A

ABOLITION

Definition

In criminology and criminal justice, the term 'abolition' currently refers to the attempt to do away with punitive responses to criminalized problems. It is the first step in the abolitionist strategy, followed by a plea for dispute settlement, redress and social justice. In more general terms it refers to the abolition of state (supported) institutions which are no longer felt to be legitimate. Historically, the term has been used in the fight against slavery, torture, prostitution, capital punishment and prison.

Distinctive Features

Though the literal meaning of the verb 'to abolish' suggests differently, penal abolition should not be interpreted in absolute terms. Abolitionists do not argue that the police or courts should be abolished. The point is that crime is not to be set apart from other, non-criminalized, social problems and that the social exclusion of 'culprits' seldom solves problems. Instead, crime problems should be treated in the specific context in which they emerge and reactions should be oriented towards reintegration rather than exclusion. Neither do abolitionists argue against social control in general terms. It is indeed hard to imagine social coexistence without any form of social control. The problem is the top-down, repressive, punitive and inflexible character of formal social control systems. It is these specific characteristics of penal control

which are to be abolished (Bianchi and van Swaaningen, 1986).

Abolitionists question the ethical calibre of a state that intentionally and systematically inflicts pain upon other people. They point out that, because generally accepted goals of general and special prevention cannot be supported with empirical data, the credibility of the whole penal rationale is at stake. Depenalization (pushing back the punitive character of social reactions) and decriminalization (against the labelling of social problems as crimes) are the central strategies of abolition. Stan Cohen (1988) has identified five other 'destructuring moves' which are part of the politics of abolition: decarceration (away from prison), diversion (away from the institution), decategorization (away from offender typologies), delegalization (away from the state) and deprofessionalization (away from the expert). In a next, positive or reconstructive phase, a distinction is made between abolitionism as a way of thinking (an alternative way of understanding the problem of crime and punishment) and as a way of acting (a radical approach to penal reform).

In their attempts at depenalization, abolitionists first pointed their arrows at the prison system. This struggle has its roots in prisoners' movements or a religiously inspired penal lobby (Mathiesen, 1974; van Swaaningen, 1997). During the early 1980s, the attention shifted to the pros and cons of non-custodial measures as alternatives to prison. Warnings against the net-widening effects were contrasted with their potential value in the attrition

of the penal system. The recognition that sanctioning-modalities at the end of the penal chain do not change its punitive, excluding character focused attention on the diversion of cases in preliminary phases, with the aim of preventing the stigmatizing effects of both trial and punishment. This phase was followed by the advocacy of a whole alternative procedural rationale, in which non-punitive responses to social problems were promoted, including forms of social crime prevention designed to address the structural contexts of crime (de Haan, 1990).

Notably, Nils Christie's and Louk Hulsman's abolitionist perspectives contain many implicit references to Habermas's idea of the 'colonization of the lifeworld'. The 'decolonization' of criminal justice's 'system rationality' is another object of abolition. Though the tension Habermas observes between systems and lifeworlds does not lead him directly to a rejection of the criminal justice system, he does argue against the degeneration of criminal justice into a state-instrument of crime control in which the critical dimension of power is ignored. Thus, penal instrumentalism is another object of abolition which can be derived from Habermas.

A further aim of abolition is related to the constitution of moral discourse. In Western, neo-liberal societies, values like care and empathy are delegated to the private sphere and are thereby excluded from public, or political, ethics. These latter ethics are dominated by abstract, so-called 'masculine' notions such as rights, duties and respect, which outrule more subjective, contextually determined 'feminine' notions such as care and empathy. The dominance of abstract approaches of rights results in a morality that is oriented towards a generalized other, whereas a feminist approach is oriented towards a concrete other. Thus, abolitionism also implies the abolition of the 'masculine', individualistic, neo-liberal values upon which our penal systems are built (van Swaaningen, 1989).

René van Swaaningen

Associated Concepts: abolitionism, community justice, critical criminology, deconstruction, redress, the state

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ABOLITIONISM

Definition

A sociological and political perspective that analyses criminal justice and penal systems as social problems that intensify rather than diminish crime and its impact. On this basis prisons (the initial focus of study) reinforce dominant ideological constructions of crime, reproduce social divisions and distract attention from crimes committed by the powerful. Abolitionists advocate the radical transformation of the prison and punishment systems and their replacement with a reflexive and integrative strategy for dealing with these complex social phenomena.

Distinctive Features

Liberal approaches to the study of the prison are built on a number of often competing and contradictory goals: rehabilitation, general prevention, incapacitation, punishment

and individual and collective deterrence. Abolitionism, which emerged out of the social movements of the late 1960s, challenges these liberal perspectives by arguing that in practice the criminal justice system and prisons contribute little to the protection of the individual and the control of crime. In the words of the Dutch abolitionist Willem de Haan, the prison 'is counter productive, difficult to control and [is] itself a major social problem'. Crime is understood as a complex, socially constructed phenomenon which 'serves to maintain political power relations and lends legitimacy to the crime control apparatus and the intensification of surveillance and control' (de Haan, 1991: 206–7). At the same time abolitionists are critical of liberals' unquestioning acceptance of prison reform. For abolitionists like Thomas Mathiesen liberal reform can never have a positive effect because it reinforces and bolsters the system, thus perpetuating processes of brutalization for the confined. Alternatively, 'negative reforms' are supported for their potential to challenge and undermine the system leading eventually to the demise of prisons. Abolitionists advocate a system that deals with crime as a socially constructed phenomenon. Crime should be responded to not by the negativity of a system built on punitive exclusion but by a reflexive and participatory system of inclusion built on redress, social policy, mutuality and solidarity: 'The aim is compensation rather than retaliation; reconciliation rather than blame allocation. To this end, the criminal justice system needs to be decentralized and neighbourhood courts established as a complement or substitute' (de Haan, 1991: 211–12). Abolitionism therefore 'implies a negative critique of the fundamental shortcomings of the criminal law to realize social justice', while simultaneously offering both an alternative way of thinking about crime and a 'radical approach to penal reform' (van Swaaningen, 1997: 117).

It is also important to note that abolitionism is not an homogeneous theoretical and political movement but one that varies across cultures. Not only has it been principally a European phenomenon (Davies, 1998), but

within Europe there have also been different strands to the movement with some pointing to the distinct differences between European and British movements. In Europe early abolitionists such as Mathiesen, Christie, Bianchi and Hulsman advocated an alternative vision for criminal justice politics. Second generation abolitionists – neo-abolitionists – accept many of the abolitionist principles, including the rejection of both the concept of crime and 'penality as the ultimate metaphor of justice' (van Swaaningen, 1997: 116, 202). However, British neo-abolitionists such as Box-Grainger, Ryan, Ward, Hudson and Sim also advocated engaging in more interventionist work to develop a 'criminology from below', which

> in utilizing a complex set of competing, contradictory and oppositional discourses, and providing support on the ground for the confined and their families, has challenged the hegemony around prison that has united state servants, traditional reform groups and many academics on the same pragmatic and ideological terrain. In a number of areas … such as deaths in custody, prison conditions, medical power, visiting, censorship and sentencing these groups have conceded key points to the abolitionist argument and have moved onto a more radical terrain where they too have contested the construction of state-defined truth around penal policy. (Sim, 1994: 275–6)

Evaluation

In light of the huge increase in prison populations around the globe and the continuing rise in both reported crimes and crimes audited in victimization and self-report studies, abolitionism offers an important series of insights into the role of the prison and its failures at the beginning of the twenty-first century. The perspective continues to pose the key question: is prison the answer to the problem of crime, even allowing for an expanded definition to include crimes committed by the powerful?

