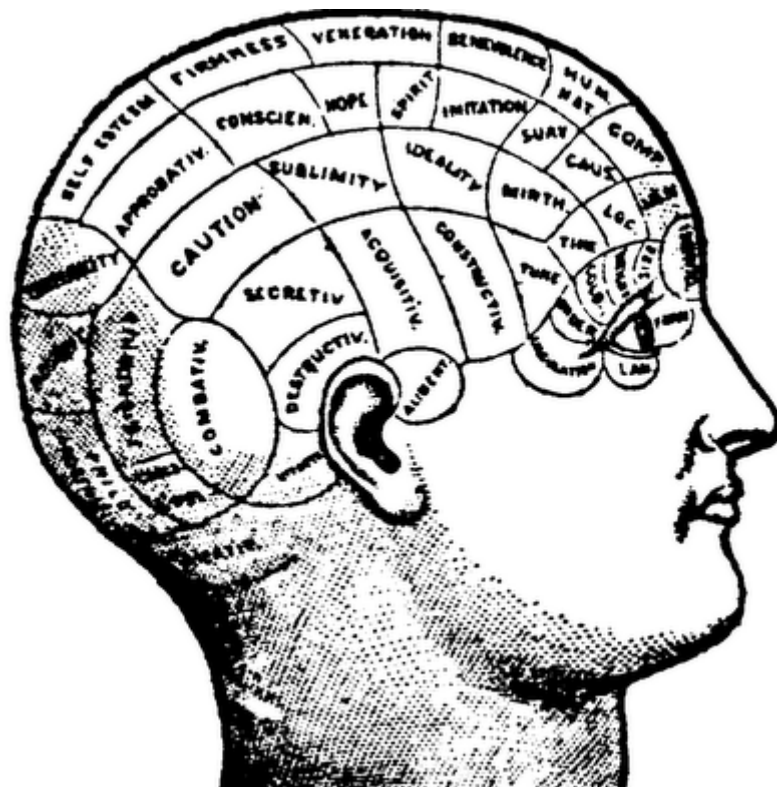


# EUROPEAN GROUP FOR THE STUDY OF DEVIANCE AND SOCIAL CONTROL

ESTABLISHED 1973

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*An international network working towards social justice, state accountability and decarceration*

## NEWSLETTER No 04, 2018

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## I. *Editorial*

This April Newsletter brings you two articles by us, Ida and Per. In our articles we intend to focus on both science and criminal justice's inclination of producing the "other". Per's article focus on the interrelationship between the birth of a science on crime and the criminal and the gothic imagination of the nineteenth century. Although the focus here is on criminology and texts by Cesare Lombroso – other texts could also be considered in this context. For example, among the most famous sentences from the literature of the left is Marx and Engels opening sentence in *The Communist Manifesto*: "A specter is haunting Europe". According to them this was "the specter of Communism" and "All the powers of old Europe have entered into a holy alliance to exorcise this specter". Later they would draw on the figure of the vampire – that would become even more of an iconic character and debated figure of modern society. Although monsters had been part of science before Marx, Engels and Lombroso's time, this century created a legacy of othering that we are still grappling with. Ida, in her article, is looking into some consequences of this long tradition of creating monsters, by addressing how a construction of the criminal "other" takes place through the populist narrative of *parallel society*, with the effect of criminalizing whole communities and their everyday life.

We hope the readers of the Newsletter find these articles to be something more than just shameless self-promotions. Given that we are soon stepping down as respectively Coordinator and Secretary of the EG, we hope people will indulge us.

You will also find news from the Prison, Punishment and Detention Working Group in this newsletter, as well as the list of content for the brand new issue of the European Group Journal, *Justice, Power and Resistance*. Please see information below about how you can subscribe to this excellent journal.

Registration for the conference is now open. [The registration form can be found here](#), and below in this Newsletter. **Deadline for registrations is 20<sup>th</sup> May.**

Excited to see you all very soon!

In solidarity,  
Ida and Per

## **II. Romancing Criminology - Notes on the origins of the discipline**

By: Per Jørgen Ystehede

So what is the relationship between romanticism, the gothic and criminology? In the following, I argue that to fully grasp the birth of criminology as a science and its later development, it is crucial to take into account Romanticism and especially the Gothic imagination.

The 18th and the 19th century saw both the rise of the sciences on crime and the rise of gothic literature. To investigate the relationships between 19th century criminological literature and the romantic and gothic imagination is important because it can draw attention to how we today in various context - in science, in fiction, in media and so on today - think about crime, criminals and punishment.

