



European Society of Criminology Conference 2005

By Krzysztof Krajewski

The fifth annual conference of the European Society of Criminology will take place in Krakow from August 31 to September 3, 2005, hosted by Jagiellonian University and the Polish Criminological Association.

Krakow obtained city status in 1257, but its origins date back much further. Until 1592 it was the capital of Poland. However, even after this was moved to Warsaw, Krakow remained one of Poland's most important cultural centres and a symbol of the nation's character. Throughout the centuries it has retained its historic medieval centre, little touched even by the Second World War. Because of this the city boasts a rich mixture of monuments of all ages and styles.

St. Andrew's church is the greatest example of Romanesque architecture in Krakow. St. Mary's Church



with its famous wooden altar by Veit Stoss, the Franciscan and Dominican Churches, and the Town Hall Tower on the Main Market Square are the city's most prominent examples of Gothic style. The Royal Castle of Wawel is almost a shrine for Poles as most of the Polish kings are buried in its cathedral.

The city is also home to two masterpieces of Polish Renaissance architecture, the Royal Palace with its arcaded courtyard, and Sigismund

Chapel. Market Square, with Cloth Hall at its centre and traditional houses all around, is one of the largest medieval public squares in Europe. St. Florian's gate and the adjacent Barbican are remnants of the medieval city walls.

Krakow is home to Poland's oldest university,

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NOMINATIONS SOUGHT FOR ESC PRESIDENT AND AT-LARGE BOARD MEMBERS

Nominations and applications are sought for the ESC presidency for 2006-2007 and for two one-year positions as at-large board members. Elections will be held by mail ballot of ESC members in May 2005. Nominations must be received by April 15, 2005. The president is elected for a two-year term, the first as president-elect beginning at the conclusion of the 2005 annual meeting in Krakow. Nominations will not be regarded as final without agreement of the person nominated.

Applications should be sent to Professor Marcelo Aebi, Executive Secretary, Andalusian Institute of Criminology, University of Sevilla, E.T.S.I.I. - Avda Reina Mercedes s/n, 41012 Sevilla, SPAIN, Email: aebi@us.es.

'They Want the Land Without the People'

By Catrien Bijleveld

In 1948, genocide was introduced as a word. Genocide was for years almost exclusively associated with the holocaust. Before then, however, the Armenians had been massacred by the Turks, and if one goes further back, more such large scale killings and campaigns to exterminate peoples or ethnic groups spring to mind, some more widely known than others. Since World War II, the world has witnessed new periods of collective violence that have

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Message from the President

Which Criminology for Which Europe?

In Rome last November, I participated in an ad hoc conference for directors general of Council of Europe prison administrations. The general rapporteur, Andrew Coyle, reminded participants that "To our great credit, Europe, from Lisbon in the west to Vladivostok in the east, is now a *de facto* death penalty free region." The Council of Europe now numbers 46 countries, stretching from the Atlantic to the Pacific, from the Arctic to the Mediterranean and beyond to the Caucasus.

All new member states were required to ratify the European

Convention on Human Rights and the European Convention on Prevention of Torture and Inhuman or Degrading Treatment or Punishment, to accept the individual complaint procedure before the European Court of Human Rights, to impose a moratorium on the death penalty, and to abolish the death sentence by law within two years of accession.

When we look into the case law of the European Court of Human Rights, the work of the Committee for the Prevention of Torture (CPT) and recent Recommendations of the Committee of Ministers, we may conclude that within this vast European region, 46 countries are now required to recognise and foster the human rights of their citizens, including suspects, sentenced persons, and prisoners.

"Law" is not just seen as a synonym of "law and order," an instrument to define and curb the deviant behaviour of individuals, but also stands for "the rule of law", a bulwark to protect citizens against interference by the authorities. Torture

and inhuman or degrading treatment are not condoned whatever the circumstances, even war or terrorism, and prison overcrowding can no longer be justified by lack of financial means. It is recognised that imprisonment harms detainees and should be avoided wherever possible and consideration for parole is recommended for all prisoners, including those sentenced to life imprisonment.

How was this result achieved? I believe at least two things have played an important role: the emphasis on human rights and the influence of criminological research.



Sonja Snacken

Sixty years ago, Europe was at war. Extermination camps showed what happens when groups of people are defined as "lesser people" or "the enemy." It is not a coincidence that the Universal Declaration of Human Rights (1948), the European Convention on the protection of Human Rights and Fundamental Freedoms (1950), and the UN Standard Minimum Rules for the Treatment of Prisoners (1955) were all brought about within 10 years of the end of the Second World War.

Scientific experiments such as those of Milgram and Zimbardo helped explain the existence of concentration and extermination camps and their atrocities, and to underline the risk of torture and inhuman and degrading treatment in situations of dependency such as exist in prisons. In the sixties and seventies, research showed the detrimental psychosocial effects of imprisonment on prisoners and the death penalty's lack of a deterrent effect on serious crime. It also showed how social inequalities were reproduced and exacerbated by the

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Imprisonment and Penal Policy in Finland

By Tapio Lappi-Seppälä

Imprisonment rates have been increasing in most parts of the world during the last 15-20 years. In Western Europe rates increased on average by about 40 percent in the 1990s. Finland, however, reduced its rates by almost 20 percent, while Sweden, Denmark, and Norway kept theirs more or less stable (Walmsley 2004).

At the beginning of the 1950s, the imprisonment rate in Finland was four times higher than in the other Nordic countries. Finland had almost 200 prisoners per 100,000 inhabitants. In Sweden and Norway, the figures were around 50. During the 1970s, Finland's imprisonment rate continued to be among the highest in Western Europe, around 120 prisoners per 100,000 inhabitants; the corresponding figure in England and Wales was then about half of that (see Lewis 2004). Today the situation is the reverse with England and Wales at around 150 per 100,000 and Finland half that.

When most European countries experienced rising prison populations in the 1980s, in Finland the population was going down. By 1990, Finland had reached the Nordic level of about 70 prisoners per 100,000 inhabitants. In 1999 the figures hit the all time bottom. In 2003 the figure was the same as in 1990. Table 1 (page 13) tells the tale.

Prison Rates and Crime Rates

A substantial change in the use of imprisonment naturally raises questions about its effects on crime rates. While imprisonment in Finland fell, Sweden, Norway, and Denmark kept their systems more or less stable. The Nordic countries, with strong social and structural similarities but very different penal histories, provide an unusual opportunity to assess how Finland's distinctive changes in penal practices affected crime rates. Figure 1 (page 14) shows incarceration and reported crime rates from 1950 to 2000.

There is a striking difference in imprisonment trends among the four countries, and a striking similarity in trends in recorded criminality. Finland's substantial reduction in incarceration rates did not disturb the symmetry of Nordic crime rates. Finland's crime rates closely tracked those in the other three countries throughout the period, and always remained the second lowest. The data, once again, support the general criminological conclusion that crime and incarceration rates are fairly independent of one another; each rises and falls according to its own laws and dynamics.

Finland's steep drop in imprisonment was caused by macro-level structural factors and ideological changes in penal theory, and by legal reforms and changing sentencing and prison practices (for details, see Lappi-Seppälä 2001).

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Criminology in Poland

By Krzysztof Krajewski

Sir Leon Radzinowicz, in a chapter of his memoirs devoted to his pre-war Polish years, was highly critical of the state of criminology in Poland at that time. However, this opinion may not be fully justified. Important monographs and articles on criminological issues appeared in Poland before World War Two, for example, those by Stanislaw Batawia, and Tadeusz Kuczma, in addition to Sir Leon's own substantial contribution. Radzinowicz wrote extensively on theoretical questions, penitentiary issues, and crime trends. His detailed statistical analyses, published in the yearbook 'Archives of Criminology', still serve as an example of the use of official police data for many Polish criminologists.

These developments were ended by the disaster of the Second World War. Some major figures, like Tadeusz Kuczma, pupil of Edwin Sutherland and one of the most promising young figures in Polish criminology, were killed. Others, like Leon Radzinowicz, remained abroad. The decisive blow was delivered by the communist takeover.

In Poland during the Stalin years, as elsewhere in the Soviet Union and Central Europe, research and teaching in criminology were banned because it was considered a 'bourgeois' discipline. Only after 1956 did the subject slowly return to research institutes and universities. Even then, criminologists who would not submit fully to Marxist rhetoric and ideological platitudes experienced problems or were subjected to severe criticism.