There have been a number of issues raised and criticisms made of the abolitionist position. Most have come from those who, like abolitionists, would see themselves as part of a theoretical and political tradition that was

on the critical wing of politics and social science. Left realists would criticize abolitionists for their idealism and for their 'anarcho communist position' which is 'preoccupied with abolishing or minimizing state intervention rather than attempting to make it more effective, responsive and accountable' (Matthews, 1990, cited in Sim, 1994: 265).

Abolitionists would reject the charge of idealism and as noted above would point to the influence that they have had on a number of political debates and social policies in terms of making the state more accountable. For example, the issue of deaths in custody which became a major political debate in the UK in the 1980s and 1990s not only involved individuals who were part of the abolitionist movement; it also had a significant hegemonic impact on liberal reform groups by pulling them onto a more radical and critical terrain in terms of demanding political action to deal with the devastating impact of these deaths on the families and friends of the deceased (Sim, 1994). Abolitionists would also say that the problem with criminology is that it suffers from too little utopian and idealistic thought rather than too much.

Feminist writers have also drawn attention to the problem of violent men and what should be done to protect women from the predations of, for example, men who rape. This raises the broader question of dangerousness and the nature of the response that is needed to deal with dangerous individuals. What, for example, do we do with those who engage in serial killing and who are overwhelmingly men? Abolitionists would agree that violence against women is a major issue across societies which should be taken and responded to seriously, but would also maintain that simply confining violent men inside can often only mean detaining them in institutions where the pervasive culture of masculinity is likely to reinforce misogynist views around male power and women (Sim, 1994). Therefore they would say that the nature of the institutions and the broader culture which objectifies women and equates heterosexuality with domination and power need to be addressed.

In addition they would argue further that dangerousness is a social construction in that there is a range of behaviours that can have immense implications for individual and group safety but which are rarely, if ever, labelled dangerous. The non-implementation of health and safety laws would be an example of this. Finally, abolitionists would suggest that the distinction between normal and abnormal, which lies at the heart of positivist thought, and which dominates debates about violence and dangerousness, is also problematic. They would point to the killings carried out by, and the non-prosecution of, the 'normal' men who murdered hundreds of innocent men, women and children in Vietnam in 1968 as an example of the social construction of dangerousness. This crime took place 15 months before the infamous Manson murders in the USA. This latter case has become deeply embedded in popular and political consciousness while the former case has largely been forgotten.

At another level, Angela Davies (1998: 102–3) has argued that while the European abolitionist tradition has offered many important insights into the nature of the prison, 'there is no sustained analysis of the part anti-racism might play in the theory and practice of abolitionism'. This is particularly important when it is recognized that prison populations around the world contain a disproportionate number of people who are drawn from ethnic minority backgrounds.

For the future, abolitionists have increasingly connected with the emerging discourses and debates around human rights and social justice which they see as mechanisms for developing negative reforms, thereby promoting a response to social harm that is very different from the destructive prison and punishment systems that currently exist.

Joe Sim

Associated Concepts: abolition, critical criminology, hegemony, left idealism, redress, social constructionism, social justice, the state

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ACTION RESEARCH

Definition

A form of research, often evaluative in nature, which has the intention of influencing the future direction of practice and policy.

Distinctive Features

The origins of action research are generally traced to the work of Kurt Lewin (1943), who envisaged that social research should seek to address certain goals. In many forms of enquiry the researcher seeks to distance him- or herself from the topic being researched and from the parties to social action. The action researcher, in contrast, enters into a dialogue with the parties to social action, transmitting results at certain points during the investigation so that the parties involved can make changes to the ways in which they are proceeding and sometimes to the aims they are seeking to achieve. The consequences of these changes are then studied in turn and further feedback and change may take place in an iterative process.

Such a process can also have consequences for the research design and methods originally adopted by the researcher(s), which may have to change in order to accommodate new developments in social action. Action research is therefore a dynamic model of research which requires time for reflection and review.

Action research has been used in community-based initiatives, such as community development projects and crime prevention programmes, in order to inform the future progress of social intervention. An example of action research in practice can be found in an evaluation of a domestic violence project where 'regular feedback was given to the project in order that this could inform subsequent developments'. Here the difficulties of achieving 'longer term reflections and change' when beset by shorter term 'operational' issues were noted (Kelly, 1999).

Evaluation

Action research has also been employed where participants and researchers share a commitment to achieving a particular end, such as anti-racist action, feminist approaches to working and the pursuit of human rights (see for example Mies, 1993). Action research raises questions about the extent to which the researcher can remain aloof and detached from social action; the researcher may be regarded more as an actor with a particular set of skills and experience. Action research can also have the aim of empowering participants in social action. This may be achieved by enabling participants to have more control over their lives and communities, or by increasing the research skills of participants so that they have a greater ability to monitor, evaluate and reflect on their activities themselves, or both of the foregoing. One such development has been the attempt to empower user interests in public service evaluations. 'User' research has a 'commitment to changing the balance of power between those who provide and those who receive services', with the interests of service users being enhanced through the research process (Barnes, 1993).

Iain Crow

Associated Concepts: evaluation research, praxis, reflexivity

Key Readings

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ACTUARIALISM

Definition

Refers to the suite of risk calculation techniques that underpin correctional policies.

Distinctive Features

Actuarialism is most closely associated with the 'new penology' writings of Malcolm M. Feeley and Jonathan Simon. The term 'new penology' had been floating around American criminal justice circles for several years before Feeley and Simon finally pulled the various components together. They argue that in response to the need for more accountability and rationality a radical shift took place in correctional policy in the USA during the 1980s. The old transformative rationales for the correctional system were replaced by the actuarial language of probabilistic calculations and statistical distributions that were applicable to populations. Rather than concentrating on individuals, the system shifted towards targeting and managing specific categories and sub-populations. Management was to be realized through the application of increasingly sophisticated risk assessment technologies and practices. This shift also enabled the system to construct its own measures of success and failure and to predict its own needs. In many respects Feeley and Simon viewed actuarialism as both the logical consequence of the original utilitarian penal reform project and a radical departure in that the system had moved beyond any interest in reform or rehabilitation. The correctional system under actuarialism becomes a hyper-rational processing system that fulfils the mandate it has been given. For them actuarialism logically connected with neo-liberal socio-economic policies which produced surplus populations that had to be contained and controlled. In the UK actuarialism is most closely associated with the work of the probation service, whose professional task is risk assessments of the likelihood of re-offending and the threat posed to communities.

Eugene McLaughlin

Associated Concepts: managerialism, prediction studies, rational choice theory, risk, risk factor research, situational crime prevention

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ADMINISTRATIVE CRIMINOLOGY

Definition

A term coined by Jock Young in the 1980s to refer to the reconstitution of establishment criminology in the UK and USA in the aftermath of the demise of positivist-inspired correctionalist theory and practice and the emergence of radical criminology. Administrative criminology concentrates on the nature of the criminal event and the setting in which it occurs and assumes that offenders are rational actors who will attempt to weigh up the potential costs and benefits of their actions. The goal of administrative criminology is to make crime less attractive to offenders.