That there has not been much research on the Romantic period's impact on criminology is largely a reflection of disciplinary training and historiographical tradition. The more precise characterization and specific definition of Romanticism has also been the subject of much debate throughout the 20th century, without any great measure of consensus emerging. Furthermore, Romanticism as well as Gothicism first and foremost may be said to become challenging analytical concepts when doing meta-history and theory. First of all since these as categories can seem hard to pin down - historically, philosophically, visually - and rather often appears to implode as forms of categorizations - somewhat similar to the concept of modernity - into embracing and to be found in all that followed the Enlightenment period. My point of departure is that I see Romanticism as essentially continuous with the present and I am also inspired by Lovejoy's view of defining Romanticism as just a matter of being able to think categories such as 'Romanticism' and 'Gothic' in the plural. This is important when trying to frame historical periods per se to acknowledge regional and geographical differences in the manifestation - whether considering the Enlightenment or - as in this case - of the Romantic and the Gothic.

*So what do I mean by Gothic?*

Originally, the Gothic began as a style in medieval art, associated most prominently with an architectural tradition that flourished between the twelfth and sixteenth centuries, but thereafter, went out of style, rejected by Renaissance and later artists until the late eighteenth-century, the era of the Gothic Revival. The fortunes of Gothicism at that time were closely tied up with the advent of Romanticism, the intellectual movement that broke with the classicism and rationalism of the

Enlightenment. The Romantics, stimulated by the French Revolution and its demonstration that one could cast off the fetters of tradition, rejected the Enlightenment values of restraint, order, and reason, instead embracing emotion, adventure, the imagination, and irrationality. Restraint, order, and reason: these were the values that had undergirded the Enlightenment work of Cesare Beccaria and Jeremy Bentham, whose proposals for reducing crime and improving social control assumed the possibility of human and social rationality. The Romantics, in contrast, stressed untrammelled freedom and exploration; looking to nature for inspiration, they reached for a sense of the sublime, the shudder of horror, and other powerful feelings. One of Romanticism's stock images was that of the lonely, tormented artist, searching for truth. From the start, Gothicism formed a strong current within the Romantic movement. It emphasized danger, nightmarishness, and transgression. "*Gothic shows the dark side,*" writes literary scholar Mark Edmundson, "*the world of cruelty, lust, perversion and crime, that many of us at least half believe, is hidden beneath established conventions.*" Gothic writers such as Horace Walpole, Mary Shelley, and Edgar Allen Poe stressed horror, the strange and exotic, sexual vulnerabilities and abnormalities, the ubiquity of the supernatural, monomanias, and the dark taints of corruption. They developed a stock of Gothic imagery – graveyards, creaking doors, madmen, tans, thunderstorms, and unconscious maidens in diaphanous white gowns.

Gothicism persisted into Lombroso's period with novels such as *The Strange Case of Dr. Jekyll and Mr. Hyde*, *The Picture of Dorian Gray*, *The Turn of The Screw*, *Dracula* and it barreled right on through the twentieth century. During the period 1876–1897 in which Lombroso launched and consolidated criminal anthropology, the Gothic underwent a resurgence in popularity while at the same time it was transformed by the physical sciences. Evolution, degeneration, heredity, medicine, psychiatry, sexual deviance – inquiry in these and related areas forced a rethinking of traditional ideas about humans' bodies and their relationships with other forms of life. The new ideas brought changes to Gothic iconography. "*The Darwinian narrative of the evolution of species,*" writes literary historian Kelly Hurley "*was a narrative within which any combination of morphic traits, any transfiguration of bodily form, was possible; species integrity was undone.*" Worse yet, "*besides positing a too intimate continuity between humans and the 'lower' species, Darwinism described the natural order as a disorder, within which species identity was characterized by admixture and flux rather than integrity and fixity*". Evolutionism encouraged authors like Lombroso to elaborate explanatory schemes involving atavisms and quasi-humans such as the born criminal. "*Natural selection,*" Hurley concludes, "*authenticated the fantastic.*"

Lombroso, with his School of Criminal Anthropology, created a hybrid scientific genre. Lombroso borrowed from a wealth of other disciplines to produce scientific

knowledge about crime. To Enrico Ferri, Lombroso's importance was in the fact of his born geniality, his intuitive ability to see criminal types and to see relations between aspects of reality as relevant to the discourse on crime which had not earlier been found in science. Ferri pinpointed one aspect of fundamental importance to understanding why Lombroso's claims resonated among so many nineteenth century scientists and writers. The acceptance of Lombroso's ideas of criminal types was due to its affinity to the gothic imagination, amongst others, the fascination with crime, the demonic and the supernatural found in fictional literature as it was found in scientific narratives.

Romanticism came late to Italy compared to many other European countries. One will not find the romantic cultivation of focus on the individual achieving mystic heights, divine enlightenment and knowledge exposing them to danger in Italian literature until the mid-nineteenth century. This parallel to Lombroso's earliest academic dissertations on the relation between men of genius and insanity, which informed his conceptions of crime.

