europe and the world are going through an economic crisis ..., local authorities, institutions, and civil society representatives ... wish to reaffirm that facts show that social prevention policies are effective in terms of the fight against violence and crime. Let us be reminded that prevention is five times less expensive than other policies, and in that regard is not only humanly but also economically more efficient.’ (EFUS 2012, p. 1)

It is not clear in which ways this assembly arrived at such a precise figure of prevention being ‘five times less expensive’, but it is decisive that the argument for economic efficiency carries equal weight with efficiency in terms of well-being and human rights of prisoners and offenders.

2. AN UNEXPECTED TURN— THE US INCARCERATION DROP

Unsurprisingly, the US and their mass incarceration policies epitomize the link between fiscal crisis, economic recession, and a turn in criminal justice policies, be it ‘strange weather or climate change’. Between 1986 and 2010, in 14 US states the share of corrections in the budget doubled or more than doubled, and in more than 10 it had increased by half (Leachman, Chettair, and Geare 2012). In addition, the cost per prisoner rose sharply, as data from New York and California demonstrate. In the first decade of the twenty-first century, costs per prisoner increased in New York from US \$41,000 to US \$60,000, and in California from US \$35,000 to US \$62,000, while crime rates decreased in both states (California and New York Corrections Departments, Orange County Register 2009, 2012) and violent victimization by strangers—a good measure of overall violence—took a downward turn across the US (US Department of Justice 2012a). Even as imprisonment rates dropped slightly in New York, potential savings were exceeded and wiped out by the 50 percent increase in cost per prisoner. Notwithstanding such increasing investment in the prison system, mortality rates in local and state prisons went up throughout the decade until 2007, when they started to level off (US Department of Justice 2012b). This includes heart-breaking cases of medical negligence, as mentioned by Simon (2013). The situation had become untenable in many states by 2005, not only from a state budget point of view—it could not be ignored that each year 700,000

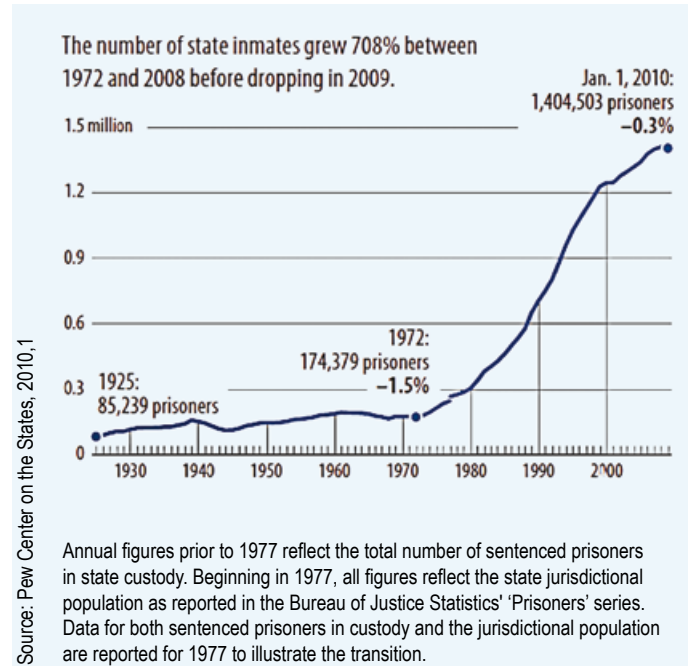


Figure 1. First state decline in 38 years

prisoners would return from prison into their communities (Travis, Solomon, and Waul 2001). How did the fiscal crisis offer a chance to rethink, review, and re-structure these policies so eagerly jumped upon by political actors of very different lineage and civil society actors of very diverging ideological provenance?

In fact, the signs of such a turn cannot be disputed. In 2009, for the first time in 38 years, the number of prisoners in US state prisons dropped by 0.3 percent, after an unabated increase of 708 percent since the 1970s (see figure 1). This might not look like a sharp drop, however in absolute numbers it amounts to more than 6,000 fewer prisoners in the overall US system of state prisons. Leading states in the decline of prisoner numbers was California with more than 4,000, Michigan with more than 3,000 and five other states with at about 1000 fewer prisoners, including Texas. In sum, 26 states reduced the numbers of prisoners, while 24 increased it, but none by more than at about 2,100 in Pennsylvania (Pew Center on the States 2010; see figure 2).