Distinctive Features

The term 'administrative criminology' encompasses a large number of writers from a variety of academic backgrounds involved in a wide range of research sites. They are united by their acceptance of dominant definitions of what constitutes the problem of crime; their lack of interest in the social causes of crime; their further acceptance of the need for their research to be applied to aid policy development and decision making; their support for rational choice or 'opportunity' approaches to specific offenders and specific offences; their advocacy of 'what we know' and 'what works' criminal justice policies; their proposing modesty and realism in making claims about what can be achieved; and their being either employed within the criminal justice system or acting as paid advisers to criminal justice officials.

For Jock Young, the work of James Q. Wilson (in the USA) and Ronald V. Clarke (in the UK) has been vital to the emergence of a fully fledged administrative criminology. Administrative criminology's starting point is that despite the massive investment in welfare in the 1960s and a sustained period of prosperity, crime rates escalated to unprecedented levels in many Western societies. Wilson took this startling fact as proof that social democratic theorizing on the causes of and solutions to crime was seriously flawed. He argued that it was time to go back to basics on criminal justice policy. Criminologists should concentrate their efforts on producing policies that addressed what the public was afraid of, namely 'predatory' street crimes such as muggings, assaults, robberies, burglaries and so on, that were carried out by strangers. Crime reduction rather than social engineering should be the focus of criminal justice policies. The benefit of engaging in focused research and evaluated pilot studies was to produce rigorous knowledge and avoid costly mistakes. Scepticism about the role of the criminal justice system in crime control also meant that policy makers needed to think about how to integrate practical crime control into other aspects of public policy.

In the UK Clarke, a senior researcher at the Home Office, reached similar conclusions to Wilson and began to formulate an approach to 'commonplace crime' that was not hindered by what he viewed as the limitations of mainstream criminological theorizing, particularly its failure to develop realistic and practical policy recommendations. From Clarke's perspective, criminal justice policy makers cannot do much about the desire of some young men to become involved in delinquency and criminal activity. However, most offenders are involved in a rational choice structuring process that consists of evaluating the perceived risks in the commission of a particular offence, the rewards that are likely to be realized, and the skills and resources required to execute a criminal act successfully. As a consequence, criminal justice policy makers should concentrate their efforts on reducing the physical opportunities for offending and increasing the chances of offenders being caught and punished. This focus on how a criminal's decision making in a given situation is influenced by her/his perception of risk, effort and reward led to the development of a suite of opportunity reduction techniques to increase the effort associated with committing a crime; multiply the risks of crime; reduce the rewards of crime; and remove the excuses for crime. The techniques and strategies chosen must be appropriate to the specifics of the crime committed and their setting.

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Evaluation

Such situational crime prevention policy initiatives lend themselves to evaluation for effectiveness and this has enabled administrative criminologists to develop evidence-based, problem-solving approaches to crime reduction. Administrative criminology's other concern is to reorganize the state's crime control efforts in order to make these as efficient, effective and focused as possible. It has no particular sentimental attachment to the criminal justice system and is willing to advocate managerialization, actuarialization and privatization.

By the end of the 1990s administrative criminologists had become increasingly sophisticated in formulating and defending their perspective, going so far as to present 'opportunity' as a 'root cause' of crime.

Eugene McLaughlin

Associated Concepts: actuarialism, crime science, experimental criminology, managerialism, opportunity theory, public criminology, rational choice theory, routine activity theory, situational crime prevention

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AETIOLOGY

See: Causation

ANARCHIST CRIMINOLOGY

Definition

Anarchism is one of the most difficult political ideologies to conceptualize and define, primarily because there is no single anarchist ideology and because of the degree of misrepresentation by its political opponents. It is a meeting place for a bewildering number of philosophies, belief systems and practices and originated as a reaction to the emergence of the nation state and capitalism in the nineteenth century. Anarchists are united, first and foremost, by a belief that the state is coercive, punitive, exploitative, corrupting and destructive. Alternative forms of mutual aid and voluntary organization that are non-authoritarian, non-coercive, non-hierarchical, functionally specific and decentralized are advocated.

Distinctive Features

A number of specifically anarchist principles have been developed from the work of Max Stirner (1806–56), Pierre Joseph Proudhon (1809–65), Mikhail Bakunin (1814–76), Peter Kropotkin (1842–1921) and Emma Goldman (1869–1940). In general these principles do not conceive of a disorderly or chaotic society, rather a more expansive form of social order without the state. This social order will maximize individual freedoms and encourage voluntary association and self-regulation. A broad spectrum of anarchist thought also wishes to replace monopoly forms of capitalism and private property with collectivist forms of ownership. According to sympathetic criminologists such as Jeff Ferrell, there cannot be a fully fledged anarchist criminology because this would be a contradiction in terms. However, Peter Kropotkin's writings on law and state authority still stand as a key reference point for any emergent anarchist criminology.

Kropotkin argues that law is useless and harmful, sustaining mass criminality and generating social pathologies. Laws protecting private property and the interests of the state are responsible for generating between two-thirds and three-quarters of all crime. The body of criminal law that is geared towards the punishment and prevention of 'crime' does not prevent crime and degrades society because it fosters the worst human instincts and obedience to the status quo and bolsters state domination.

Kropotkin insists that the majority of crime will disappear the day private property ceases to exist and human need and cooperation rather than profits and competition become the organizing principle of social life. Alternative forms of social solidarity and inclusive notions of social justice, rather than state-run systems of criminal justice and the fictional 'rule of law', can contain anti-social behaviour. Here, there are obvious links to the core principles underpinning abolitionism, left idealism and peacemaking criminologies.

Anarchists would deny that their vision relies on disorder, violence and lawlessness. However, the belief that anarchism originates in everyday struggle rather than abstract theorizing leads to the advocacy of direct or creative action and 'propaganda by deed'. The resultant protest and resistance tactics and set-piece confrontations which are vital to the renewal of theory and practice bring anarchist groups into confrontation with the forces of law and order and they thus risk potential criminalization. It is in this moment that the stereotypical representation of the nihilistic anarchist is conjured up in the news media.

Evaluation

Anarchist theory provides criminologists with:

- an uncompromising critique of law, power and the state;
- the promise of un-coercive social relationships;
- the possibility of alternative forms of dispute settlement and harm reduction;
- a form of political intervention that may be appropriate to an increasingly complex and fragmented world where conventional forms of politics are becoming increasingly redundant;

- the basis to develop both libertarian and communitarian criminologies.

Jeff Ferrell (1995: 106) sums up the possibilities of anarchist criminology: 'At its best, anarchism and the process of justice that flows from it constitute a sort of dance that we make up as we go along, an emerging swirl of ambiguity, uncertainty, and pleasure. Once you dive into the dance, there are no guarantees – only the complex rhythms of human interaction and the steps that you and others invent in response. So, if you want certainty or authority, you might want to sit this one out. As for the rest of us: start the music.'

Eugene McLaughlin

Associated Concepts: abolitionism, left idealism, peacemaking criminology, the state

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ANIMAL ABUSE

Definition

Any act that contributes to the pain, suffering or unnatural death of an animal or otherwise threatens its welfare. Animal abuse may be physical, psychological or emotional; may involve active maltreatment or passive neglect or omission; and may be direct or indirect, intentional or unintentional.