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SOLICITATION OF ESC ANNUAL MEETING SITES

The ESC is soliciting applications to host annual meetings from 2007 onwards. Applications should identify the proposed organising committee and leader, describe the physical facilities that will be available (and how many attendees can be accommodated), set out a proposed budget, describe local funding sources likely to be available to underwrite conference costs, and explain why, in light of the recent distribution of annual meeting sites, the site proposed is an appropriate one.

Applications should be sent to Professor Marcelo Aebi, Executive Secretary, Andalusian Institute of Criminology, University of Sevilla, E.T.S.I.I. - Avda Reina Mercedes s/n, 41012 Sevilla, SPAIN, Email: aebi@us.es.

ESC WORKING GROUP NEWS

Juvenile Justice

The working group was founded at the 2003 ESC conference in Helsinki. Its objective is to produce a trend report addressed to the European Commission (Directorate *Justice and Home Affairs/ Directorate Social Affairs and Youth Policies*) and member states, including recommendations for policy improvements.

The idea for this working group arose because a number of ESC members working in the field were worried about developments in juvenile justice in many countries, pointing towards an ever more repressive, but not necessarily more effective, system. Questions we wanted to address are what can be done about this seemingly inevitable trend; are there other more effective ways to prevent and reduce juvenile crime?

In order to collect a number of realistic, preferably tested, innovations in procedures and interventions in the juvenile justice system, the idea was to bring together a group of experts willing to undertake some real work in this respect.

On the advice of Hans-Jürgen Kerner we decided to undertake the job in two steps. Step one was to ask participants to write a chapter on their own juvenile justice system, including eventual legal revisions or new laws. This phase is now nearly completed: we have 19 country reports, including many new member states. Reports by non-English writers have been reviewed by participants whose mother tongue is English. This has been spontaneously offered by participants from Canada, the US, Northern Ireland, and the Republic of Ireland. It was not always an easy task and all those whose reports have been reviewed were enormously grateful for that effort. A final review is now under way and we are hopeful that the collection will be published in 2005

(by Springer Verlag) and may be presented at the next ESC conference in Krakow.

The second step will be a volume on the issues that play an important role in all discussions, and sometimes controversies, on juvenile justice. Issues include delinquency trends in Europe, age of criminal responsibility, parental responsibility, prevention, diversion practices, transfer of specific age groups to the adult criminal justice system, sanctioning, evidence-based innovations in interventions, and respect for children's and juvenile's rights. Taking into account the Council of Europe's recent report on 'New ways of dealing with Juvenile delinquency and the role of Juvenile justice' (2004), the last chapter will include policy recommendations.

For further information, contact Josine Junger Tas (jungertas@xs4all.nl).

European Governance of Public Safety Research

This ESC working group was formally recognised by the society in the summer of 2004. However, the network on which it is based has been in existence since the second ESC conference in Toledo 2002 when a special panel on the new politics of public safety in Europe was convened by the two coordinators. The details of the aims, objectives, and current membership of the network can be found on the home page of the ESC although this information is in need of updating, not least due to a large growth in ESC members interested in joining since the Amsterdam conference.

Since 2002, the network has organised an externally-funded colloquium at the International Centre

for Comparative Criminological Research at the Open University in 2003, convened three panels at ESC conferences, and produced a special issue of the *Community Safety Journal* on the new politics of safety in Europe. The two coordinators are also editing a special issue of *Theoretical Criminology* on comparative criminology and the new governance of security in Europe; it is subject to external review and scheduled for publication in Summer 2005. There are also plans to seek external funding for a programme of European seminars and for a comparative 'geo-historical' research project on the governance of public safety in several European localities. Negotiations are underway with a major international publishing house for a dedicated journal for this new field of study. Finally special panels and workshops, including one with the InSec (Insecurity in Cities) research group, are planned for the annual ESC meeting in Krakow. We would be interested to hear from colleagues interested in participating in these future events.

For further information please contact Adam Edwards, Cardiff University (EdwardsA2@cardiff.ac.uk) or Gordon Hughes, Open University (g.h.hughes@open.ac.uk).

European Quantitative Criminology

The ESC Working Group on Quantitative Criminology (EQC) organised three panels and had its first meeting at the ESC conference in Amsterdam. The EQC-related panels were the following:

- Measuring crime prevention, fear of crime and self reported youth crime
- Multilevel modelling
- Analysing and explaining violent crime, police, and the media

These sessions were well-attended. The presentations covered a wide

range of topics, such as fear of crime, crime prevention and displacement, policing issues and reporting, crime rates analyses, copycat killings, and homicides in relation to democracy. Apart from multilevel modelling the research presented employed time series, cross-sectional or structural equation modelling, and other statistical tests.

The EQC working group's plans for the immediate future, include:

- Organising a session(s) of peer-reviewed presentations, which would be submitted as written papers to the EQC working group, apart from the usual ESC panel sessions which require an abstract submission
- Organising an EQC working papers series on the Internet for dissemination and feedback
- Investigating the possibilities of a European outlet of quantitative criminology papers and establishing international research collaboration.

ESC members who employ quantitative methods are welcome to join the working group by writing to Andromachi Tseloni (e-mail address: atseloni@uom.gr) giving their name, title, affiliation, and substantive and methodological research interests.

International Self-Report Delinquency Study (ISR D)'

This working group was launched at the Helsinki conference and had its second meeting at the Amsterdam conference. Its objective is to conduct an international comparative self-report delinquency study using a common methodology.

Since the Helsinki meeting, a small international steering committee has worked to coordinate the project, develop its methodology, select a sampling method, and design the questionnaire, all with regular feedback to and from participants.

A number of decisions were taken

in Amsterdam, which many participants attended. Among other matters we reached a consensus on the sampling frame, questionnaire construction and administration, funding problems, and deadlines.

What has been achieved since then is the following. A draft contract has been designed specifying responsibilities, delays, and the number of publications following the outcomes of the study.

The (English) questionnaire is now completed and has been pre-coded carefully. It will be sent to participants, who are asked to keep within the designed format and take over the pre-codes.

The latter is absolutely crucial for standardization of the study and maximum comparability. Participants will then test the questionnaire in their own countries with respect to comprehension and clarity, meaning that some changes will still occur after this process.

Funding is of course a problem, in particular for the new EU member states. We are busy preparing a combined application of new member states participants (6) to the EU in the framework of the Daphne II programme. We are hopeful that some funding will emerge.

Also, with the assistance of Sami Nevala (University of Helsinki), we have set up a ISR D Website. This is extremely useful since all important documents are placed on it and participants can very simply exchange information.

We have found funding for a methodology workshop which will take place in Switzerland (Brigels) on March 5-8, 2005. This will allow us to have extensive discussions on all possible technical and methodological problems related to the ISR D study.

Finally, we dealt with the planning of the study. We expect the translation of the questionnaire to take place in the first months of 2005. Participants are asked to send the translated questionnaires to Lausanne, so these can be reviewed (by 'same language' foreign students) on accuracy and pre-coding.

The plan is to conduct the survey in the months October-November 2005, when pupils have settled into

their schools and classrooms.

Further information can be obtained from Josine Junger-Tas (jungertas@xs4all.nl).

University Curriculum Working Group

The ESC European University Working Group was established at the ESC General Assembly in 2003 in Helsinki at the initiative of President Ernesto Savona. Its purpose is to foster high-quality European university programmes in criminology and innovative teaching in this area. The working group sponsored two well-attended sessions at the ESC conference in Amsterdam last August and held its first organisational meeting.

Among the many tasks proposed, the working group has prioritised conducting a census of European higher education programmes in criminology, because there is no updated information on how many programmes exist in Europe, nor does information exist on the structure of these programmes. Our starting point must be the collection of data on just how much academic criminology exists in Europe. For this purpose, working group members have designed a detailed questionnaire to be distributed to country representatives in Europe. The working group has approached the ESC board for limited financial assistance in conducting this survey but has been told that there are no funds available. We are therefore approaching other funding sources.

The university curriculum working group encourages potential attendees of the conference in Krakow to submit papers on teaching innovations, curricular issues, and other relevant topics. It also encourages students to participate in ESC activities.