This was achieved by a number of downsizing initiatives by state governments. First, prisons were closed in California, Nebraska, New York, and Michigan, which closed a total of 8 prisons. During 2011, a further decline of 1.1 percent during the year coincided with more prison closures. Between 2011 and 2012, 17 states from Rhode Island to Louisiana closed or considered closing prisons and correctional facilities, from a large one in California to mostly medium and small-sized facilities. Florida (12),

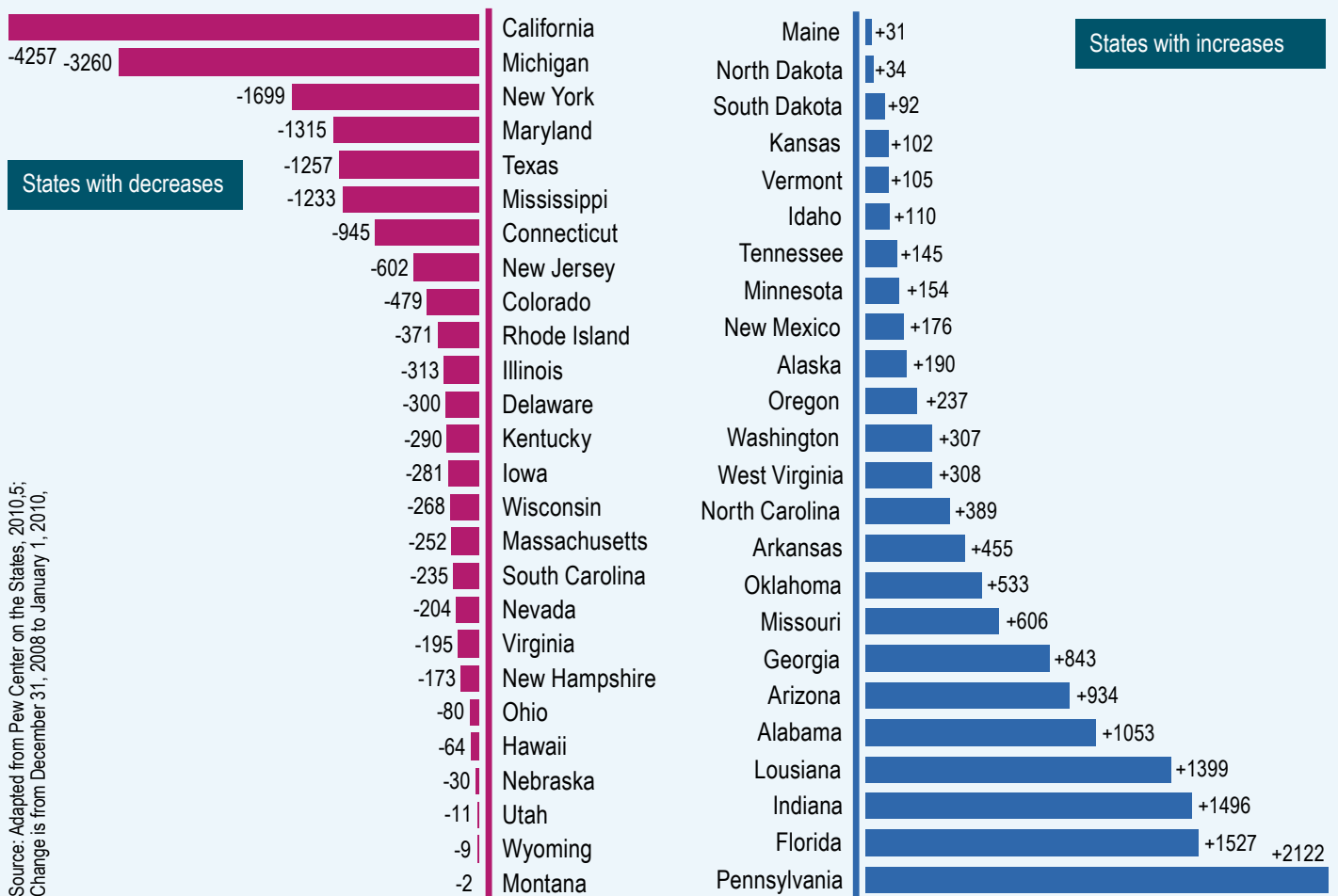


New York (7), and Texas (6) topped the list. Florida's estimated cost-savings for prison closures totaled over \$65 million (Porter 2012). Plans for new prisons were either shelved or completely abandoned in California, Oregon, Illinois, Pennsylvania, and Wisconsin. In 2005, the Texas House of Representatives, otherwise not known for lenient crime policies, decided against building a new prison in favour of providing drug rehabilitation and mental health and treatment centres (Texas Public Policy Foundation 2010). A second initiative offered early prisoner release in New Hampshire, where in 2009 all prisoners were released 9 months early, though the state retained a high incarceration rate for minorities.