Distinctive Features

Species-specific indicators indicate the impact on the psychological and physical welfare of animals. Specific health, physiological, ethological and production indicators (when the animals are incorporated in production processes, e.g. animal husbandry) can be determined, from which a violation of animals' welfare can be assessed. Reduced life expectancy, impaired growth, impaired reproduction, body damage, disease, immuno-suppression, adrenal activity, behaviour anomalies and self-narcotization are indicators of poor welfare. Welfare thus depends not solely on an animal's subjective experiences. Although poor welfare and suffering often occur together, suffering is no prerequisite for poor welfare. When an act or omission entails negative effects on an animal's welfare – to be assessed using these species-specific indicators – it can be classified as animal abuse. But scientific uncertainty about many aspects of animals' mental state or emotional life requires the use of a precautionary principle: an act should be regarded as animal abuse if we are unsure if it has a detrimental effect on the welfare of an animal. Following the descriptions of 'battered child syndrome' and 'battered woman syndrome', attempts should also be made to identify the clinical signs and pathology of physical abuse of companion animals, as specified in 'battered pet syndrome'.

Evaluation

The apparent importance of animal abuse has recently been highlighted through its complex relationship with child abuse and domestic violence (Lockwood and Ascione, 1998). One line of research has examined the supposed links between animal abuse and other expressions of family violence, for example, child abuse and woman abuse. It has been found that several forms of violence often co-exist with different categories of victim. The presence of animal abuse might indicate that other family members are also potential victims; acknowledging this connection can help in the prevention of human interpersonal violence. Other research has examined the correlation between animal abuse committed by children and the development of aggressive or violent behaviour at later stages in life. Here, it has been found that children abusing animals are more likely subsequently to exhibit aggressive and violent tendencies towards humans. Animal abuse in childhood is thus seen to signify a need for interventions by a variety of social and human service agencies.

The importance of detecting and preventing animal abuse has tended to become a justifiable and legitimate field of research, action and intervention, precisely because of its connection with expressions of human interpersonal violence. However, this is an anthropocentric or speciesist approach to animal abuse. Several philosophers have established the moral significance of animals in their own right. Because animals are sentient living beings, with interests and desires, and are 'subjects-of-a-life', they are taken into the circle of moral consideration (Regan and Singer, 1989). Speciesism thus stands for a prejudice or biased attitude favouring the interests of the members of one's own species against those of members of other species. As with other systems of discrimination like racism and sexism, speciesism rests on the domination and subordination of others, here solely based on the fact that animals are not human (Adams and Donovan, 1995). A non-speciesist and more sensitive definition of animal abuse focuses on the interests of animals and the consequences of animal abuse for their welfare (Beirne, 1995; Cazaux, 1999). It rests not on an exhaustive enumeration of possibly abusive acts or omissions (e.g., burning, poisoning, assault, neglect, etc.) but on the effects of practices on animals' physical and psychological welfare.

Henceforth, this definition of animal abuse invalidates the distinction between animal cruelty and animal abuse. The effects of abuse on animals' welfare are independent of offenders' sadistic, malicious or benign propensities. Nor should the definition of animal abuse include the anthropocentric phraseology 'unnecessary suffering' – often inscribed in animal welfare laws – since this lends legitimacy to animal suffering that is deemed necessary for economic, political or scientific reasons. For example, from

a non-speciesist viewpoint, bestiality is not an offence of decadence or sexual indecency but, because of its similarity to the sexual assault of women and children, it should be called 'an interspecies sexual assault' (Beirne, 1997).

Animal abuse refers not only to individual cases of socially unacceptable practices, such as the abuse of companion animals, but also to several institutionalized systems founded on the exploitation and subordination of animals which are by many viewed as socially acceptable. These include the abuse of animals in agriculture, hunting, fishing, trapping, entertainment and sports, and in experimental research.

What is classified as animal abuse is thus independent of human intention or ignorance, socially sanctioned or socially rejected norms, and labels of necessary or unnecessary suffering. It is also independent of whether the animal victim is categorized as a companion animal, a wild animal, livestock, or an experimental animal, and covers both single and repeated or institutionalized incidents of animal abuse.

Geertrui Cazaux and Piers Beirne

Associated Concepts: family crime, green criminology, hidden crime, violence

Key Readings

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ANOMIE

Definition

A state of ethical normlessness or deregulation, pertaining to either an individual or a society. This lack of normative regulation leaves individuals without adequate ethical guidance as to their conduct and undercuts social integration.

Distinctive Features

Anomie is one of the foundational concepts of modern criminological thought. Its prominence in American theorizing (where it forms the basis of 'strain' theory) is largely due to the interpretation given to anomie in the work of Robert Merton. His 1938 article 'Social Structure and Anomie' has proven to be one of the most influential articles in the history of sociology. Whilst Merton's theory is now seen as reductionist and somewhat mechanistic in the view it offers of human agency, fertile ground can still be found in Durkheim's original late nineteenth-century formulation of anomie. This is largely due to the scope of his questioning. Along with some fellow Europeans (i.e., Marx, Nietzsche and Weber), Durkheim was concerned with grappling with the new problems of modernity and sought to identify the key features underlying social change. With modernity human desires and passions seemed freer and the pace of change was dramatic: how then was 'social solidarity' or social cohesion possible? Durkheim did not pose the question so much in terms of 'What are the forces driving us apart?', rather he asked: 'What is it that keeps us together? How is society itself possible? What are the roles and "functions" of humans and social institutions? And how are we to learn about it in order that we may adapt to change?'

Durkheim locates the driving force of modernity in the twin factors of the division of labour and the freeing of desire. Society is to be conceived as a 'moral milieu' which positions and constitutes the individual. Individuals experience social reality through their differential positioning in the social division

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of labour. Humans are motivated by the pursuit of pleasure and the satisfaction of desire and they attain happiness when their possibilities for satisfying desire are not at odds with the social realities of the division of labour. But what happens when the cultural regulation of desire breaks down and desire is released as a mobile, infinite capacity transcending the limitations on satisfaction inherent in any division of labour?

In his doctoral thesis, first published in 1893, Durkheim argued that the consequences of anomie, or the failure of moral regulation, were clear in

> the continually recurring conflicts and disorders of every kind, of which the economic world offers so sorry a spectacle. For, since nothing restrains the forces present from reacting together, or prescribes limits to them that they are obliged to respect, they tend to grow beyond all bounds, each clashing with the other, each warding off and weakening the other … Men's passions are stayed only by a moral presence they respect. If all authority of this kind is lacking, it is the law of the strongest that rules, and a state of warfare, either latent or acute, is necessarily endemic. (Durkheim, 1984: xxxii–xxxiii)

Durkheim thus explicitly reverses Hobbes's picture of 'the war of all against all' inherent in the state of nature. Whereas for Hobbes this was the purely natural or pre-social state, which humans overcome by creating a powerful sovereign to lay down definitions of meaning (laws) and enforce obedience, Durkheim places this state of social war and crime as a product of society, a result of the breakdown of moral regulation. Modernity is characterized by increasing individualism, by an autonomy of thought and action, but this autonomy is dependent upon greater interdependency in the division of labour and increased complexity within the collective consciousness: 'liberty itself is the product of regulation'. The task for 'advanced societies' was to achieve a balance between the functions of the division of labour, law and culture, 'the conditions that dominate social evolution'. With the old certainties disappearing, the individual finds him- or herself without a secure footing in reality, and anomie threatens. In times of economic crisis, either dramatic increases in prosperity or disasters, anomie may become the normal state of being: 'greed is aroused without knowing where to find its ultimate foothold. Nothing can calm it, since its goal is far beyond all it can attain. Reality seems valueless by comparison with the dreams of fevered imaginations; reality is therefore abandoned, but so too is possibility when it in turn becomes reality: A thirst for novelties, unfamiliar pleasures, nameless sensations, all of which lose their savour once known' (Durkheim, 1984: 254).