The second half of the nineteenth century saw the rise of the Italian gothic imagination, for instance in the *gli scapigliatura* movement and in the emergence of mass sensationalist literature. The very Italian dark romanticist focus on the dualism in man, the conflicting aspects of society and nature, and the fragility and obfuscation of boundaries between sickness and health, between normality and abnormality – these one finds consistently as central foci of Lombroso's narratives. It was also the Gothic imagination which gave birth to his most infamous creation: the born criminal.

For a long time in criminological historiographies, Lombroso's criminal anthropology was seen as dismissed by a study made by the British scientist Charles Goring. However, if one should read Goring's work as the final dismissal of Lombroso's claim, a death verdict to the Lombrosian paradigm of born criminality, it makes for poor reading. Goring's study was not an ontological questioning of whether crime could be seen as part of human nature - but more about how, and to what degree it was. Goring's study furthermore concludes that even though the criminal body is found to be different from the normal body, for example that it is possible to quantify and show physiological differences between a murderer and a thief to constitute separate groups, these differences as such do not necessarily indicate or confirm their criminality. An understanding which to some of the main agents of the School of Criminal Anthropology, was at best splitting hairs. Especially Ferri's response to Goring reeks with condescension, taking the tone of a school master correcting an insolent pupil. His short rebuke of Goring's research is not only quite illuminating in respect to the logic of the criminal anthropological claims, but also for the status vested in Lombroso as a symbol of The Italian School. Ferri states that he thinks: *'It is strange that now after trying many years to bring about a proper understanding of the phrase "born*

*criminal" I should have to repeat for the benefit of Dr. Goring, the same things that I have been saying for the last thirty years.'* He is especially insulted by that Goring, in his view, argues that the Italian School did not acknowledge the importance of environmentalist factors in understanding criminal behaviour. Moreover, Ferri states that an important, if not crucial, element in finding the criminal anthropological truth is that the findings (of Lombroso or the Italian School of Criminal Anthropology) were not to be solely based on the evaluation of the physiological constitution of the criminal, but also depended upon the physiological constitution of the scientist. In other words, the findings were not for everyone to see if they were not properly trained or had the biological and organic disposition for the anthropological technique.

Lombroso overtly and explicitly acknowledged the creative partnership of intuition and knowledge in the production of a science on crime – as well as erased the distinction of truths found in respectively science, art and fiction. Well, at least as long as these truths concurred with his scientific opinions. The eccentric scientific approach of Lombroso, perhaps even more than his insistence on the existence of born criminals or criminal types, in some respects did not fare at all well with the burgeoning scientific establishment and experts on crime. For example, he alienated himself almost at once to many colleagues at the first convention in Rome where he caused quite a lot of indignation by stating that he had never before been surrounded by so many brilliantly abnormal people.

What is often lost in the consideration of Lombroso's influence is that Lombroso's reasoning did not only try to make legitimate his scientific creation of the born criminal – his was an even more radical argument. Though there were numerous critiques of the scientific methods for studying crime and of the scientists themselves - a more fundamental dilemma might be said to be found in the apparent tautologism of Lombroso's arguments. The clever logic being: *if you did not believe Lombroso's statements, there had to be something wrong with you.*

Given that, we find ourselves, perhaps somewhat presumptuously, having the organic disposition to solve the criminal anthropological riddle of: 'who, or what, was the born criminal'? One avenue to try to understand an aspect of who and what Lombroso's 'born criminal' was, is to take a closer look at Lombroso's own origin story of the cosmogenesis of his enlightenment and the birth of his science. The story which is found in almost every criminological textbook to introduce the view of the Italian School of Criminal Anthropology.

Lombroso wrote:

At the sight of that skull, I seemed to see all of a sudden, lighted up as a vast plain under a flaming sky, the problem of the nature of the criminal – an atavistic being who reproduces in his person the ferocious instincts of primitive humanity and the inferior

animals. Thus were explained anatomically the enormous jaws, high cheek bones, prominent superciliary arches, solitary lines in the palms, extreme size of the orbits, handle shaped or sessile ears found in criminals, savages and apes, insensibility to pain, extremely acute sight, tattooing, excessive idleness, love of orgies and the irresistible craving for evil for its own sake, the desire not only to extinguish life in the victim, but to mutilate the corpse, tear its flesh, and drink its blood.

The reason for this extract's popularity in later criminological textbooks is not difficult to fathom. Perhaps nowhere within science has there been narrated a more dramatic description of a science creation myth. If one should be tempted to make a comparison of other narratives of scientific breakthroughs, one is found with Mary Shelley's description of Dr. Frankenstein's scientific discovery. Furthermore, as with Dr. Frankenstein's monster, Lombroso's recollection of his discovery - his born criminal - seems to be somewhat of a hybrid character, composed of the bodies of a multitude of identities - corporal and metaphysical, part fiction and part having a context in a historical and scientific reality.