Legal reforms were enacted or brought on their way. In Michigan, the state with the 7th largest prison system in the US, and one of the four states that spent more on prison than on higher education, in 2002 the Republicans repealed minimum sentencing laws for drug offences. New York State repealed some of its more draconian drug laws as early as in 2003. In both states, reform

initiatives had taken hold before, resulting in a 20 percent overall reduction of imprisonment in New York and a 12 percent reduction in Michigan between 1999 and 2009. Fiscal and cost arguments played an important role in these changes (Greene and Mauer 2010). The Fair Sentencing Act of 2010 eliminated mandatory minimum sentencing for some drug crimes. More recently, in November 2012, an overwhelming majority of California voters adopted a moderation of its excessive three-strikes laws, in conjunction with a tax increase. After 3 decades during which they took much blame for putting (unreasonable) fear over reason in criminal justice policies, they seem to have got the message: 'it is the economy, stupid', even in criminal justice. The rationale behind this combined vote seems to be that if taxes had to be increased, they should not be spent on more prisoners. Californian voters followed suit a US Supreme court ruling in 2011 (Brown v. Plata), which upheld a cap on the California prison population issued in 2009. In this decision, narrow as it was, the effect of excessive overcrowding on health

Figure 2. Change in imprisonment 2008–2009 (absolute numbers)



Source: Adapted from Pew Center on the States, 2010.5; Change is from December 31, 2008 to January 1, 2010.

care and mental health in prisons was described as approximating torture and as such was cruel and unusual punishment, prohibited under the 8th Amendment of the US constitution. Importantly, Justice Kennedy described it as ‘incompatible with the concept of human dignity’ (Brown v. Plata 2011), a concept well-known to Europeans, as it is a cornerstone of their constitutions and human rights regime.

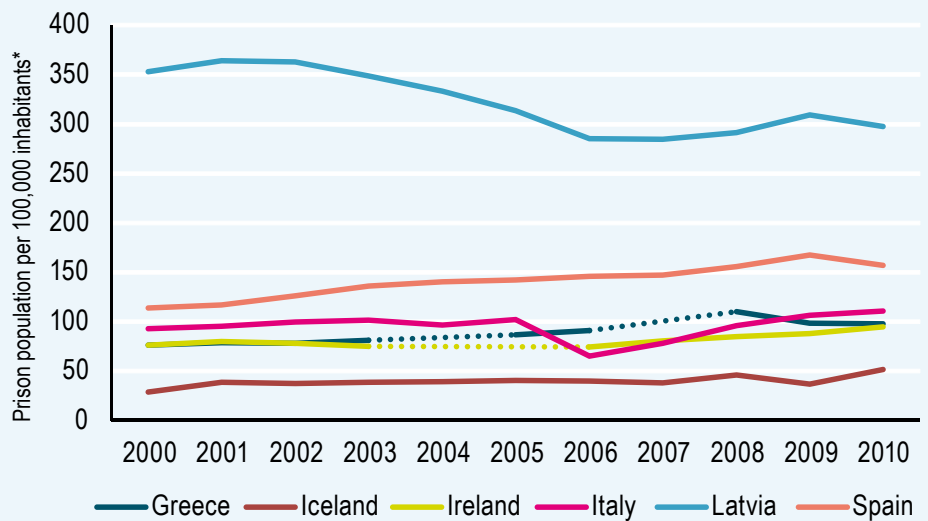
Recent figures from the US Department of Justice (2012c) show that between 2010 and 2011 the total number of people incarcerated dropped by 15,000, or 0.9 percent. During 2011, releases from state and federal prisons exceeded the number of new admission (US Department of Justice 2012c, p.1). Downsizing continued, however it was largely driven by a nearly equal fall in California’s state prisons. This sharp decline was obviously achieved by shifting prisoners to local jails, which are neither prepared for keeping prisoners for a long time nor in such high numbers (Public Policy Institute of California 2012). Even if these changes provide a mixed picture, these are signal changes in a society of mass incarceration.