So what was the solution to this state of anomie? While Durkheim personally argued that the solution to the normative deregulation causing anomie could not be the imposition of normative restructuring through violence and the manipulation of cultural symbols – the solution that both fascism and state Stalinism were later to offer – he bequeathed few theoretical tools for integrating studies of culture, class and perceptions of social 'reality'. The understanding of anomie which was to be developed within criminology was constrained by its centrality to the middle range theorizing of Robert Merton (1938).

Writing shortly after the social democratic compromise of the 'new deal', Merton identified the key cultural message of modernist American culture as the 'success' goal, in particular 'money-success'. A 'strain to anomie' resulted from a disjuncture between cultural goals and legitimate means of achievement. Specifically, the new technologies of advertising put forward a cultural goal of economic affluence and social ascent, but individuals, differentially positioned in the social structure, understood that the institutionally available means may or may not enable personal success. Whilst the majority of Americans may 'conform' others might 'innovate' – by accepting the cultural goal but rejecting the institutionally available means. Particularly for those located in the lower reaches of the social structure, crime could therefore be a reaching for the American dream, albeit sought through illegitimate channels. Merton's theory was further developed

with the 'differential opportunity' theorizing of Cloward and Ohlin (1960), and anomie has proved a fertile, if somewhat elusive, concept to build upon, recently informing Agnew's (1992) 'positive' strain theory.

Evaluation

Merton's theory struck a deep chord with many. It seemed to offer a way of constraining crime by improving the legitimate life chances of those who otherwise may make the choice to innovate deviantly. However, the positivist tendencies of American sociology meant that any concept that was difficult to operationalize into survey questions or mathematically inscribable data remained elusive rather than accepted and always open to the charge of weak sociology.

Anomie is thus a highly suggestive concept, but one that is difficult to operationalize. What are we to make of this? Perhaps the intellectual history of anomie reflects the impossibility of achieving a 'transparent' sociology, capturing the true 'experience' of the subject. Durkheimian sociology had a normative element; it was for modern society to arrive at a state of scientific self-consciousness. This would aid the creation of moral individualism in that mankind would attain an objective knowledge of how things stood, of the functional interdependency of all upon all. But this dream of happiness as attunement to our shared knowledge of the state of reality has been undercut by the relentless division of labour, by 'reality' in 'late-modern' 'Western' societies being characterized by oscillation, plurality and perspectivism, rather than stability. The technological intensification of cultural reproduction – via the advent of generalized communication, the mass media, the Internet – gives us a sea of information, rendering 'our' experience communicable to a trans-local set of 'fellow-feelers' while appearing inconsistent and superficial to our 'others'. Few would see the function of modern 'art' as to offer representations of the 'absolute' or gateways into the eternal truths of the human condition; rather it is designed to 'shock' or draw the observer into the experience of ambiguity and ambivalence. Within criminology, understanding anomie offered the hope that criminological theorists could demonstrate particular policy recommendations, namely that crime could be averted by reconciling the means available to agents through the goals offered by culture. If agents could be assured that they could achieve the cultural goals through legitimate or 'normal' means (education, employment, etc.), then the strain to deviance would lessen. But in the globalized capitalism of the late-modern condition, at least within Western societies, multiple goals and fractured and overlapping identities appear the norm. The very concept of deviance loses its grip. Moreover, the range of candidates available as cultural goals, not just consumerism but the enhancement of power or the creation of personal identity as a life choice, renders the technological fix of adjusting 'means to ends' a mirage. The concept of anomie may take on the role of an existential prop – never quite fitting within any criminological theory, but always hinting at something of fundamental importance in the human condition.

Wayne Morrison

Associated Concepts: differential association, functionalism, relative deprivation, social control theory, strain theory, subculture

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ANTI-SOCIAL BEHAVIOUR

Definition

The concept of anti-social behaviour (ASB) is usually invoked to refer to such issues as youths hanging about causing trouble, noise, vandalism, abandoned vehicles, litter, graffiti and drunkenness. But definitions of ASB are highly contested and, in the eyes of many, legally quite imprecise. Its definition in Britain has been intentionally left very wide, involving, according to the Home Office, 'acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household (as the defendant)'.

Distinctive Features

The concept of ASB has seen a rapid rise to prominence since the 1990s, particularly in Britain. It is even said to be the 'number one concern' of the British people and tackling it was given a central place in the 2004–08 Home Office Strategic Plan. Some commentators (Tonry, 2004) argue that New Labour virtually 'invented' the concept and as a result ASB is seen as being inextricably bound up with New Labour's politics of crime and disorder and the strategies of governance emerging therefrom. However, while it is true that few people were talking about ASB before the mid-1990s, the concept also has an important historical pedigree that we should not overlook.

Its recent history can be traced back to Wilson and Kelling's highly influential (1982) 'broken windows' article, where the concept of 'incivilities' was originally employed to describe a range of offensive and disorderly behaviours and conflicting relationships in fractured and deprived communities in the USA. Often implicit in this analysis was an association between such degraded behaviours and an 'underclass' way of life. Wilson and Kelling's thesis was also the stated basis for the NYPD's high profile 'zero tolerance' crackdown on 'quality of life' offences.

These understandings of the problem in 'high crime/sink estate' areas corresponded closely to the developing urban management and community crime prevention agendas in the UK. The residualization of social housing typically made problems even more acute. Crime and harassment compounded difficulties with housing management. Conservative proposals for 'probationary' or introductory tenancies culminated in new enforcement powers in the 1996 Housing Act (Flint, 2002) whilst a 1995 Labour policy document, *A Quiet Life: Tough Action on Criminal Neighbours*, expanded the notion of ASB, placing it firmly at the centre of the Party's approach to community-oriented crime and disorder management. This housing management focus has remained a key aspect of ASB – media horror stories about 'neighbours from hell' are not uncommon.

More often than not, however, ASB is seen as related to the activities of young people. Youth, therefore, represents a second, and increasingly prominent, strand in the contemporary discourse of ASB (Squires and Stephen, 2005). This was especially well reflected in *Misspent Youth*, the 1996 Report of the Audit Commission, itself promptly followed by New Labour's White Paper *No More Excuses*, which declared its intention to 'break the links between anti-social behaviour and crime'. Anti-social behaviour, therefore, understood as a kind of pre-delinquent nuisance, was central to the ensuing new youth justice strategy which prioritized early interventions that were designed to 'nip crime in the bud'.

Evaluation

Viewing ASB as a form of pre-delinquency connects us to its much older conception which has now been largely sidelined in favour of the enforcement-based approach of the present day. This perspective, developed in the USA in the late 1940s, focused upon the identification of behavioural and personality disorders in childhood, centred around a broadly conceived 'anti-social personality disorder' that was used to predict future delinquency. This conception of a psychosocial pathology requiring welfare and treatment interventions no longer commands mainstream attention today even though there is strong evidence of the prevalence of behavioural

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and personality disorders amongst young offender groups. Treatment-based approaches for delinquency fell foul of complaints about 'net-widening' although precisely the same complaint could be made of anti-social behaviour enforcement actions today. Rather than severing them, early interventions make connections between ASB and later criminality. Intervening early to 'nip crime in the bud' intensifies the processes of scrutiny and surveillance to which young people are subjected. To use a fishing analogy, wider nets with thinner mesh mean catching more. Newer proposals envisage allowing a wider range of persons (including parish councils and community panels) to initiate (or nominate young people for) ASBO (Anti-Social Behaviour Order) proceedings. Therefore, to develop the analogy, there will also be more people fishing.