According to Goring, Lombroso's description of the born criminal was of an anthropological monster that was nowhere to be found besides in the textual representations and scientific analysis of Lombroso. Maybe in the end it was nothing more than a creation, or a figment, of his and his followers' ingenious imagination. Thus, Goring pinpoints and repeats a concern shared by many of the scientist and writers on crime - Lombroso's born criminal was too fantastic to be real. An opinion also heralded in fiction. For example, one of Leo Tolstoy's characters in *Resurrection* claimed that there is truth to be found in Lombroso's science yet he had overshot his mark.

The force of the criminal anthropological narratives resided not in method but first and foremost in the narratives claim. Though many scientists were finding both Lombroso and the scientific axiom of the born criminal untenable, the idea persevered that even if the cases might be rare, there exists humans who are so dangerous (and evil) that they might not only be past redemption but unfit to be part of society. Lombroso's description of his discovery of the born criminal is a very powerful narrative, pregnant with many cultural connotations and associations. He states that this experience was a 'revelation', the image of 'the flaming sky' might be said to resonate with Biblical images found in both Genesis as well as in the Apocalypse. As in Shelley's text the metaphor of light represents the light of reason and truth (science), but the passage might also be said to allude to the God of Genesis, as well as the Son of God in the Apocalypse returning from heaven through a flaming sky to pass Judgment on mankind and vanquish the chimeras which threaten the divine order of things. When reading Lombroso's origin story, we notice it by use of gothic conventions and clichés which are employed in his narration of the discovery of the



born criminal. The text breaks down the barriers of the narratives of the sermon, the scientific text and the scientific fictionalised text - which might leave the reader both uneasy and intrigued.

The use of atmosphere suggests that on a dark, foggy and stormy night Lombroso gained the Faustian revelation of the nature of evil. The physical perversions and abnormalities mirror the abnormal moral perversion exemplified by their uncivilised passions, analogue to savages and apes - the 'love of orgies' and craving for all things evil, an evil also found in the darkness of the night of reason that Lombroso with his flaming sword of an idea has dedicated his life to combat. This origin myth is one instance where Lombroso's scientific narratives and the gothic narratives converge. As such, if reading Lombroso's text in the context of gothic fiction, there are numerous examples of gothic novels where Lombroso's thought and scientific logic was, and still is, employed and provided writers with a means of pushing the boundaries of what is known. Both as a mean to lend the narrative with a pseudo-scientific integrity as well as providing depths to the uncanny feelings of the mystery and horror the stories might invoke. Furthermore, Lombroso's very Italianism might be said to almost have secured him, to many readers at the time, a position among the tropes of the gothic. Italy and its ruins being one of the main sources of the rise of the gothic revival, also providing the very physical setting of many gothic novels. Whether, being in Horace Walpole's *The Castle of Otranto*, Ann Radcliffe's *The Italian* or Mary Shelley's *Frankenstein* - Italy and Italians seemed from the very start of gothic fiction to be somewhat infused by a certain gothicity.

The very image of punishment in the romantic imagination was enframed by Giovanni Piranesi's carcereri's - in the travel literature of the men and women of letters, part of the romantic education of the self was not only to fix ones attention to Michelangelo's visions of heaven and creation but to visit the realities and grottos of Piranesi's images of hell. One important aspect to understand the reception of Lombroso's ideas might be the historical context of the ambivalent position Italy and the Italians had in the 19th century political and cultural imagination. Italy was, and in part still is, seen as a country with a glorious past - a golden age - which had/has degenerated into a state of barbarism. On the one hand, Italy was one of the cradles of western civilisation, of religious life, of the Renaissance, the land of Dante, daVinci, Columbus which after both its Germanite and Oriental invasions now being a culture and a country at war with itself.

On the other hand, a country holding on to and being the home of 'primitive' Catholic beliefs and practices - a country where even perhaps its golden age was nothing but an illusion? An illusion hiding a corrupt, volatile and haunted history and civilization.

Italy aroused, and still arouses, the sensibilities and passions of the Victorian mind and its heirs. A country of sexual awakening, sin and redemption – a place if one enters one's body and soul being at peril. This is a narrative one might still find echoed in the present Anglo-American historical narratives of how to understand the malign influence of Lombroso's Italian School. As Daniel Pick puts it, in his influential and widely quoted study *Faces of Degeneration* - how are we to understand what has come through the cracks of the House of Usher?