There are also signs of modest, but not-to-be ignored improvements in line with the European vision of efficiency in terms of well-being and rehabilitation of prisoners and offenders. The trend towards ever higher imprisonment rates for the most affected groups seems to be leveling off: the proportion of black male high school drop-outs aged 20–34 in prison, which increased from 10 percent in 1980 to nearly 40 percent in the early 2000s, is declining since the second half of the decade (Western and Pettit 2010). The number of prisoners who die in local and state prisons is decreasing, as is the mortality rate. In 2010 there was a 5 percent decline of deaths in custody in state prisons and a 3 percent decline in local prisons (US Department of Justice 2012b).

3. NOT OUR USUAL SUSPECT, OR: IS THERE A ROLE FOR NEOLIBERALISM?

We have already noted quite unexpected actors and coalitions who initialized the downsizing of the prison population: The Republicans in Texas and Michigan, and the notoriously punitive population of California, both not known for restraint when it comes to law and order

Figure 3. Imprisonment in European countries 2000–2010 |

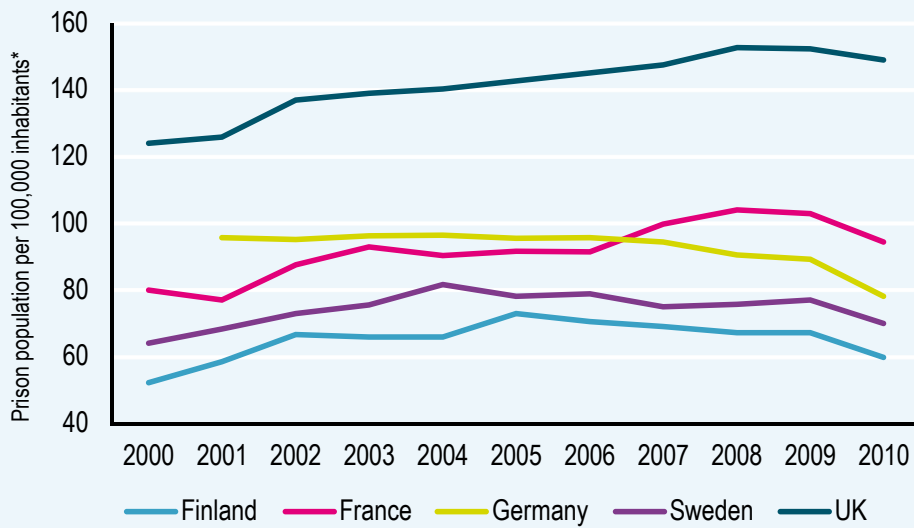


*on 1st September each year (including pre-trial detainees); own computation, based on: Annual Penal Statistics of the Council of Europe, http://www.coe.int/t/dghl/standardsetting/prisons/space_i_en.asp

policies. Before turning to a more detailed account of decisive actors in the turn of penal policies in the US, let us briefly consider the most popular accounts of the political economy of punishment and punitiveness (overview in Reiner 2007; Snacken and Dumortier 2012). The specter that has haunted US and European criminologists has been broadly labeled ‘neo-liberalism’, and comprises of a range of ‘market-centred policies’ including deregulation of the banking, telecommunications, and other vital sectors of the economy, dismantling the welfare state, and opening markets to globalization. Neo-liberalism has been blamed for a range of economic and social woes, and in particular for the financial and economic crisis of 2008.

Importantly, neo-liberalism provided the underpinning narrative for a ‘hegemonic punitive worldview’ (Listwan et al. 2008) that took hold of the criminological imagination with the emergence of mass incarceration in the US. Rather than identifying it as an exception and outlier, neo-liberalism’s manifestations in deregulating the economy and downsizing the welfare state had been at the core of most accounts of ‘penal systems’ in the US, Latin America, and Europe, and it was assumed that these regions would finally adopt the US model (Cavadino and Dignan 2006). A closer look could have provided criminologists with a slightly more cautious perspective on the link between neo-liberalism and criminal justice policies, which seemed rather more loosely coupled than they imagined (see Karstedt 2012). The main characteristic of neo-liberal policies is indeed the retreat of the state from markets and welfare provision. Even if neo-liberal policies are supportive of reducing the penal-welfare complex,