That this was precisely the intention behind the government's ASB strategy in England and Wales may be gleaned from comments in a Home Office report on ASBOs. The early 1990s witnessed a rising tide of complaints about the policing of youth-related crime and disorder. Official strategies favouring diversion were increasingly discredited as a misguided liberal tolerance that was preventing the police from responding forcefully and effectively. The view then developed that an 'enforcement deficit' had emerged, with young people apparently able to flout the law with impunity and engage in acts of anti-social behaviour 'in the full knowledge that there were few criminal sanctions that could touch them'. This situation often caused great frustration: 'anti-social behaviour is often used as a synonym for problems with young people' (Campbell, 2002). In the first 30 months following the 1998 Crime and Disorder Act, three-quarters of the ASBOs in England and Wales were issued for people under 21 years of age.

Although it was originally envisaged that each year up to 5000 ASBOs would be handed out, even after five years the overall total had not reached 2500. Nevertheless the government appeared to be convinced of the merits of this 'quicker and easier' approach to ASB enforcement. In 2003 it published a White Paper, *Respect and Responsibility: Taking a stand against ASB,* reiterating its contractual model of inclusion and social responsibility. This was followed, later in the year, by the Anti-Social Behaviour Act which established a new, Home Office-led *Together* campaign to develop a national ASB action plan. The use of Acceptable Behaviour Contracts and ASBOs was to be promoted while new powers, such as Closure Notices (for premises used in drug-dealing) and Curfews and Dispersal Orders (to disperse congregations of young people causing fear and alarm in residential areas), were also introduced. As in the case of ASBOs, the promise of quicker and easier enforcement undoubtedly has some appeal to police and complainants alike but misgivings have been voiced about the increasingly discretionary enforcement that may result. For example, the police have always 'moved on' young people causing a nuisance and Dispersal Orders may chiefly represent the formalization and realignment of the law around existing police practices. The government, by contrast, concerned that some Crime and Disorder Reduction Partnerships were not taking the threat of ASB seriously enough, also announced that it would be looking for improvements in performance by despatching 'ASBO ambassadors' from areas considered to be working well to those judged to be underperforming.

Yet ASB has another history, one that is often overlooked in the ever-decreasing circles of contemporary problem analysis, opinion polling and impact evaluation that have become so central a feature of modern governance. At the end of World War II, Hermann Mannheim (1946) discussed ASB, seeing it as a series of harms perpetrated against the community and contrary to the spirit and purposes of social reconstruction. He specifically referred to 'profiteering' and the non-payment of taxes, not simply the breach of criminal laws. In due course, mainstream criminology rather declined this more radical and expansive agenda but now seems more willing to pick up the issue. Compared with today's conception of ASB, however, Mannheim's perspective raises two key issues. First, during times of rapid social change (post-war Britain and today's late modernity) it may be necessary to

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assert the values of community and social inclusion more forcefully. However, second, anti-social behaviour is not solely the preserve of the poorest or the young.

Peter Squires

Associated Concepts: 'broken windows', communitarianism, community policing, community safety, deviance, juvenile justice, net widening, social capital, zero tolerance

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APPRECIATIVE CRIMINOLOGY

Definition

An approach that seeks to understand and appreciate the social world from the point of view of the individual, or category of individual, with particular reference to crime and deviance.

Distinctive Features

The designation 'appreciative criminology' owes much to use of the term 'appreciative studies' by Matza (1969) to refer to specific studies of deviant subcultures such as those of the hobo, the juvenile gang, the drug-taker. Such studies are characterized by observing, sometimes by participation, the social world of deviants with a view to producing an appreciative account of the deviant's own story in his or her own terms. Theoretically, appreciative criminology is influenced by the interactionist perspective which developed in social psychology and sociology in the 1930s and which received further impetus in the 1960s and 1970s, for example in connection with new deviancy theory. Interactionism offers an alternative to positivist ways of thinking about crime and criminality. Amongst other things, positivism started from assumptions such as: there are categories of individuals who are criminal and who have characteristics which clearly distinguish them from non-criminals; the explanations for criminality lie in individual pathologies; such pathologies are the causes and determinants of criminality. Instead, interactionism offers a framework which emphasizes human choice and free will rather than determinism; a view of crime and deviance as something which is generated in interactions rather than as a characteristic of individual backgrounds; and an assumption that social action and the social world are flexible, changing and dynamic rather than fixed, objective and external. Above all, appreciative studies took from interactionism the notion that there can be variability of meanings in social contexts and in society in general, rather than consensus. The aim of appreciative studies was, and is, to describe, understand and appreciate the social meanings and interpretations which categories of individuals attribute to events, contexts and others' actions. Such studies are epitomized in the title of Howard Parker's (1974) book *View from the Boys,* a study of male juvenile gangs in Liverpool based on the perspectives of the gang members themselves.

Methodologically, appreciative studies have been influenced by the ethnographic tradition in social research. Ethnography, which liberally means description ('graphy') of cultures ('ethno'), has its roots in social anthropology

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and the study of pre-industrial societies. Subsequently it has been adapted to the examination of subcultures in complex society. Ethnography has a number of methodological commitments which make it especially appropriate to appreciative studies of deviant subcultures using an interactionist framework. First, there is a commitment to studying the social world from the point of view of the individuals being studied. Second, it is assumed that there can be a multiplicity of perspectives rather than just one, and also that each is equally valid for the people who hold them. Third, social perspectives (and the social meanings, definitions, labels and stereotypes which comprise them) cannot be separated from social interactions. Therefore, particular attention should be paid to the ways in which people interact in specific social contexts. Fourth, there is a belief that such observation should be naturalistic; that is, individuals should be studied behaving as they would normally and naturally do so. It is for this reason that ethnographers often rely on participant observation although that is not the only form of data collection used.

The Chicago School of Sociology of the 1920s and 1930s was a source of classic appreciative studies. Researchers adapted some of the techniques of social anthropologists to study the subcultures of crime within their city (in addition to using a statistical analysis of crime rates to map zones of the city). They produced books with titles such as *The Jack Roller* (Shaw, 1930), *The Hobo* (Anderson, 1923) and *The Gang* (Thrasher, 1927). There was particular emphasis on the transitional zone of the city with indicators of social disorganization such as a high turnover of population, poor housing and a high incidence of crime.

Appreciative studies captured the culture of crime in this zone and also the mechanisms by which this culture was transmitted. In doing so, the Chicago sociologists emphasized the distinctiveness of the deviant subcultures and their separation from mainstream society. In the 1960s and 1970s there was a resurgence of ethnographic studies, linked to an interactionist framework, but with a particular slant towards the process of labelling. For example, Howard Becker's (1963) study of marijuana smokers was influential in generating a greater concern with the ways deviant and non-deviant worlds meet and interact rather than with their separation. This was part of the emergence of labelling theory as a radical response to the predominance of positivist conventional criminology. Becker was not interested in asking questions about the causes of smoking marijuana; instead he focused on the question of how and why marijuana users come to be defined and labelled as deviant. This involved looking at interactions between the would-be deviant and the agencies of social control.