Lombroso's 'gothicism' is not solely to be found in its national topoi. The gothic novels and also with Lombroso's criminal anthropological scientific narratives, destabilised former boundaries and categories, and disturbed notions of human identity, human sexuality and was a science which focused on the borders of the human form and the possible avenues for how these might be violated. The gothic narratives and the criminal anthropological narratives shared, at times, fantastic and imaginative questioning of what was really humanity's natural constitution and true form. Lombroso's science explored in the same manner as with the gothic novels of the nineteenth century what lay beyond Enlightenment attitudes, and at times what was seen as its shortcomings, toward reason, identity, superstition, sexuality, crime, punishment, the law and nationhood. Moreover, Lombroso's description of the born criminal seems to be a description of a negative existence or entity which from the dawn of the age of mankind has resided in human nature and society. His narrative of the birth of his science seems to regale the discovery and solution to both a mystery and a horror which plagues civilisation. Though being a story and presentation of a finding which now, as then, seems somewhat too fantastic to be real, Lombroso's story also raises a puzzle for the modern imagination, where 'we' as detectives have to try to figure out who and what has tried to murder reality – perhaps no longer believing that the murder at Rue Morgue has been committed by an ape. During Lombroso's time it was maybe Bram Stoker's *Dracula* which most fully developed a parallel modern mythology of humanity and its double – in Bram Stoker's narrative the double being a vampire, a vampire which was also a born criminal. As Bram Stoker put it: "Nordau and Lombroso would so classify him"

It has been argued that what was at stake in Lombroso's scientific narratives, as with Bram Stoker's novel, was both the individual body as well as the collective body of the nation. Though Bram Stoker was not the first gothic novelist to employ or see the sciences of crimes' gothic tropes or to use the criminal anthropological theories of Lombroso in gothic fiction, his story as with Lombroso's and later more recent academic discussions of *Dracula* and Lombroso's born criminal perhaps went the furthest, however, and hyphenates how the human body in the nineteenth century and twentieth century science and fiction seems to have 'lost their claim to a discrete integral identity, a fully human existence.' The final part of the quote from Lombroso's

discovery describes the 'born criminal' as having: 'the irresponsible craving for evil for its own sake, the desire not only to extinguish life in the victim, but to mutilate the corpse, tear its flesh and drink its blood' - fits quite well with the modern image of the hedonistic vampire. Furthermore, there are also other incidents that might suggest that the discovery of the 'born criminal' as retold by Lombroso many years later was and still remains among other things, in part infused with memories of vampires and vampirism.

The accuracy or authenticity of Lombroso's account and memory has often been questioned, though, not to contextualise the most famous and most read quotation from Lombroso's science with a thorough reading of the rest of the narrative. Lombroso mentions several names - examples which made him start to believe in born criminals - one being Verzeni.

In the following paragraph Lombroso writes: 'I was further encouraged in this bold hypothesis by the results of my studies on Verzeni, a criminal convicted of sadism and rape, who showed the cannibalistic instincts of primitive anthropophagists and the ferocity of beasts of prey.'

So, who was Verzeni, and how did he encourage Lombroso to believe that evil is born in man?

Prior to the first publication of *Criminal Man* in 1876 Lombroso took part in a trial where he examined what in later vampire and serial killer genealogies, is presented among the most famous Italian fin-de-siècle cases of serial murder and vampirism.

The Vampire in question was a certain Vincenzo Verzeni from Bottanuco. The case of Verzeni, as with any gothic story, is shrouded in mystery and horror. Whether guilty or innocent, Verzeni was accused of the murder of two women, furthermore of attempting to strangle two other women who claimed to have managed to escape. The presentation of Verzeni and his rise to fame as the Italian vampire was based on the findings of post-mortem mutilations on the bodies of the deceased. The mutilations consisted, among other things, of cutting off their throats and the disappearance of their blood, - a sanguine condition Verzeni also later admitted to Lombroso. The Verzeni trial lasted from the 26th of March until the 9th of April in the year of 1873, and Lombroso was called in as an expert to establish the mental disposition of the accused.

Lombroso's associate Dr. Alborghetti examined Verzeni's retinas, but could not find any abnormalities. Lombroso furthermore had Verzeni's hair shaven off to properly be able to measure and see the shape of his skull, but could not find anything out of the ordinary here either. The only abnormality Lombroso could find in Verzeni's physiognomy was upon examining Verzeni's genitalia. Abnormalities of the genitalia

were also found in Verzeni's family history. So why was Lombroso so interested in Verzeni's eyes, skull and penis? However tempting a variety of post-Freudian analysis might be, the interest in Verzeni's genitalia was probably due to the mid-nineteenth century's discourse on heredity. However, a general scientific consensus on a measure of normality was yet to be clearly defined. In regard to Lombroso looking into Verzeni's eyes, one may paraphrase Lombroso's poetic terms, and say this was to look into Verzeni's soul – but there may also have been at least two specific reasons as to why Verzeni's eyes were of such importance.