Figure 4. Imprisonment in European countries 2000–2010 II



*on 1st September each year (including pre-trial detainees); own computation, based on: Annual Penal Statistics of the Council of Europe, http://www.coe.int/t/dghl/standardsetting/prisons/space_i_en.asp

they are in many ways adverse to the implementation of costly criminal justice policies, like incarceration. Consequently, the two protagonists of neoliberal policies in the US and Europe, Ronald Regan and Margaret Thatcher, did not oversee dramatic increases in imprisonment during their time in office. During Regan’s term as Governor of California from 1967 to 1975, the state’s imprisonment rate dropped sharply mainly due to policies of parole and early release (Gartner, Doob, and Zimring 2011). As Farrall and Hay (2010) have argued, Margaret Thatcher did not support extensive imprisonment and she believed that prison sentences should be only for more and not less serious offenders (Gartner, Doob, and Zimring 2011, p. 311); imprisonment rates essentially remained the same during her time in office between 1979 and 1990. Downsizing the state, balancing the budget, and reducing taxation, all this implied keeping prison populations at low levels.

It is the same line of argument and the same type of pressures that turn contemporary neo-liberal and conservative politicians against the extensive use of incarceration in criminal justice policies. Neo-liberalism is a more volatile and janus-faced set of ideas and ideologies than assumed by many criminologists. There is no unambiguous direction for its impact on penal change, if at all. Consequently, we find actors and organisations among the protagonists of the present penal change that have long been known for their law-and-order politics, and they are situated on the right end of the political spectrum: Republicans, conservatives, and right-wing think tanks (Green 2013).

The 2012 Republican Party platform, the official political program of the Republican Party before the 2012

elections, aims at what they call ‘over-criminalization’ and advances restrictions on the groups of offenders who should receive prison sentences. Think tanks and other groups are more direct. ‘Right on Crime’, a conservative think tank explains the turn in conservative penal policies: ‘How is it “conservative” to spend vast amounts of taxpayer money on a strategy without asking whether it is providing taxpayers with the best public safety return on their investment?’ (Cost to the Taxpayers, www.rightoncrime.com). The Texas Public Policy Foundation (2010) praises itself for having accomplished its ‘goal of no new prisons and support for strengthening probation and parole supervision alternatives.’

It reports that nearly 2000 prison places were closed down, and 17,000 were not built, saving US \$2 billion, and resulting in a 9 percent reduction between 2004 and 2008. The saved funds, as the American Legislative Exchange Council (ALEC) points out, were invested in less costly crime-fighting programmes. In its policy statement ‘Getting Corrections Policy Right’, ALEC (2010) provides ‘10 Tips for Tough Budget Times’, including a review of sentencing laws, and ‘avoiding the temptation to resort to warehousing’. All these organisations had been prominent actors in the law-and-order policies of previous decades.

4. MORE THAN BALANCING BUDGETS?

Jan van Dijk diagnosed high imprisonment rates as a ‘rich man’s folly’ and an affliction of the rich countries in the Global North. Austerity therefore should improve the ‘reason’ of penal systems by slimming them down. Certainly the fiscal crisis has had a role in the turn of penal policies in the US, as Brown (2012) shows, but changes of values and culture seem to be equally important, and in the US pre-date the economic crisis. It is hard to say in which ways economic pressures are linked to changes in our attitudes and values, however, even if they are coinciding they are not necessarily related in any cause-and-effect link. Again we find unusual actors and political alignments in the turn of penal policies. David Green (2013) describes the surge of ‘penal optimism’ promoted by moral-religious rhetoric from right-wing evangelical Protestantism, in alliances with Republicans. Law-and-

order discourses are not totally abandoned but pushed from centre stage by a discourse on human dignity and second chances for prisoners, as representing ultimately fundamental American values. A newly emerging sense of duty of care for prisoners was symbolized by the Prison Rape Elimination Act of 2003, and its nearly unanimous bi-partisan adoption is indicative of a value-based consensus in criminal justice policies. These however seem to be indicative of the changes in values and morals that Tonry (2011) argues are needed in order to achieve sustainable change in correction policies in the US. But what makes our values and morals change? Certainly severe crises offer opportunities to rethink and readjust our values and morals. Even if we discard an overly materialist perspective on such changes, we should be reminded that the Reformation in fifteenth century Europe was as much a religious movement as it was a revolt on taxation.