Evaluation

The critiques that can be levelled at appreciative criminology are those which, in terms of theory, can be levelled at interactionism, and which, in terms of methodology, can be directed at ethnography. For example, explanations of crime and deviance that are grounded in interactions in small-scale contexts run the risk of neglecting wider social structural dimensions of power, inequality and oppression (although for some a synthesis based on theorizing at different levels is feasible). Methodologically, ethnographic studies endure the criticisms that they lack generalizability to wider contexts and – being reliant on the deviants themselves for data – are not scientific or objective. There is also the possibility that taking an appreciative stance is synonymous with glorifying the criminal. This does not find sympathy with those who emphasize the need to face up to the reality of crime and the consequences of it for victims.

Such criticisms apart, appreciative studies have provided a rich vein within criminology and have also described and explained criminal and deviant subcultures which would not otherwise have been made visible by other theoretical and methodological approaches.

Victor Jupp

Associated Concepts: Chicago School of Sociology, cultural criminology, ethnography, interactionism, labelling, new deviancy theory, participant observation, subculture

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ART CRIME

Definition

As with the art world, art crime is difficult to define. Comprising numerous illicit activities and grey areas of the law, it involves criminal acts that range from theft (including looting), damage (iconoclasm), deception (fakes, forgeries, fraud, and ransom) and trafficking, to graffiti.

Distinctive Features

Lacking regulation, the art world is fluid and its organizational basis creates the flows that help amplify it into one of immense value. Globally, the cultural economy and heritage are characterized by huge worldwide sales and very large visitor numbers for art displays. In London alone, eight museums now have more than a million visitors annually.

A lack of evidence means that the often-regurgitated figure that globally art crime is worth billions of pounds should be treated with caution as it is very difficult to substantiate (www.interpol.com). For example, in the UK, it is extremely hard to verify the actual extent of art theft because it is recorded under the wider categorization of property crime. Large figures serve to highlight the crime, but they also confuse our understanding as they bring together numbers from disparate types of art crime. However, in spite of contentious figures and a lack of empirical evidence, it is clear that day-to-day criminal acts are endemic and involve huge sums. Various types of people participate in art crime, such as insiders, conmen, art connoisseurs, the psychologically challenged, the politically motivated, opportunists, organized criminals, governments, the military and artists. Though the disparate types of art crime pose very different challenges, the threat usually centres on money. The transnational nature of the crime is highlighted by the fact that much stolen art passes through the hands of criminal gangs in countries other than from where the art was stolen. This is significant because criminals are using art and antiques to fund crime internationally.

Encapsulating the challenges faced by modern securitization and policing networks, art crime requires specialization, expertise and resources. These frequently violent crimes are often met by a lack of public police attention. With a few exceptions (such as that of Italy which has a large, well-manned unit or France and Germany which have services managing national databases), in most countries it is a marginalized area of public policing. For example, in the UK, the Metropolitan Police Service's Art and Antiques Unit, in spite of a history of success, lacks staff and only has jurisdiction over London.

The prevention and detection of art crime have a complex matrix of security providers. As with many spaces in modern society, within the locations where art is displayed or stored, it is often private security technical staff that 'do' this security inside 'security bubbles'. In some large cities (particularly capitals), this security can be 'public' owing to the large amount of state run locations that own and display art. Overall, a range of people will be involved in the securitization and

policing of art, including onsite security personnel (and other staff), art installers, transportation companies, the owners, government agencies (including ministries of culture and customs), the public police, private detectives, private security companies and consultancies, lawyers, the insurance industry, surveyors and loss adjusters working for insurance companies, databases and Interpol.

Evaluation

While researching art crime in 1994, Conklin found very little social scientific research and relied largely on media sources. A decade later, Mackenzie (2005) found the situation had hardly changed. There is now more available literature, both factual and fictional; however, while there is criminological research this often centres on specific areas. For instance, academics such as Mackenzie, Polk, Bowman, and Lane et al. have focused much of their research on the area of looting and the entrance of stolen objects into the art/antiquity market. Research from the legal perspective provides a valuable source of information, particularly as different legal systems (e.g., in the UK and USA compared to France and Italy) affect policing and security measures owing to differing ownership laws concerning good-faith purchases.

Criminologists have a crucial role both in broadening our general understanding of different art crimes and in undertaking specific policy-based research. But how art crime is understood poses difficult questions. For example, the ownership or provenance of a work of art can be contentious. An artwork might also have an elaborate history that is linked either directly or indirectly with crime; from being originally looted or stolen from another location, involved as a fake or forgery, or the victim of damage, turning up in a drug deal, to being part of a 'reward' that is uncomfortably close to a ransom. The grey area of the art world is exemplified by some looted art and antiquities now being viewed as licit, and also by the ways that pieces are 'authenticated' by the art world (Bowman, 2008). Furthermore, an artwork, such as a graffiti mural, can start life as a crime but then be

protected or sold to general acclaim. To achieve a proper understanding of art crimes, the different types must not be amalgamated together as they pose very different challenges.

The large emphasis on risk management and the prevention of crime by security and policing nodes, particularly insurance companies, shows the preventative measures to be more important than either recovery or the criminal involved. Among these are situational crime prevention (especially the use of technology), environmental design, the use of databases, documenting the objects, and buyers being self-responsible. This highlights the cross-disciplinary nature of research into these crimes, with criminology, law, architecture and geography all being involved. However, in spite of the preventative measures, many locations are still vulnerable to crimes involving fakes, forgeries and criminal damage, and also to different types of theft (such as looting where the technological advances coupled with the economic hardships of some people in the source countries make the crime attractive, even if those committing the original crime are ultimately being exploited: see Bowman 2008).

With the transnationality of many art crimes and securitization and policing having to involve a range of agencies both nationally and internationally, the crucial question is less about who is best suited to undertake the security, and more about how different people (with their range of motivations and interests) can work together to produce the most effective preventative security (as well as investigations and recoveries), and, crucially in neo-liberal terms, one by which they all benefit. The insurance companies are central to the security terrain. Fluidity in the art world creates profits and, in line with Ewald's (1991: 208) view that 'insurance allows enterprise', insurance is the driving force behind institutions taking 'risks' such as putting on blockbuster exhibitions with loans of artworks moving around the world (even after previous thefts during loans) and handling the security of this art. The ownership of huge amounts of art by states also means that governments can be very involved as well. In the UK, while not purchasing insurance, the state follows a similar model both for creating

flows of art (with the consequent 'risk') and for securing its art and that which is deemed to be shown in the public interest.

Different criminological theories have been used to try and understand art crime. For example, Conklin (1994), Mackenzie (2005), Polk (1999) and Lane et al. (2008) have used Routine Activity theory in their work. The basic features of this theory exist in many art crimes. This reflects a crime science focus; however, it is important not to ignore the criminality aspects, particularly those concerning the people who perpetrate the different stages of the crimes. Other theories include flag effect (Conklin, 1994; Mackenzie 2005), target hardening (Polk, 1999), and cognitive mapping theory (Mackenzie, 2005).

Art is one of the few remaining unregulated fields and is also a world that has problems dealing with thieves within it. The contemporary relevance of different art crimes to criminology is clear. Its fluid threat, exemplified by the theft of sculptures when prices for certain metals rise, encapsulates the challenges posed by profit-driven criminals and transnational crime to the locations in which art is kept and, also, to the many varied public sector and private agencies and stakeholders involved in the securitization and policing of art around the world.