If you would like to be involved in the activities of the working group, please contact Rosemary Barberet, chair at rbarbere@polsoc.uc3m.es. ■



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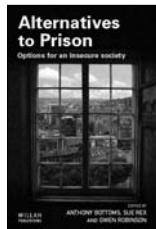


Researching Gender Violence: feminist methodology in action

Edited by **Tina Skinner** (University of Bath), **Marianne Hester** (University of Bristol) and **Ellen Malos** (University of Bristol)

In this book leading authors in the field draw on their experience to address key methodological questions and challenges that have arisen from the recent proliferation of research projects and government funded initiatives on violence against women. In doing so they provide important insights into, and critical insights to, the evidence base for policy and practice as well as more theoretical issues.

December 2004 272pp (234 x 156mm)
 ISBN 1-84392-040-9 (paperback) £18.99 / US \$32.50
 ISBN 1-84392-041-7 (hardback) £40.00 / US \$59.95

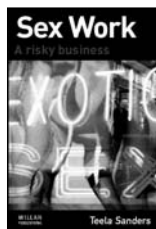


Alternatives to Prison: options for an insecure society

Edited by **Anthony Bottoms** (Universities of Cambridge and Sheffield), **Sue Rex** (University of Cambridge) and **Gwen Robinson** (University of Sheffield)

Alternatives to Prison, a product of the Coulsfield Commission and written by the leading authorities in the field, provides a comprehensive and wide-ranging review of the range of issues associated with using the variety of non-custodial sanctions, examining experiences in Scotland and Northern Ireland as well as England and Wales.

November 2004 448pp (234 x 156mm)
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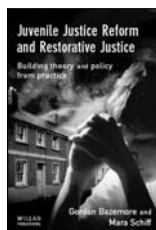


Sex Work: a risky business

by **Teela Sanders** (University of Leeds)

Sex Work: a risky business describes how women create complex psychological and emotional techniques to maintain their sanity while selling sex, and goes on to argue that the indoor sex markets in Britain have a distinct 'occupational culture' with a set of social norms, code of conduct and moral hierarchies that make it a high regulated workplace despite its illicit and sometimes illegal nature.

November 2004 224pp (234 x 156mm)
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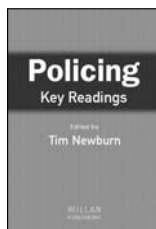


Juvenile Justice Reform and Restorative Justice: building theory and policy from practice

Gordon Bazemore and **Mara Schiff** (Florida Atlantic University)

This book, based on a large-scale research project funded by the National Institute of Justice and the Robert Wood Johnson Foundation, provides an overview of the restorative justice conferencing programs currently in operation in the United States, paying particular attention to the qualitative dimensions of this, based on interviews, focus groups and ethnographic observation.

November 2004 400pp (234 x 156mm)
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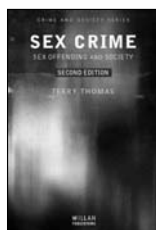


Policing: Key Readings

Edited by **Tim Newburn** (London School of Economics, University of London)

This book brings together the key readings which constitute the core of policing studies, setting these within the necessary theoretical, social and political context, and providing an explanatory commentary. Includes extracts from the writings of, among others, Kelling, Bayley, Ericson, O'Malley, Skolnick, Brogden, Eck, Waddington, Wilson, Bittner, Sherman, Dixon, Shearing, Chan, Heidensohn, Kleinig, Klockars, Moore, Styles, Manning, Goldstein, Reiner.

November 2004 720pp (246 x 171mm)
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Sex Crime: Sex Offending and society (second edition)

Terry Thomas (Leeds Metropolitan University)

This second edition builds upon the successful first edition, and is revised and expanded to reflect the many developments which have taken place in this field. In particular this second edition takes full account of the Sexual Offences Act 2003, new laws on domestic violence, the establishment of the Criminal Records Bureau and centralised screening; new multi-agency arrangements to monitor the 'dangerous' person in the community, new measures to tackle internet crime and pornography, and the cross frontier trafficking of women and children for purposes of prostitution.

January 2005 232pp (234 x 156mm)
 ISBN 1-84392-105-7 (paperback) £17.99 / US \$32.50

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Krakow Conference *Continued from page 1*

Jagiellonian, one of the oldest in Europe. Originally founded in 1364 by King Kazimierz the Great, its name comes from the royal dynasty of the Jagiellons, and its first king, Wladyslaw Jagiello who re-founded the university in 1400 after years of decline. Nicolaus Copernicus was its most famous student. Karol Wojtyla, for many years Bishop of Krakow but better known as Pope John Paul II, studied there. This proud history is reflected in Collegium Maius, the oldest Gothic university building, now a museum.

The University is renowned not only for its history, as Krakow now constitutes one of the foremost centres of education and research in Poland. There are 15 other university level schools in the city (some of them private). There are now about 110,000 students and 9,000 university teaching staff in Krakow.

Although there is a strong tradition of research and teaching in criminal law, criminology is a relatively new discipline there.

Criminologists in Krakow are proud, however, to remind colleagues elsewhere that Sir Leon Radzinowicz received his second doctoral degree in 1931 from Jagiellonian University.

Besides its "golden age" in the 16th century, Krakow enjoyed a period of great prosperity in the late 19th and early 20th centuries. Krakow and southern Poland were then under Austrian rule but they enjoyed substantial cultural and political autonomy. The university flourished as did literature and the arts. After Poland regained its independence in 1918, Krakow remained a centre for research and the arts.

Soon after World War II, however, communist authorities, unhappy with the city's conservative character, decided to build a huge steel mill on its outskirts in an effort to change its social structure. This had disastrous consequences with the steel mill causing severe environmental damage. During the 1980s when martial law crushed the independent trade union "Solidarity," the working class district of Nowa Huta, near the steel mill, produced most of the

protest, demonstrations, and violent clashes with riot police.

Krakow has struggled to overcome the consequences of communist rule since the collapse of the communist regime in 1989. The city first had to cope with growing unemployment



Collegium Novum

resulting from the restructuring of heavy industry. This was compensated in part by attempts to attract high-tech industry and by development of a services sector, mainly related to tourism. The latter has become an important aspect of contemporary Krakow's economy.

The city offers good hotels, excellent restaurants, bars, coffee shops, and a wide variety of cultural attractions. Polish voices are rarely heard in the summer on the Main Market Square or in the vicinity of the Royal Castle. Poland's accession to the European Union on 1st May 2004, made Krakow even more attractive to visitors. It continues to be one of the most prominent cultural centres of Poland, with several excellent theatres, an opera house, and a symphony orchestra.

Few cities can boast two Nobel Prize winners in literature. Czeslaw Milosz lived here until his death in 2004, and fellow modern poet Wislawa Szymborska still does. Other culturally eminent Krakow residents include writer Stanislaw Lem, composer Krzysztof Penderecki, and film director

Andrzej Wajda. The city's unique combination of the bourgeois and the bohemian is its overriding characteristic and the envy of those from other parts of Poland.

The ESC conference will be held in university buildings in the heart of the Old Town: Collegium Novum, the main university building (relatively new at just over 100 years old!), Wróblewski Collegium, and Larisch Palace, home to the faculty of law. All are in close proximity and offer modern auditoriums for plenary sessions and seminar rooms for panels. The registration desk and book exhibitions will be in Collegium Novum.

The conference will consist of three plenary sessions with keynote addresses, panel sessions, author-meets-critics sessions, and poster presentations. Traditional ESC working group sessions will also take place.

Plenary sessions will be devoted to the following topics:

Contemporary Penal Theory and European Reality, Issues of Social Cohesion and Social Exclusion in Contemporary Criminology, and Criminal Justice Reform in Central and Eastern Europe.

Panel sessions will be of two types. Reviewed panels will be arranged by the conference organisers. Others wishing to arrange such a panel should submit an outline of their proposed subject and presenters to Krzysztof Krajewski, (krajewsk@cicero.law.uj.edu.pl) before March 15th. Regular panels, consisting of group related papers, will also be organised. Anyone wishing to make a presentation in such a panel is requested to submit his or her abstract online (www.eurocrim2005.com) by May 15th. Authors should receive confirmation in June.