5. AND IN EUROPE?

European countries are affected by the economic crisis, and as outlined above, a number of these experienced severe economic and fiscal crises, among them Greece, Latvia, and Iceland, but also Spain and Italy. The UK, France, and Germany are balancing their budgets. European countries have mostly resisted excess punitiveness in their corrections policies, though they were affected. Nonetheless, the overall landscape of Europe is defined more by divergence than by convergence, and as such, differing trajectories look similar to the United States. In the group of selected countries, decrease is balanced by increase, with the UK showing no particular change. As in the US, the economic crisis has not yet generated a consistent pattern of a drop in incarceration across the board. Greece, in the group of countries severely affected by the crisis, has the highest decrease in this group. In contrast, all other countries, including Iceland, Ireland, Spain, and Italy had substantive increases. Finland and Germany, among the less affected countries, have the highest decreases, whilst the UK remained stable after a period of increase (see figure 3 and 4).

6. NOT TO BE WASTED—CRISES OF PREDICTION

Nate Silver (2012), a statistician and forecaster defines the financial crisis as a crisis of prediction—an array of unrealistic assumptions, flawed master-narratives, or use of magic-bullet variables. Much of this applies to criminologists as they developed their “hegemonic punitive worldview” over the past decades: unrealistic assumptions about the spread of mass incarceration, an exaggerated role of neo-

liberalism, and a neglect of countervailing social forces. The diffusion of neo-liberalism across the globe and the emergence of mass incarceration might have been a coincidence rather than a causal influence. As it is for economists and bankers, the financial crisis is an opportunity for criminologists to improve their conceptual and methodological tools, to sharpen their grasp of countervailing forces and decarceration mechanisms, to look beyond the usual suspects, and to forge new alliances for criminal justice policies. Europeans seem to have gotten the message that this is the time to explore mechanisms of decarceration and ‘resistance to punitiveness’ (Snacken and Dumortier 2012). If they do, the crisis will not be wasted.

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New Website on Job Announcements and Funding Opportunities in Europe

European criminology is changing. Whereas in the past one tended to remain in his or her native country, where the access to information on job openings is much easier, the mobility among young European scholars of all disciplines, with criminology among them, is growing.

Yet the flow of information on job opportunities is occasional and mostly informal—there are no thick folders with job offers from all over Europe at the ESC Annual Conferences, even though more and more European universities and research institutes welcome applicants from abroad.

To facilitate the exchange of information on job offers and funding opportunities, **the ESC Newsletter is extending its website** in June 2013 by launching a new subpage, entirely devoted to job announcements and funding opportunities in Europe and beyond. The page will list both returning offers (like the Max Weber or Marie Curie Programs) and occasional ones. Those interested can sign up for an rss feed and email notification on new postings, but also on upcoming deadlines. Institutions can also post their announcements directly. The site will also feature a searchable database of past announcements.

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Robert J. Sampson

COMMON CONCERNS, UNIQUE CULTURES? EUROPEAN AND AMERICAN CRIMINOLOGY

I am grateful for the invitation to offer a few thoughts on the relationship between European and American criminology, especially as reflected in the work of our respective professional organizations and their many scholars. As President of the American Society of Criminology (ASC) in 2012, I had the pleasure of encouraging and witnessing considerable interaction with the European Society of Criminology (ESC). In this essay, I provide recent data on trends in inter-society interaction and then discuss what I see as some of the larger intellectual questions that criminologists might profitably address from a comparative perspective. Hopefully these and other comparative issues can be pursued at the upcoming meetings in Budapest and Atlanta. Overall, I am cautiously optimistic that an increasing level of cross-national dialogue is breaking down old boundaries and stereotypes. But even if not, creative tensions are part of intellectual progress—the distinctive strengths of each organization should be cause for celebration rather than concern.

Let me begin with some organizational facts. As far as I can tell, the cooperation between the ASC and ESC shows every sign of growing. There are small things, such as the sponsorship of ice-cream socials and exchanges in our respective newsletters, and big things, such as increases in inter-society memberships, attendance at annual meetings, and publications that are increasingly global in authorship origin and research site. For example, in a short period of time the ASC has seen yearly expansion in international membership.

- 2009 — 3,105 members, including 109 from Canada and 213 from the rest of the world.

- 2010 — 3,421 members, including 139 from Canada and 243 from the rest of the world.
- 2011 — 3,259 members, including 129 from Canada and 273 from the rest of the world.
- 2012 — 3,645 members, including 154 from Canada and 288 from the rest of the world.