First of all, it was to see if Verzeni was of child or man brain. The natural scientists in Italy had been aware at least from the sixteenth century that eyesight develops with age – a development which was now also seen as analogous to the development of an individual's mental faculties. Furthermore, it was to conduct what today would have been called a 'retina diagnostic', since certain bodily infections, for instance syphilis, cause distinct discolorations on the retinas. This, the medical sciences at the time of Lombroso were very much aware of. Finally, there is the craniometrical examination of Verzeni's head – which seems to have attracted the most attention in later secondary literature on Lombroso. Lombroso does not provide any specifics, so what was it that he looked for when measuring Verzeni's face and skull? In short; the absence of beauty. Judging from later literature from Lombroso's face readings there are arguably at least two main aspects the doctor sought out. First of all, he looked for any particular distinguishing marks that were seen as uncommon and as lessening the beauty of the face. Secondly, he looked for a lack of harmony in the proportions of the face. The latter, an asymmetrical face and skull were quite common in the literature at the time and considered a sign of degeneration. The verdict Lombroso gave at the Corte d'Assise in Bergamo was that Verzeni in general acted normal, though he did not act normally during the crimes committed, yet managed to regain the shroud of normalcy after his crimes had been committed. The Verzeni case might be said to be one of the earlier instances where one finds Lombroso's particular logic in his creation of the criminal types. By the absence of motive, of any plausible explanation, the individual in question had therefore to be somehow different. On the other hand, Verzeni's moral perversion was of a nature that seemed unable to be understood on the basis of, or conclusively related to, a reversal to a specific bodily anomaly. Nonetheless, according to Lombroso, considering all these facts he had accumulated, Verzeni did not possess the physical deformities of being insane. A dilemma it seems Lombroso faced – and which would re-occur throughout his work – was that even with all the scientific methods, such as anthropometry at his disposal Verzeni, could not be judged as mad or criminal by any standards of science. At the same time, in view of the horrible atrocities and evil of his actions could he be considered sane or normal?

Thus, Verzeni had to be something else. The case of Verzeni the Vampire can be seen as an example of the ambiguities of the criminal anthropological scientific claims, and of literally the gothic imagination found in its narratives on the tropes of crime. On the one hand, the born criminal became in Lombroso's science a double only the expert was allowed to see. A secret of the craft that could only be unveiled by those having the natural born capabilities of being able to look through this dark looking glass. A double to be invoked in the scientific narratives at 'His Scientists Pleasure' - to explain horrible wonders apart when the tools of science failed in the face of evidence. Though Lombroso was not the only criminal scientist of the late nineteenth century, his ideas, perhaps went furthest and gained so much attention since part of the allure of the idea of the born criminal was and somehow still is that it expressed a need among many scientists not necessarily only for finding a legitimate space for the existence of evil within the modern paradigm of science on the tropes of crime. But, because it offered to explain aspects of life that now resonated with stories which in the late romanticist imagination predominantly was told as narratives of horror and mystery - gothic tales. If the American historian Karen Halttunen is correct when asserting that: 'The Gothic narrative of criminal transgression proved central to the modern liberal construction of the concept of criminal deviance', perhaps in this perspective, it might be possible to understand aspects of why Lombroso's science aroused so much interest, why it still continues to attract and repulse - pray, even why many still in some form believe in born criminals (?)

Lombroso's modus operandi, and to study the work of Lombroso and other criminal anthropologist then, might be to consider it as a science in the process of constantly creating more and more doubles. Lombroso's dilemma was, as many have noted, that he was unable to create a one to one correlation or a causation between, for example, the criminal and the criminal act, the signs and stigmata of the criminal and the crime. By the invocation of the invisible, gothic double - he did not as such really need to. The logic and method of his arguments were in such a perspective - partly in effect to create more and more doubles - gothic doppelgangers whether in a manifest or more spectral form that could appear on an individual/biological/social/cultural/political as well as later spiritual level. The double, whether found as the potential for genius or criminality, for good or evil, became in Lombroso's narratives both what the body was in its true form, in danger and/or had the potential of becoming. Thus, the tropes of crime might be both a familiar and an alien - yet a double which perhaps as in the modern criminological imagination, granted only a few select to see. In the case of the born criminal: It belonged to the new group of professionals - as both an instinctive quality of the man of genius and somewhat mystical property of the true scientist which soon under the mantle of science would make the tropes of crime more and more transparent and gradually to be found everywhere. In Lombroso's criminal anthropology - crime became a spectre or double to be found in the animal kingdom,

among plants, ants and rodents, in human society, in the movements of the stars and the planets – and finally, in a work published posthumously, from the dead coming to possess the fragile existence of the living and lead them astray.