Plenary sessions will last 1 hour 15 minutes with three 20-25-minute presentations. Panel sessions also will last 1 hour 15 minutes. To maximise discussion time, each panel will consist of three, or in exceptional cases four, presentations of 15-20 minutes. To accommodate the number

of presentations usually offered at ESC conferences, there will be more panels than in Amsterdam.

Krakow will be a superb venue for social events. Two unusual receptions have been organised so far:

Thursday September 1: Collegium Maius

Atmospheric Collegium Maius is the oldest building in Jagellonian University. The original houses comprising the building were purchased especially for the University by King Wladyslaw Jagiello back in 1400. Although it has been rebuilt several times since then, Collegium Maius has preserved its historical character. It now houses several magnificent rooms including the university museum, the old library, the old dining hall, and magnificent aula. The reception will take place in the Gothic courtyard. We hope the weather gods will be with us to help create a memorable evening. This event will require prior booking. The

cost will be •50.

Friday September 2: City Hall

This reception, provided by the Mayor of Krakow, will be held in the reception rooms of the City Hall, at Plac Wszystkich Swietych (All Saints Square), just opposite one of the faculty of law buildings where the plenaries will take place. Krakow's City Hall is in a 16th century palace built in Renaissance style by the well-known Tarnowski family. From the 17th century it was owned by the Wielopolski family. It burnt down in 1850 during the great fire of Krakow. It was then bought by the City Council and rebuilt. Since the end of the 19th century it has served as the seat of the Mayor and City Council. It has several lovely reception rooms where criminologists will enjoy catching up on the year's developments.

Contact information

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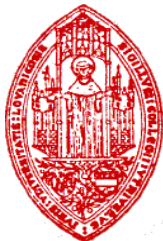
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They Want the Land Without the People *Continued from page 1*

been to a greater or lesser extent orchestrated or facilitated by people in power. This has led some scholars to call the 20th century the century of genocide.

Remarkably, criminology has had very little interest in genocide: Yacoubian¹, for example, calculated that less than 1 percent of all presentations at American criminology conferences have dealt with genocide. I believe that criminologists should devote much more time, energy, and thought to the study of genocide. In explaining why, I discuss the evolution of the concept of genocide and then discuss developments in Darfur at some length, concluding by identifying five reasons why criminologists should attempt to understand and explain genocidal events.

Genocide

Genocide as defined in international law entails killing, harming, inflicting conditions to bring about destruction, preventing births within a group, and forcible transfer of children, with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, as such. Other labels for collective violence have been introduced, such as 'crimes against humanity.' Ethnic cleansing is a euphemism for collective violence which may be genocide. Whether events qualify as one or the other is not merely a matter of doctrinal dispute. Whenever events constitute genocide, there is a duty upon the international community to act.

Genocide is an international crime. This means that it is a crime against the international order. Conspiracy to genocide has also been defined as an international crime. One reason for defining such acts as international crimes is that in countries where they are carried out, there is usually no legal system in place to bring the perpetrators to justice and to compensate victims.

Approximately 191 million people lost their lives to collective violence in the 20th century, more than half of whom were civilians². In Rwanda in

1994, approximately 800,000 people were killed in just 100 days. Yugoslavia is another well-publicised example. The numbers defy imagination. Stalin said that the death of one person was tragic, the death of a million a mere "statistic." I therefore describe in somewhat more detail one instance of such orchestrated collective violence.

Darfur

In early 2003 in Darfur, a region the size of France in western Sudan, rebel groups calling themselves the Sudan Liberation Army and the Justice and Equality Movement struck against government structures. The undemocratic Sudanese Islamist regime was at that time involved in peace talks with the movement in the south of the country. The civil war in Sudan has lasted intermittently for almost 40 years. The South is important to the regime as much of the oil reserves that the government badly wants are located there, but it is remote from the centre of power.

Darfur is different. Geographically it is closer to the capital Khartoum and about half of the Sudanese military originate from Darfur. An uprising in Darfur and by Darfurians could constitute a real danger. While, until recently, people would not identify themselves as members of a specific tribe, the indigenous sedentary inhabitants of Darfur are of different tribal background than the ruling elite: Fur, Zaghawa, and Masaalit are the main tribes in Darfur ('Dar fur' is translated as 'the homeland of the Fur'). Nomads live in the northern areas.

In spring 2003 the Sudanese government forces unleashed a series of attacks on non-Arab villages throughout the region. Although for a long time the government denied it, it is now widely accepted that the Janjaweed forces (mainly composed of Arabs armed by the government but fighting on camels and horses) were given a free hand to loot, burn, rape, and murder in the non-Arab settlements in Darfur. Within the government there is a clear command

and control structure with officials at the highest levels involved.

Janjaweed identified by survivors have acted with impunity. The government managed to keep what was happening secret for quite a while by imposing travel restraints on journalists and keeping aid agencies hostage, in the sense that if they spoke out, they would be expelled - a strategy also successfully applied in the south (where 2 million civilians were killed as a result of violence and orchestrated famine) and in the Nuba mountains (where the resident population of approximately 1 to 1.5 million had fallen to 300,000 by 2001, with the death toll estimated at 200,000³). The government also held international actors hostage by threatening to withdraw from peace negotiations with the South if it were scolded about Darfur.

Amnesty International reported on the killings in April 2003 and warned of a catastrophe. Human Rights Watch, the International Crisis Group and other organizations also picked up the news and reported on it. There was no international response.

In 2004, the scorched earth tactics increased. Government troops and machinery often aided the attacks, with gunships either reconnoitering or bombing before the Janjaweed attacked, or with government soldiers actively participating. While most people fled, men and boys faced an increasingly high risk of being killed⁴, and girls and women are regularly group-raped. During such rapes, the perpetrators have made remarks that the woman would now have a 'free child' (i.e., not a slave) or that the blood-line would now be polluted⁵. Wells may be poisoned to make return impossible. There are reports of Arab settlements remaining unharmed just 500 metres from burned Fur villages.

The government has continued to deny complicity, labeling the Janjaweed as 'robbers' it has trouble controlling, and depicting the conflict as tribal competition for scarce resources that should be seen against the light of the encroaching desert⁶.

The pattern of violence during the

past two years has led to approximately 1,3 million persons being displaced internally in Darfur, and an additional 150,000 fleeing to neighbouring Chad. This is out of a population in Darfur of approximately 6 million. It is widely accepted that at least 70,000 have died, although much higher estimates (up to 400,000) exist.

Many refugees have been taken in by relatives or even strangers, and the countryside and areas around the major towns are littered with refugee camps. The situation in the squatter camps is far from ideal: many die there from disease or hunger. The areas around the camps are still dangerous and women and girls leaving the camp in search of water have been raped. Camps have also been attacked. With the agricultural supplies looted and the countryside to a large extent depopulated, 2.8 million are estimated to be at risk of starvation next year.

There have been numerous attacks on food convoys and aid workers, and the stealing or destruction of supplies. The government has systematically obstructed the organization of aid to the victims. A small contingent of African Union monitors with a limited mandate is present in Darfur.

A ceasefire agreement had been signed between the government and the rebel groups, but that has been broken several times. The UN has labeled the situation in Darfur 'the worst humanitarian crisis', but is still bickering over whether it should be labeled 'genocide'⁷.

The Darfur pattern is not new: similar things happened in the South of Sudan and in the Nuba mountains. A friend from the South told me ten years ago: 'They want the land without the people'. I thought then how cynical he'd become.

Criminology

There are at least five good reasons why criminology should occupy itself with genocide. Genocide is the 'ultimate' offence within international criminal justice, but the arguments apply to other crimes.

1. Genocide cannot be overlooked quantitatively.

WHO mortality statistics show

clearly that Africa is the continent where citizens run the greatest risk of dying from violence and war. Moreover, the countries that would contribute most to this increased risk typically do not produce data. For all Africa, the risk is therefore even higher than the statistics show. It is hard, however, to pinpoint exactly what percentage of deaths is due to genocide, crimes against humanity, or ethnic cleansing. Moreover, deaths due to orchestrated famine are not counted under this heading. Genocidal policies need not comprise only direct killing, but also extermination through hunger or

Genocidal policies need not comprise only direct killing, but also extermination through hunger or disease.

disease. The risk of death from orchestrated violence amounts to 1 in every 14 to 20 for the average Sudanese (depending on what estimate for population size one takes). This figure takes no account of those who paid only psychologically or financially: at present over 6 million people are internally displaced in Sudan, approximately one in every six citizens. Sudan is no outlier; the picture for Congo is comparably grim.