As the numbers reveal, the participation outside North America has increased steadily each year, even when it dipped internally in 2011. Approximately 175 ASC members currently hail from 13 European countries.

Perhaps most encouraging, the attendance at the ASC meeting in Chicago last November saw what I think is an unprecedented representation of international criminologists, with over 500 attendees, more than half from Europe. Specifically, for the first time the ASC collected country of citizenship at the Chicago meeting. About 150 attendees were from Canada, 274 were from 22 countries in Europe, and 113 came from 18 countries elsewhere around the world. All told, European criminologists accounted for 8 percent of the ASC attendance in Chicago and the international numbers topped 15 percent. The ESC is a smaller organization and being relatively new has met less than 10 times, so comparison is harder. Still, the participation of Americans in the ESC meeting was at its peak in 2012, with 59 making the trek to Bilbao.

There is also considerable interaction in our journals and the everyday life of the ASC. For example, European criminologists routinely serve on various ASC committees, most notably the Sellin-Glueck committee, and many Europeans have been recipients of that award. David Farrington at Cambridge in the UK has been

President of both the ASC and ESC, and Michael Tonry (of the US and Italy) headed ASC and will soon become President of ESC. My subjective sense of *Criminology* is that it is increasingly international in scope as well.

I hope these trends continue and I want to second the invitation of the current ASC President, Bob Agnew, to venture over to Atlanta for our November meeting. Intellectually, the theme of the meeting is appealing from a comparative perspective: 'Expanding the Core: Neglected Crimes, Groups, Causes, and Policy Approaches.' Eleven Presidential Panels will focus on the overall theme, and I hope European scholars will weigh in on Bob's call for research:

- Devoting more attention to harmful acts beyond those legally defined as crimes, including acts committed by states;
- Considering additional causes of crime, beyond those social psychological factors that dominate core research, with some arguing for more focus on bi-psychological factors and others on societal characteristics;
- More fully considering the ways in which gender, race and ethnicity, sexual orientation, and others factors (e.g., immigrant status) influence crime; including victimization and the nature and experience of those factors that cause crime;
- Examining crime in non-Western as well as Western societies; and
- More directly involving criminologists in efforts to prevent or control crime, better communicating research findings to the public and policy makers, working more closely with practitioners, and studying the implementation of programs and policies.

Pragmatically, I would add that Atlanta is an easy flight from Europe and the trip should go more smoothly now that the new International Terminal has opened at the Atlanta airport.

Although it is encouraging to see increasing interaction between the ASC and ESC, I think that the styles of criminology practiced in the US and Europe are often perceived to be different. Some might claim these are stereotypes, but we are probably all familiar with assertions that American criminology is more quantitative, 'positivistic', conservative, and policy oriented than European criminology—often all in the same body of work or by an individual scholar. The stylized European criminologist is said to be more theoretical, qualitative, and critical of the 'state', especially in the realm of punishment policies. Exceptions to these labels are easy to find so it is not clear to me exactly where the truth lies, but certainly

the personalities of the two societies differ. I can also say that European scholarly conferences in general tend to unfold at a friendlier and more intellectually conducive pace. We Americans tend to be more hurried and ASC jams in more sessions for longer portions of the day. I do think intellectual life suffers as a result, but of course there is the real structural constraint of size that forces shorter sessions and more time-competing panels.

Most important, however, are the potential challenges that lie ahead for research and policy, the resolution of which may overturn some of these stereotypes or perhaps be hastened precisely because of them. I do not have the space to address all the challenges so I will briefly note three areas of research that I find of particular interest for a European-American comparison or collaborative effort—crime trends, incarceration and punitiveness, and immigration or what I call the 'new diversity'. Others that cry out for comparative inquiry include firearms violence, international organized crime, and human trafficking for sex and labor.

One puzzle is what some have labeled the 'Great American Crime Decline'. As most observers know, crime has dropped dramatically in the United States, with much of the debate turning on police practices in cities such as New York. But crime has declined in many cities across the country, both big and small, and in places with radically diverging policing styles. My own city at present, Boston, engaged in nothing like the aggressive New York City stop-and-frisk regime, yet crime declined here too, as it did in Los Angeles, which over many years had a rather dysfunctional police department. There are also many other hypotheses for the crime decline that have nothing to do with policing. The more interesting question is what about Europe and the rest of the world? Crime has declined not just the US, but also in Canada, and depending on the country there are significant declines in Europe as well. Perhaps we need to think about the 'Great World Crime Decline'. Understanding both country-level differences and commonalities is a goal that seems primed for conversations across the pond.