As such, Lombroso's criminal anthropological narratives share with the Marxian narratives of the same century, where one also finds metaphors connecting 'criminals' and 'vampires' – an assault on reason. However, Lombroso did not limit the vampire, as Marx and Engels did, to being an attribute of the oppressors and the system of the oppressors – capitalist labour. Lombroso's science was part of a more radical deconstruction and later seen as a more morally ambiguous assault on the contemporary tropes of crime, evil, reason and the body.

Lombroso's answers to the tropes of crime and the science he took part in creating, was the cultivation of a narrative with a focus on how Man and Society might be constantly threatened by being possessed by a double. Though the answer to exactly what this 'possession' or double was then, and now, other than that this 'possession' is somehow posing a danger to Man and Society is somewhat more difficult to pin down. Was, or is, the answer to the tropes of the double found in Man, or in some Men or Women? Would the answer to the double be possible to find in their 'genetic make-up' or in the conditions Man lived under in an industrial and capitalist society or culture? Gothic fiction might be seen as allegorizing the change on how to view the tropes of crime that one later sees develops in the 19th century – among others – the science of Lombroso.

The gothic narrative, with its focus on the mysteries and horrors of the double might be seen as a medium – both partaking in and providing legitimacy to the claims of Lombroso's science and the nascent discipline of criminology. It was one aspect of why Lombroso's claims of the existence of criminal types made sense to an 19th century audience and it is also not only an important, but fundamental, cultural context for the birth of criminology as science.

**Further reading:**

For an extended version of this text, see Ystehede, P.J. (2006) *In the Twilight of Good and Evil: Cesare Lombroso and the Criminological Imagination*. For more on the relationship between the history of criminology and the gothic see: Nicole Rafter, Per Ystehede (2010), Here be dragons: Lombroso, the gothic, and social control, in Mathieu Deflem (ed.) *Popular Culture, Crime and Social Control* (Sociology of Crime, Law and Deviance, Volume 14), pp.263 – 284 and Ystehede, Per (2013) Demonizing being: Lombroso and the ghosts of criminology in Knepper, P. and Per Ystehede. *The Cesare Lombroso Handbook*.

**Other references:**

Edmundson, Mark (1999) *Nightmare on Main Street: Angels, Sadoomasochism and the Culture of the Gothic*, Lovejoy, Arthur (1976) *The Great Chain of Being: A Study of the History of and Idea*, Hurley, Kelly (1996) *The Gothic Body: Sexuality, Materialism, and Degeneration at the Fin de Siècle* and Halttunen, Karen (1998) *Murder Most Foul. The Killer and the American Gothic Imagination*.

### **III. Parallel Society and Legal Pluralism in a Globalized World:**

#### **The 'Other' as a Risk or Towards Multicultural Understanding**

By: Ida Nafstad

Legal pluralism is a well-known concept among socio-legal scholars. In the general population, however, it is largely unknown, not only when it comes to what the concept means, but also regarding what the concept signifies in terms of understanding the global society we live in. To clarify here in the beginning, legal pluralism is the presence in a social field of more than one legal order. When one do not understand or have knowledge about different legal orders and its coexistence, a negative interpretation of unfamiliar ways of understanding justice and legality is common. This can result in fear and to perceive it as a risk, and commonly to connect the unfamiliar legal culture to threatening phenomenon in society and to negative connoted terms. An example of this is the term parallel society.

I will in the following explain the term parallel society and how it is used in Sweden. I will further argue for the need for multicultural understanding in a global society, and for the significance of understanding legal pluralism in this connection. As such, I will discuss perceived risk in a globalized world and how this can result in new ways of connecting the label crime to the unwanted.

#### **Parallel society**

The term parallel society was coined by the German sociologist Wilhelm Heitmeyer in 1996 to describe what he saw as voluntarily cultural segregated communities with fundamentalist ideologies, typically Muslim immigrant communities (Hiscott 2005). Parallel society is a term with definite negative connotations, often used as self-evident without further need for explanation. The term is contentious and has been used to describe a risk scenario - an unwillingness to integrate, a threat to liberal democracy, a growing danger of disintegrated society, ethnic colonies, and Islamic fundamentalism. The parallel society concept has provided politicians with a "scientific" term to forward anti-migration, or anti-multiculturalism, ideologies and discourses. Several researchers have tried to define parallel society more scientifically, which again has led to a higher legitimacy for the use of the term with ideological motives (*ibid.*). Other scholars have warned about how the term parallel society has been used in debates against multicultural policies, and how the term itself summarizes fear of multiculturalism, and are being used for changing the political debate from one of multicultural policies towards one of assimilation (Kraus and

Schönwälder 2006). The term with its connotations is now used throughout the whole political spectrum. One can say that the contentious content of the term has been naturalized as a reality in the political debate

### **Parallel society narratives in Sweden**

In Sweden, the term parallel society is also used to create a risk scenario. Parallel societies are presented in the media as a force on its way to take over as diverse areas as criminal law, private law, banking, insurance, housing market, labor market, and education. And the police, politicians and the judiciary are reported to fear parallel societies (Brå 2018, Nafstad 2018, Polismyndigheten 2015). Even though the term is increasingly used in Swedish media and the public debate, the definition of the term and the knowledge about it is at best vague and ambiguous.