The scale of such disasters is daunting. That in itself can not be a reason for refrain from studying them; it is a compelling reason to do so. If the etiologies of unlawful killings of individuals, and the nature of state responses, warrant study, so must the unlawful killings of thousands and millions. That most of the recent suffering occurs outside of the western countries is no argument to disregard it.

2. Genocide cannot be overlooked qualitatively

Genocide is the most heinous of all crimes, the ultimate offence, or phrased differently: genocide is the

Big Evil. In a more juridical vein, as van zyl Smit⁸ phrased it: genocide generally is aggravated murder. A discipline that disregards the offence at the high end of the spectrum is of necessity incomplete.

3. We have much to learn from studying genocide, its perpetrators and its victims.

One remarkable finding from the scant existing research is the apparent normality of the perpetrators. Criminologists study perpetrators' personal characteristics to explain their behaviour, and deploy theories overwhelmingly emphasizing personal deviance; by contrast, apparently ordinary, law-abiding, and well-adjusted citizens under certain circumstances commit the grossest acts. It is often assumed that the motive of the killers is expressive: they kill because they like to kill. But is that so? In Darfur, are not the spoils of the killing property, land, livestock, foodstocks, possessions, and rape?

How do we reconcile all these seemingly paradoxical elements? How can governments use ordinary citizens systematically to kill other citizens, deprive them of their livelihoods, and destroy them culturally? How do ordinary citizens live with what they have done?

4. The effectiveness of emerging penal and non-penal responses to international crimes warrants study.

Criminology traditionally studies societal responses to crime. With the recent blooming of responses to international crimes, should we not study the operation and effectiveness of those responses as well? Tribunals have sprung to life, as have the International Criminal Court, hybrid forms of international prosecution, local prosecution, and truth and reconciliation committees as well more traditional restorative initiatives such as the gachaca's in Rwanda. Roberts and McMillan⁹ argue that, given this sudden growth of international criminal justice, and the birth of supranational criminal law, criminology is an 'indispensable dimension of international criminal

Continued on next page

They Want the Land Without the People Continued from previous page

justice?.

A great deal is open to systematic study. Do responses to international crimes have clearly formulated goals and, if so, are these goals met? In what cases should one decide for national prosecution and in what cases for international prosecution? There are doubts as to the effectiveness of punitive responses. How many big fish will be caught? Is the justice not just victor's justice? How visible and acceptable is the response to victims? Are would-be future perpetrators likely to be deterred when perpetrators are held accountable?

Systematic knowledge of the effectiveness of non-punitive responses is also lacking; whether transitional justice and restorative justice in particular, though widely popular perhaps mainly from a pragmatic point of view, meet their goals is questionable.¹⁰

Equally little systematic knowledge is available about prevention. If ordinary men can turn into oppressors, should prevention be aimed at the executioners, or at the regimes that orchestrate the violence? Should international bodies be better armed to intervene? And how so, and what instruments are available to do so?

Some preventive initiatives, such as the Joint Military Commission in the Nuba mountains in Sudan, an area approximating the Netherlands and Belgium combined, seem to have saved thousands and helped rebuild destroyed communities. A small team of independent international, government, and SPLA monitors in charge of demilitarization has aided the re-establishment of civil infrastructure and supervised the safety and return of the Nuba inhabitants. This small and relatively uncostly international effort is in its third successful year of operation¹¹.

Of course, there are obstacles to the international study of genocide. Most criminology has been intranational or at most comparative, and we will need a less parochial outlook. We might need to study

different languages, different (indigenous) legal systems, and, the workings of the international order. Researchers will need to know more about international criminal law. We may need new research methods. None of these obstacles is insurmountable.

5. Moral obligation.

Criminologists have an obligation to try to uncover the causes of genocide and thereby to contribute to its prevention. Even if we fail to achieve the latter objective, we will not have allowed the perpetrators to dehumanize their victims further by letting us forget them.

What governments carrying out genocide most want is to proceed unhindered, and not be bothered afterwards. To accomplish this, they depict the victims as enemies or vermin, keep silent about the acts committed, hide behind executioners they claim they cannot control, and allow as few nosy parkers at the scene as they can. Such governments usually already control the judiciary, have silenced political opponents, and effectively intimidated the intelligentsia, including any (remaining) criminologists, to be silent or to leave. Instigators may negotiate immunity from prosecution in peace talks with rebel movements.

If criminology does not pay attention to wrongs done to masses of helpless and destitute victims, does not attempt to uncover the motives of the perpetrators, and does not expose national and international mechanisms that facilitate genocide, it lets its knowledge, theories, and methods go unused in relation to the most heinous crime there is.

Notes

¹ G. Yacoubian (2000). The (in)significance of genocidal behavior to the discipline of criminology. *Crime, Law and Social Change*, 34, 7-19.

² WHO (2002). World report on violence and health: summary. www.who.int/whr/wn

³ M. Burr (1998). Quantifying genocide in Southern Sudan and the Nuba Mountains 1983-1998. U.S. Committee for Refugees: <http://www.uscr.org/news/crisis/sudan.pdf>.

⁴ Depoortere et al. (2004). Violence and mortality in West Darfur, Sudan (2003-04): epidemiological evidence from four surveys. *The Lancet*, 364, 1315-1320.

⁵ T. Gingerich & J. Leaning (2004). The use of rape as a weapon of war in the conflict in Darfur, Sudan. Harvard School of Public Health/USAID, see <http://www.phrusa.org/research/sudan>.

⁶ See A. de Waal (2004). Counter insurgency on the cheap. *London Review of Books*, 26, 15, at www.lrb.co.uk/v26/n15/waal01_.html

⁷ S. Power (2002). *A problem from hell. America and the Age of Genocide*. New York: Basic Books; L. Polman, (2004). *We did nothing*. Harmondsworth: Penguin. See R. Khouri (2004) on the response to Darfur in the Arab world: 'Darfur's ugly resonance in the Arab world, the Daily Star, Beirut, August 11, 2004.

⁸ H. Arendt (1963). *Eichmann in Jerusalem: A Report on the Banality of Evil*. Harmondsworth: Penguin; D. J. Goldhagen (1996). *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*. New York: Alfred A. Knopf.

⁹ P. Roberts and N. McMillan (2003). For criminology in international criminal justice. *Journal of International Criminal Justice*, 1, 315-338.

¹⁰ See f.i. L. Graybill & K. Lanegran (2004). Truth, justice and reconciliation in Africa: Issues and cases. *African Studies Quarterly*, 8: www.africa.ufl.edu/asq/v8/v8i1a1a.htm

¹¹ JMC: Brusset, E. (2004). Evaluation of the Conflict Prevention Tools. Country study Sudan. London: Dept for International Development. ■

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Penal Policy and Prison rates in Finland *Continued from page 3*

Table 1. Imprisonment Rates (including remand prisoners) 1950-2003 per 100 000 inhabitants

	Finland	Sweden	Denmark	Norway
1950	187	35	88	51
1960	154	63	71	44
1970	113	65	70	44
1980	106	55	63	44
1990	69	58	67	56
2000	55	60	67	56
2003	69	73	72	65

Source: Compiled from Falck, von Hofer and Storgaard 2003 and national statistical yearbooks

Changes in Sentencing Law and Practice

The courts began reducing sentences in the 1950s. This was mainly a reaction to overly repressive legislation adopted during the exceptional post-war conditions. Systematic legislative reforms started during the mid-1960s, and continued through the mid-1990s. Penalties for traditional property offences and drunken driving were heavily reduced. In 1950, the average sentence length for theft was 12 months. In 1971 it was 7 months, and in 1991 it was 3 months. In the mid-1960s almost 90 percent of drunk drivers received an unconditional prison sentence and in

the early 1970s 70 percent. Ten years later it was 12 percent.

Non-custodial sanctions were strengthened. The scope of conditional imprisonment (the suspended sentence) was extended; the number of conditional sentences imposed annually rose from 4000 in 1960 to 18,000 in 1990. Fines were made heavier to provide credible alternatives for short-term prison sentences. The use of imprisonment for younger offenders was further restricted, and the number of prisoners aged 15-17 fell from over 100 in the mid-1970s to fewer than 10 in the 1990s. In connection with more general sentencing reforms, the role of prior convictions in sentencing was

heavily restricted in the mid-70s.