John Kerr

Associated Concepts: corporate crime, globalization, hidden crime, opportunity theory, organized crime, routine activity theory

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AUTHORITARIAN POPULISM

Definition

Conceptualized as an essential aspect of how social democratic states and their institutions respond to crises within advanced capitalist political economies, authoritarian populism explains how increasingly repressive punitive laws and sanctions gain popular legitimacy. This mobilization of state power aims to manage consent, organize regulation and secure hegemony through an increasingly authoritarian political agenda derived from political disaffection and discontent. It reaffirms reactive and reactionary discourses established around the 'collapse' of democracy, the 'breakdown' in law and order, the 'militancy' of the unions, the 'decline' in moral values and so on. These discourses are exploited through political and media 'campaigns', thus generating 'moral panics' within popular discourse and social reaction.

Distinctive Features

Basing his analysis on the proposition that 'state-monopolized physical violence permanently underlies the techniques of power and mechanisms of consent' within Western capitalist democracies, Poulantzas (1978: 81) claimed that

during the 1970s a new *form* of state had emerged: 'authoritarian statism ... intensified state control over every sphere of socio-economic life *combined with* radical decline of the institutions of political democracy and with draconian and multiform curtailment of so-called "formal" liberties' (1978: 203–4). Repressive measures depended on the actual exercise of state-sanctioned violence and, significantly, on its internationalization through ideological acceptance or, for those who opposed the rise of authoritarianism, through *mechanisms of fear.*

For Stuart Hall, Poulantzas had made a defining contribution to the critical analysis of the 'exceptional shifts' towards authoritarianism within Western social democracies. Yet he also felt that Poulantzas had misread the strategy of anti-statism prevalent within the radical right – a strategy representing itself as anti-statist to win popular support while disguising the reality of honing state centralism. More importantly, Poulantzas had neglected the purposeful and orchestrated construction and manipulation of popular consent. Herein lay the essence of Hall's claim for authoritarian populism: 'harness[ing] ... support [of] some popular discontents, neutraliz[ing] opposing forces, disaggregat[ing] the opposition and incorporat[ing] *some* strategic elements of popular opinion into its own hegemonic project' (Hall, 1985: 118).

Hall's response to, and development of, Poulantzas's thesis emerged from his work with colleagues at the Centre for Contemporary Cultural Studies, Birmingham, UK, during the 1970s. In their exhaustive analysis of the 'crisis' in the UK political economy, Hall et al. (1978: 303) identified 'deep structural shifts' which had resulted in 'the extension of the law and the courts at the level of political management of conflict and the class struggle'. As the state had become more directly interventionist within the economy, establishing the foundation for capitalist reconstruction through the libertarianism of the 'free-market', it became both necessary and 'legitimate' for 'public opinion to be actively recruited in an open and explicit fashion in favour of the "strong state" ... [characterized as] the ebb and flow of authoritarian populism in defence of social discipline' (1978: 304–5).

For Hall et al. (1978: 317–20) the 'crisis' that was 'policed' through the gradual development of *legitimate coercion* comprised four distinct elements: a crisis of and for British capitalism; a crisis of the 'relations of social forces' derived in the economic crisis; a crisis of the state in mobilizing popular consent for potentially unpopular socio-economic strategies; a crisis in political legitimacy, in social authority, in hegemony; and the imposition of 'social authority' and societal discipline. The authors identified the collapse of postwar social-democratic consensus and the consolidation of New Right ideology as a fundamental shift in the balance of social forces – from consent to coercion – inherent within social democracies; a shift they characterized as the emergence of an exceptional form of the capitalist state.

Further expanding the thesis, Hall (1979: 19) proposed that the 'language of law and order is sustained by moralisms ... where the great syntax of "good" versus "evil", of civilized and uncivilized standards, of the choice between anarchy and order constantly divides the world up and classifies it into its appointed stations'. By appealing to 'inherent' social values and evoking an overarching moral imperative, law and order rhetoric appealed to a collective common sense, 'welding people to that "need for authority" ... so significant for the Right in the construction of consent to its authoritarian programme'. Populism, however, was not simply a 'rhetorical device': it operated on 'genuine contradictions' and reflected a 'rational and material core' (1979: 20).

Hall (1980: 3) considered the 'drive' towards a 'more disciplinary, authoritarian kind of society' to be 'no short-term affair'. It embodied a 'regression to a stone-age morality' promoted by politicians, together with, in popular discourse, 'a blind spasm of control: the feeling that the *only* remedy for a society which is declared to be "ungovernable" is the imposition of order, through a disciplinary use of law by the state'. Thus, the 'shift "from above" [was] pioneered by, harnessed to and, to some extent, legitimated by a popular groundswell below', a populism exemplified by 'a sequence of "moral panic"' (Hall, 1985: 116).

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Evaluation

The most strident critique of authoritarian populism came from Jessop et al. (1988). Concentrating on its application to the rise and consolidation of Thatcherism in the UK they argued it over-emphasized the significance of ideology and downplayed structural relations of political economy. It was too concerned with the 'relative autonomy' of language and discourse, neglected the political economy of the New Right (preferring instead to focus on its 'hegemonic project') and 'generate[d] an excessive concern with the mass media and ideological production at the expense of political and economic organization …' (1988: 73). They rejected the idea that Thatcherism had secured hegemony and achieved a new expression of collective 'common-sense'; the New Right had neither a broad consensus nor political legitimacy for its objectives. Further, Hall was criticized for idealizing the gains of postwar social democracy and for failing to address the political economic determinants of global economic restructuring.

The ensuing debate was severe. Hall denied that authoritarian populism had been conceived as a *comprehensive* analysis of Thatcherism. It was 'preposterous' to claim that he had suggested that Thatcherism had secured hegemony. Rather, it constituted a politics, shared by Western capitalist states and hegemonic in 'conception and project', whose 'dominance' had become 'self-evident' by the mid-1980s (Hall, 1985: 119). Returning to Gramsci, he concluded it was 'impossible to conceptualize or achieve' hegemony without accepting the economy as the 'decisive nucleus' around which civil society consolidated (1985: 120).

As academic hostilities cooled it became clear that the significance of authoritarian populism conceptually lay in its contribution to theorizing the political and ideological dimensions of the authoritarian shift and its populist appeal for stronger laws, imposed order and tighter discipline. What remained unexplored was the foundation of popular authoritarianism within the wider society, given – as Hall and others recognized – that people are not mere 'dupes'. Historically, an authoritarian streak can be detected within the collective psyche which appears to transcend cultural and regional differences. Further, authoritarian responses to orchestrated moral panics, not derived in economic crises or which occur during periods of relative economic expansionism, require consideration.

Yet Hall's analysis – combining Gramsci, Laclau and Poulantzas – demonstrated that advanced capitalism is served, serviced, but rarely confronted by state institutions whose decision makers share its ends, if not always its means, via a coincidence of interests expressed in a common and dominant ideology. In functioning, the state – exemplified by the rule of law, its derivation and administration – tutors and guides the broad membership of society. State institutions are sites for the regeneration and reconstruction of ideas as well as policies. This process, sensitive to and informing of popular discourses, serves to defend the structural contradictions and inequalities of advanced capitalism whether in recession (crisis) or in growth (reconstruction). In this climate, authoritarian populism serves as a poignant reminder that if consensus cannot be forged, it will be forced.

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Associated Concepts: criminalization, critical criminology, hegemony, moral panic, punitiveness, the state

Key Readings

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