A second area of research concerns societal reaction to crime, especially in the form of punishment through imprisonment. It is no secret that in the latter quarter of the twentieth century the US embarked on an incarceration binge, leading to what has been called 'mass incarceration'. It now seems clear that this rapid buildup of a punitive state was policy driven—crime alone cannot explain the increase, not even half of it. The tough question then becomes, what drove this unprecedented policy-

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induced increase? The comparison with the European scene is instructive and in the end may provide testing grounds for the answer. For while crime also increased in many European countries (although from lower baseline levels), the institutional response was quite different. Why were the policy choices in Europe non-carceral at least compared to the American response? Or are there similarities that have gone unremarked?

I am pleased to see the Budapest meeting tackle these questions head on. As the program call correctly notes, 'punitive turn' has been the criminological phrase of the day and many have focused on the seemingly inevitable increase in harshness. Yet this pessimistic conclusion runs up against divergence across the countries of Europe. Ironically, the same may be true for the US. While mass incarceration is still the dominant phrasing used to describe America, the fact is prison populations are falling (in over half of states) and sometimes quite sharply in places like New York state. Even conservative states such as Texas are seeing a decline, and California prisons, albeit by judicial decree, are also reducing their populations. Moreover, many states (for example, in New England) never fell in lockstep with American mass incarceration, and at a lower level of aggregation, incarceration varies enormously by local community. Many a neighborhood in the US is essentially 'incarceration free'. Interesting comparative questions arise. Might the states and communities of the United States be more akin to European countries in terms of punishment heterogeneity? Perhaps there is little bit of Europe in some American states and we have seen a little bit of American-style punitiveness in some European countries. More country-specific comparisons are needed to get to the bottom of the diverging trajectories of the US and Europe, and internally diverging trajectories within each region. More generally, the concept of the 'state' needs reworking when considered comparatively or in the decentralized context of the US (Garland 2013).

A third question turns on the increasing diversity of society and the increases in foreign immigration. Here the perceived conservative bent of the US and the liberal bent of Europe is again problematized. The US has traditionally been an immigrant country and we have witnessed profound increases in immigration in the last 20 years or so. Immigration is also related to lower crime and for the most part has proceeded with some rancor but without violence overall. Large-scale immigration reform also seems on the political horizon. Many European countries, by contrast, have historically been ethnically

homogenous and recent increases in immigration have been met with considerable turmoil and even violence in several countries (e.g., the Netherlands, Italy, and Greece). Will the increasing diversification of countries in Europe lead to a weakening of the welfare state, as some claim? Increases in crime? Will immigration lead to reduced trust, as some evidence suggests? Might the US be said to 'do immigration better'?

In my recent presidential address to the ASC, I referred to the 'new diversity' and immigration as a hard problem for criminology to solve (Sampson 2012). In the US, we have the added burden of a long legacy of racial inequality that makes the problem even harder, a legacy that does not have the same dimensions in Europe. But as I quoted the historian Michael Katz, the explosion of immigration to the US has 'irrevocably smashed the black-white frame'. Indeed, immigration has reshaped America and is now reshaping the world in ways that overturn old assumptions. The consequences of this new diversity raise a host of provocative questions that demand a comparative criminological inquiry, especially in light of the economic crisis that has inflicted great pain on both the US and Europe.

In sum, I believe that the American and European criminological communities each have unique strengths. Some of the stereotypes might even be true. But what is most important is our common intellectual concern with crime and its societal control. I would not want to see a homogenization of criminological culture, but depending on the question, a new 'mash up' of methods, theories, and research styles is perhaps best equipped to meet the sorts of criminological challenges I have laid out. The creative tensions introduced by a comparative, cross-national dialogue will only add to the possibilities for solution. Here's to more diversity of interaction, although perhaps at a less frenzied pace—hands down, Europeans get this one right!

Robert J. Sampson is the Henry Ford II Professor of the Social Sciences at Harvard University.

Garland, David. 2013. "American Penalty and the American Penal State." Edwin Sutherland Award Address to the American Society of Criminology, November 14th, Chicago, IL.

Sampson, Robert J. 2013. "The Place of Context: A Theory and Strategy for Criminology's Hard Problems." 2012 Presidential Address to the American Society of Criminology. *Criminology* 51:1–31.

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