Community Service

The introduction of community service in the 1990s reduced the number of prison sentences still further. To ensure that community service was used in lieu of unconditional sentences of imprisonment (and not other less restrictive penalties), a *two-step procedure* was adopted. First, the court is supposed to make its sentencing decision without considering the possibility of community service. If the result is unconditional imprisonment, then the court may commute the sentence into community service under certain prescribed conditions. The duration of community service varies between 20 and 200 hours, and one day in prison is deemed to equal one hour of community service.

As table 2 shows, the number of prison sentences fell between 1992-1997 while the number of community service orders increased greatly. Within a short period, community service proved an important alternative to imprisonment. The absolute number of prison sentences fell by a third. Community service has replaced around 35 percent of short-term (maximum 8 months) prison sentences.

Table 2. Imprisonment and Community Service in the Finnish Courts 1992-2003

Year	Imprisonment	Community Service
1992	11538	0
1993	9563	563
1994	7699	1487
1995	6754	2803
1996	6101	3277
1997	5967	3534
1998	6642	3957
1999	7666	3658
2000	8151	3413
2001	8352	3388
2002	8489	3311
2003	7970	3297

Source: Statistics Finland

Enforcement practices and parole

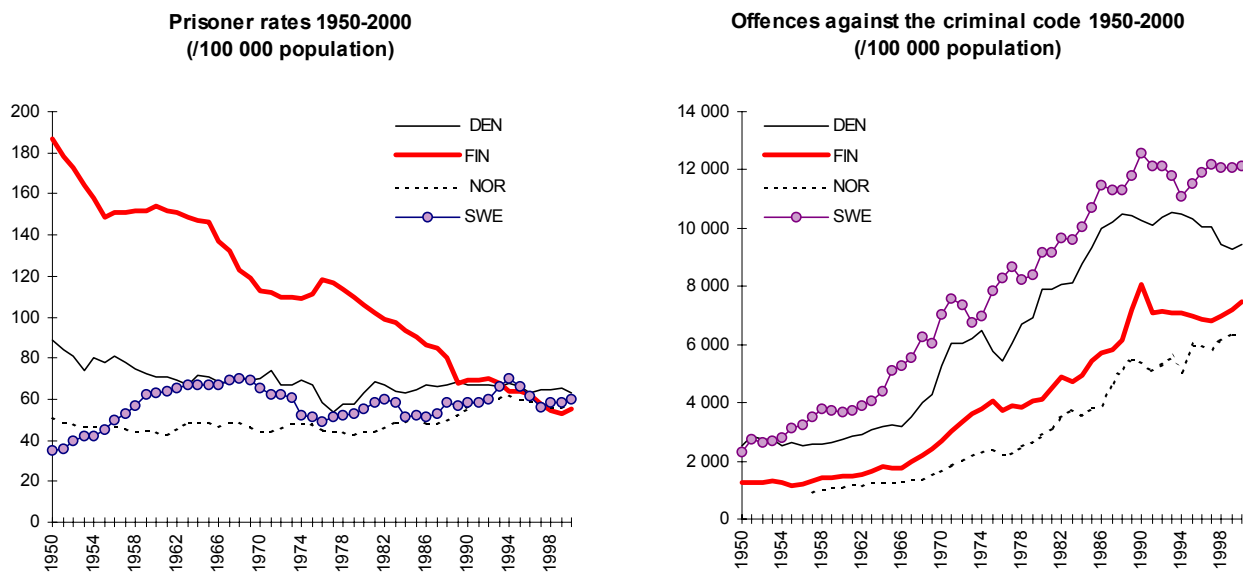
Enforcement practices also contributed to reduced imprisonment rates. Legislation in the 1960s restricted use of imprisonment as a default penalty for unpaid fines, and the daily number of fine-defaulters imprisoned fell from over 1,000 to fewer than 50. In the early 1970s the use of preventive detention was severely limited. The number of people held in preventive detention fell overnight from 250 to fewer than 10.

The system of parole and early release also proved a powerful tool. Nearly all prisoners are routinely

Continued on next page

Penal Policy and Prison rates in Finland *Continued from previous page*

Figure 1. Imprisonment Rates and Crime Rates 1950-2000



Compiled from: Falck, von Hofer and Storgaard 2003

released on parole. The minimum time to be served before release is 14 days. During the mid-1960s, this period was shortened from six to four months, during the mid-1970s from four to three months, and finally in the late 1980s from three months to 14 days. In a system in which the average prison stay is 4-6 months, reductions in the minimum time to be served have immediate effect.

Factors behind the change

Finland's prison population decreased as a result of deliberate, long-term, and systematic policy choices. The reform policy was backed up by normative beliefs that combined the pragmatic aims of criminal justice with ideas about fairness and respect for legal safeguards, provided a broader view than before of the general aims of criminal policy, and emphasized the roles of social and situational strategies in crime control (see in more detail Lappi-Seppälä 2001, p. 108).

But good theoretical arguments are not enough. In searching for why these law-reforms were possible, one should start with Finnish political

culture. As Patrik Törnudd pointed out, there was clear political will and consensus to bring down the imprisonment rate (Törnudd 1993 p. 12). The examples provided by the other Nordic countries' much lower imprisonment rates, and the role of Nordic co-operation in legal matters, were also important.

Finnish criminal justice policy has been exceptionally expert-oriented. Reforms were prepared and complemented by a relatively small group of experts whose thinking on criminal policy, at least on basic points, followed similar lines. Their influence was reinforced by close personal and professional contacts among politicians, officials, and academic researchers. As a result, crime control has never been a central political issue in election campaigns in Finland.

The media also have been important. In Finland the media have maintained a sober and reasonable attitude towards criminal policy. Finns have largely been spared low-level populism. One explanation might be the peculiar composition of the Finnish media market. The

newspapers reach an exceptionally large segment of the population, but distribution is based on subscriptions and the market leaders are quality papers that do not have to sell themselves every day on the news stands. This may affect both how crime is reported, and how people think in these matters.

Collaboration with, and assistance from, the judiciary was another key factor. In many cases reform legislation was strongly supported by the courts. Training courses and seminars for judges (and prosecutors), offered in co-operation with the universities, have also shaped sentencing and prosecutorial practices. That judges and prosecutors are career officials who have taken courses in criminology and criminal policy is also part of the larger picture.

That Finland has been - and is - a peaceful and safe society with a low level of crime has made it easier to adopt liberal policies on crime control, but this factor may have limited explanatory force. Over several decades, and especially during the 1960s, Finland underwent severe

social and structural changes in its shift from a rural agricultural economy into an industrial urban welfare state. This affected crime rates. There was a steep increase from the mid-1960s to the mid-1970s, and again during the 1980s. However, neither prevented the prison numbers from falling.

Rational Criminal Policy, or Symbolic Politics on Crime and Criminality?

Finnish criminal policy is rational and humane. Whether this will always be the case is an open question. The growing internationalisation of crime and crime control, increased pressures to harmonise criminal law within the European Union, and the general tendency to politicize criminal policy, all present risks of increased repression.

Some signs of this are already evident. The imprisonment rates have 'hit the bottom' and the number of prisoners has again started to increase. This trend affects all Scandinavian countries. The factors behind these changes are partly, but not exclusively, similar. The severity of violent offences and the number of offenders convicted for drug offences have increased in all Scandinavian countries. However, there are also national peculiarities. Finnish trends are especially affected by the increased number of foreign prisoners (mainly from Russia and Estonia), and by increased use of remand and default imprisonment for fines.

It is difficult to know whether the more recent rise in Finland's prison population is only a "natural step backwards", an adaptation to "new circumstances" and changes in the nature of crime, or a sign of new, more punitive policies. The safest guess is that all three elements have been involved. The increased number of drug offenders in prison would have been hard to avoid (for example, mitigating sentences during rapid growth of organised drug-smuggling from the Russian Federation and the Baltic countries was hardly a feasible political option). The short-term (1998-2000) decline in the use of community service, in turn, was at least partly an expected move "backwards" after a

substantial increase in the use of this new sanction.

But there are discernible changes in the criminal political climate. The key words of the past decades – "humane and rational criminal policy" – have disappeared from political rhetoric and official statements. Still, explicit policy initiatives for stiffer penalties have been restricted to violent and sexual offences. The changes made have been quite modest from a comparative point of view. The costs and practical difficulties following the increase in the prison population have gained political and public attention and concern. Plans have been prepared to extend the scope of non-custodial sanctions with a new type of treatment order reserved for those who – due to alcohol or drug abuse – do not fulfil the conditions of community service. Proposals to reduce the use of remand and default imprisonment have also been drafted.

Predicting the future trends of penal policy is risky. Much that has been written on the subject directs our attention to macro-level structural factors. Taking into account that very few of the social, political, economic, and cultural background conditions that explain the rise of mass imprisonment in the United States and United Kingdom apply to Finland, there may still be room for optimism. Social equality and demographic homogeneity in Finnish society are important buffers against unfounded repression. There are fewer racial and class tensions and distinctions, less fear and less frustration to be exploited by marginal political groups, and fewer extreme demands for control and exclusion.

Related to this, the welfare state was never openly discredited, not even during the deepest recession of the 1990s. The social and economic security granted by the Nordic welfare state still functions as a social backup system for tolerant criminal policy. Trust in, and legitimacy of, the legal and political systems may also play an important part. That Finns have, by international standards, comparatively high levels of confidence in their political and legal systems, and this

may partly explain why there has been no need for expressive penal policies.

Deeper inquiries into the dynamics of penal changes would be required to give a more thorough and carefully considered answer to the question whether Finland or the other Scandinavian countries will maintain their current relative position in the global penal chart. But whatever the results of such an analysis, penal policy is a result of political choices. And political choices can be affected by argument. Informing the politicians, the public, and the media remain increasingly important, as frustrating and difficult as it sometimes may be.

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Footnotes

- ¹ The text is based on a lecture given at the Cambridge University Institute of Criminology on 21 October 2004. ■

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Criminology in Poland *Continued from page 3*

Published in 1965, the first Polish handbook of criminology by Pawel Horoszowski is a good example. It constituted a reasonably good overview of the main issues involved in the measurement of crime and of criminological theory. The main problem was that it was based primarily on American literature. It was condemned by some as 'ideologically unacceptable' and lacking relevance for the realities of socialist Poland.

The Academy of Sciences

For many years the department of criminology at the Institute of Legal Sciences of the Polish Academy of Sciences in Warsaw was the only centre of empirical research. Founded in the mid 1950s, it was long headed by Stanislaw Batawia (1898-1980), who had been active in the field before the war. As a lawyer and psychiatrist he represented a positivist approach concentrating on individual offenders, and the causes of criminal behaviour.

During the 1960s and 1970s, it produced valuable work by Batawia himself, Stanislaw Szelhaus, Jerzy Jasinski, Helena Kolakowska-Przelomiec, Zofia Ostrianska, and Dodrochna Wójcik. These concentrated mainly on recidivists, juvenile offenders, psychological features of offenders, aggressive behaviour, and the influence of alcohol and drugs on crime. There were also interesting sociological contributions on the influence on crime of social change and rapid industrialization by Anadrzej Mosciskier, and on the ecology of crime in Warsaw by Anna Kossowska. From 1960 onwards, results were published regularly in a yearbook, *Archives of Criminology (Archiwum Kryminologii)*.

During the 1970s and 1980s, Jerzy Jasinski (1930-1998) became one of the most prominent figures in Polish criminology. His analyses of official crime statistics are still regarded as exemplary today. Later he conducted detailed analyses of Polish sentencing practices. His publications in this area were always highly critical, as far as was possible under the censorship, of communist criminal law and its

practical application. Jasinski became an outspoken critic of harsh and repressive crime control policies under communism. He participated in the post-1990 reforms and drafting of new criminal codes.

The department of criminology at the Academy of Sciences is currently headed by Dobrochna Wójcik. It retains a prominent position, and is still involved in many types of empirical research (e.g., restorative justice and juvenile delinquency).

The Institute for Crime Problems

In 1974 the Institute for Crime Problems (*Instytut Problematyki Przestepczosci*) was established as a research institute affiliated to the General Prosecutor's Office. Its director until 1990 was Brunon HoByst. In 1990, following the fall of the communist regime and organizational changes in the public prosecution service, it was dissolved.

The Institute for the Administration of Justice

The Institute for the Administration of Justice (*Instytut Wymiaru Sprawiedliwosci*), affiliated to the Ministry of Justice, was established in 1990 in its place. Andrzej Siemaszko became its director. Previously he had written extensively on the sociology of crime (including a monograph on Sutherland). During the 1980s and 1990s, he became increasingly involved in empirical research. He pioneered self-report studies in Poland and later victimization studies. Since 1989 he and his institute have been involved in conducting the Polish components of the International Crime Victims Survey.

They are also involved in other kinds of research, including comprehensive studies of conditional release and prison furloughs. Both practices were much more often used after 1990 and were hotly debated.

The Institute of Social Pathology and Rehabilitation

In many respects it is more difficult to sustain the older programmes than to establish new criminology research agendas and teaching curricula at

Polish universities. In 1971 an interdisciplinary teaching and research centre of substantial importance was established at Warsaw University. This was the Institute of Social Pathology and Rehabilitation (*Instytut Patologii Społecznej i Resocjalizacji*), set up within the Faculty of Applied Social Sciences. Its first director was Adam Podgórecki.

Various penitentiary issues were amongst its most important research areas. Scholars such as Teodor Szymanowski and Andrzej Rzeplinski gained renown for their critical assessments of prison conditions and penitentiary practices. And Pawel Moczydlowski, after becoming head of the Polish prison services in 1990, instituted broad reforms which profoundly changed the prison system.

Law Faculties

Other than at the preceding institute, criminology in Poland is normally linked to law faculties. This puts the discipline in a precarious position, as it is overshadowed by criminal law and other purely legal subjects. Separate departments of criminology exist only at two Polish law faculties, Kraków and Warsaw.

The department of criminology at Jagiellonian University was established in 1978. Since then it has been headed by Andrzej Gaberle, author of several monographs on criminal procedure and various issues surrounding crime and its control.

The department has been involved in several major research projects, including media reports on crime, school violence, and most recently a substantial study on "Insecurities in European Cities" financed by the 5 Framework Program of the European Commission, coordinated by the University of Hamburg and collaborating with research centres in Leiden, Groningen, Budapest, and Vienna.

Janina Blachut has published monographs on women and crime, and Krzysztof Krajewski on violent crime, criminological theory, and drug policies and legislation. Other staff

members have published works on prison furloughs and the roles of expert psychologists in the criminal process. In 1999 Janina Blachut, Andrzej Gaberle, and Krzysztof Krajewski jointly produced a modern handbook of criminology.

Warsaw University. The department of criminology at Warsaw's Faculty of Law was headed for several years by Lech Falandysz (1942–2003), the author credited with bringing the main concepts and ideas of radical and critical criminology to Poland. Its current head is Monika Platek.

Criminology Teaching

At the Polish law faculties other than at Jagiellonian and Warsaw Universities, criminology is usually housed with some other penal science, most often criminal law (Bialystok, Katowice, Lublin, Torun, Wroclaw), but sometimes criminalistics (Szczecin) or penal and prison law (the Catholic University in Lublin). This means that criminology is not normally the main subject of teaching and research at those departments. Criminology does not feature at all in the organizational structure of some law faculties (Lódz, Poznan).

In consequence, criminology as a separate course is taught only at a few universities (Warsaw, Krakow, Katowice, Szczecin, and Bialystok), and is usually limited to an optional introductory course of 30 hours in one semester. Only in Krakow is there a 45-hour course with additional optional courses on particular criminological issues.

Each year a few law students attend seminars and prepare masters-level theses devoted to criminological issues. Such theses are mandatory at Polish universities for the completion of legal studies courses, but 'classical' legal issues in civil or commercial law attract the majority of students. It is not possible to obtain a master's degree in criminology in Poland. Criminology nowadays does not play an important role in legal education in Poland.

At the same time, there is a decline in the number of doctoral theses in criminology, which suggests that the number of scholars working in the

field will also decline. Prospects for the future development of criminology in Poland may be not very bright. At present Poland has a fairly small but active group of older and middle-aged researchers, but there seems to be a growing generation gap. Unless this trend reverses, within 10 to 15 years it will seriously weaken the capacity to conduct criminological research.

Crime and Public Policy

Crime and crime control are becoming increasingly important issues for public debate. As a result of communist rule Poland had no opportunity to undergo the process of liberalisation and reform of criminal justice and penal policies that took place in the West after the Second World War, including the abolition of the death penalty, decarceration, and the development of new alternatives to imprisonment. By 1989 there was a wide gap between Poland and the western part of the continent in terms not only of political, social, and economic development, but also in terms of penal standards.

Polish criminal law under communist rule avoided complete Sovietisation as occurred in some other countries in Eastern Europe. Nevertheless, far reaching changes were necessary, as communist crime control policies had been notorious not only for their lack of due process guarantees, but also for their excessively punitive character. The key policy development after 1989 was the move away from that punitive system. This had crucial influence on criminological debate and on changes in criminal law and crime control policy.

During the 1990s, however, Polish criminology confronted not only the consequences of communist rule and the need to reform the criminal justice system, but also completely new challenges arising from changes in the nature and extent of crime. Like other countries in the region, Poland experienced substantial growth in crime, and significant changes in its character. These developments had far-reaching consequences, as crime became a matter of serious concern for politicians, the media, and the public. This influenced public attitudes, which became more punitive, and led

to demands for harsher penalties.

To sum up, one can speak of two contradictory tendencies in the field of crime control. There was – supported by most criminologists – a manifest trend towards liberal criminal law reform. However, growth of crime and increasing fear and concern resulted in a clear-cut tendency – supported by the growing number of politicians and parts of the media – toward punitive crime control policies.

Because of this, the picture of developments in crime control policies and criminological research in Poland during the 1990s is full of contrasts. The decade began with a great deal of liberal optimism about the potential for reforming criminal law. Experts had decisive influence on the legislative process at that time, which was somehow detached from the influence of public opinion. One conspicuous consequence was a complete reversal in the relationship between the crime rate and the imprisonment rate (figure 1).

While crime rates rose, imprisonment rates fell. This phenomenon is praised by some as a great achievement, and condemned by others as untimely and senseless leniency which contributed to the growth of crime.

By the late 1990s the conditions for rational criminal law reform began to erode. Currently people speak much less of progress in penal reform than of defence of earlier achievements against the onslaught of the politics of law and order.

Debate among the general public and in the media is increasingly emotionally charged. Debates in parliament less often involve arguments based on evidence but instead aim to win the support of as many voters as possible. An attempt in October 2004 to reintroduce the death penalty may constitute a good example. Draft legislation was defeated by only three votes!

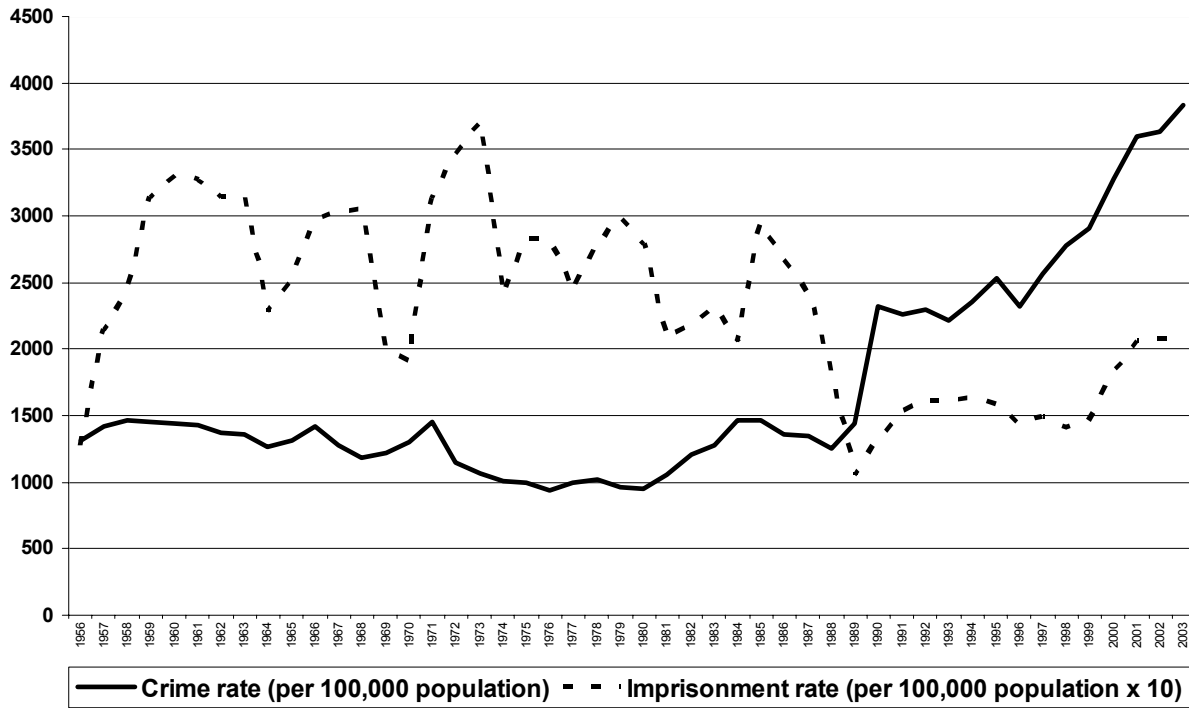
The position of Polish criminology has become more precarious. Over the past fifteen years, Polish criminology has produced interesting research results and kept in touch with research developments in Europe.

Moreover, the criminological community during the first half of the

Continued on next page

Criminology in Poland *Continued from previous page*

Figure 1. Crime rate and imprisonment rate in Poland since 1956



1990s had a significant influence on the reform process. What mattered here was not necessarily the results of research on crime and criminal justice in Poland, although certain reforms were based on such results. Far more influential was the knowledge of many criminologists about crime and criminal justice systems in Western countries.

Many Polish reforms of the 1990s were largely guided by Western experience. Experts with specialist knowledge of systems in the West

were very valuable. However, this led to many discussions of reforms that lacked any clear-cut empirical foundations based on Polish realities. Discussions focused on principles and standards, usually without reference to empirical evaluation or cost/benefit analyses.

Politicians and other decision makers became accustomed to arguments based on principles and values, and were easily influenced by them. They were much less

susceptible to arguments based on empirical evidence. Because values were guiding policy, as these began to change, so the direction of crime control policies began to switch, independently of any empirical data or evidence. Although this may be true of many countries, it is especially true of Poland and of other countries in Central and Eastern Europe. ■

Krzysztof Krajewski is Professor of Criminology at Jagellion University.

President's Message *Continued from page 2*

criminal justice systems.

In the 1980s and 1990s, victimological research reported on the needs and wishes of victims of crime and the limited ways penalty could respond to these. New ways to strike a balance between the interests of victims, offenders, and society were developed, leading, for example, to theories and practices of mediation and restorative justice. References to these research results can be found in many major documents issued by the Council of Europe.

To influence policy, political culture must of course be open to the importance of human rights and scientific evidence, especially when confronted with a public opinion that seems to demand stiffer penal policies. In a democratic state, policymakers must strive to further the general interest and are accountable to the electorate.

This implies that politicians must listen to public concern, but not that they have to leave all the answers to the public too. This is especially true

in areas such as crime and insecurity, where research has shown the public to be grossly misinformed about the scale of problems and the effectiveness of remedies.

If criminological evidence is to influence policy, it must be independent and available not only to politicians, but also to the media, who influence the larger public. It also means that criminologists must accept their social responsibility in offering a lever in sometimes difficult and emotional discussions. ■

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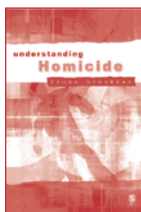
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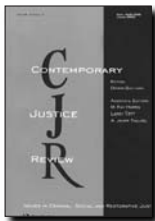
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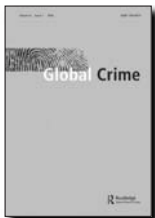
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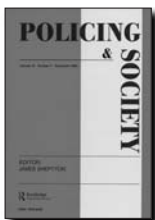
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