While there are no academic publications on parallel societies in a Swedish setting, parallel societies are to some extent discussed in reports on crime trends from the police and from the Swedish National Council for Crime Prevention (Brå), then typically equating a parallel society with a criminal society. One of these reports finds three forms of parallel social structures: 1) alienation from state structures (but without use of alternative structures); 2) discipline, retaliation and revenge among criminal networks; and 3) the use of customary law among kinship, ethnic or religious groups (Brå 2018). These three groups are mixed together in the reports.

According to the reports, parallel legal systems can be found within family-based criminal networks, which operates as a “society within society” and have the power to mediate conflicts, make judgements and rule out fines, at the same time as shutting out the formal legal system by silencing witnesses to and victims of crime (Brå 2016). In this connection, it is important to mention, that the perceived threat of a “society within society” was first used during the Second World War to legitimize antisemitism as a fight against a “state within the state” (Hiscott 2005). We all know the tragic results of such propaganda, something which should make us very cautious when this term comes up again, now used to describe other minority groups.

When social risk factors are not addressed by the society, an integrated community will change into a dissolved one according to the police, and the inhabitants in these areas will search for alternative solutions, something that opens up for parallel power structures, which again can develop into a “society in society” (Polisen 2017). Parallel social structures are, in the reports, general seen as a result of lack of social cohesion, and are consistently equated with crime, drugs, Islamic fundamentalism, and destructive forms of living – as a real threat or risk, and a risk that requires more police control of socio-economic vulnerable areas with a multicultural population.



### **Alternative understandings**

The descriptions offered in the mentioned reports are shallow and do not take into account ways of organizing life and social structures that are unfamiliar to the majority's way of social organization in Sweden – such as the impact of collective social structures and traditions for the use of customary law.

Collective social structures is a form of social organization typically found in countries with historically weak states, where clan structures have taken the role of organizing support and services that the state is not able to provide. The social organization of life, also when it comes to law and justice, is the responsibility of the extended family, and based on a collective rationale. Due to global migration, such organization of social life can also be found in countries with strong states, such as Sweden. Many people who have migrated to Sweden originate from countries with collective social structures. This results in the presence of two essential different ways of organizing social life within the same nation state. In the public debate, these differences are not discussed, taken account of, nor understood, and the different ways of organizing social life in communities with people originating from these countries receives the label parallel society, with its connection to crime and extremism. And, as important, an understanding of what the “Swedish way” of organizing social life implies is neither provided in the public debate. The majority population sees this as the natural way of being, and do not problematize it. Contrary to this, the World Value Survey<sup>1</sup> has found that Sweden is an extreme, this is in the sense of extreme individualistic and secular values. This is an important point. In order to understand unfamiliar ways of organizing social life, one have to understand one's own way of organizing social life.

Such insight might enable us to look at differences with other concepts, than the simplified ones, which result in perceived risks and threats from multiculturalism, such as parallel society does. I will suggest that the concept of legal pluralism can provide better insight.

Legal pluralism is a less problematic term capturing various ways of organizing everyday life and social order, and can, as already mentioned, be defined as “the presence in a social field of more than one legal order” (Griffiths 1986:1). The legal pluralism scholarship shows us that complete isolation, as implied by the term parallel, rarely exist, one can rather talk of a coexistence. Legal pluralism has been called a key concept for understanding law in the postmodern world. Different legal orders should not be seen as separate entities, but as intertwined parts of our everyday

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<sup>1</sup> <http://www.worldvaluessurvey.org/WVSContents.js>

life (Santos 1987). Consequently, informal and formal law are not separated, or parallel, into two different and autonomous entities. This interlegality does not necessarily mean that it is chaotic, rather the opposite, by being customized to the specific environment of operation (*ibid.*). The public debate on parallel society do no discuss social order and its function within the targeted communities, the focus is rather one of disorder. If one do not make an effort to understand the internal mechanisms and social functions of communities called parallel, and also make an effort to understand the social mechanisms of majority society, we will end up with further marginalization and alienation of these communities, putting up a risk scenario connecting their everyday life and actions to crime.

### **Towards multicultural coexistence**

Legal pluralism and contextualization as approaches might have the potential to enhance understanding of difference, and might provide perspectives of multicultural societies based on mutual understanding and respect for differences, rather than criminalization, alienation or assimilation. A continued use of the concept parallel society in the public debate, by politicians and the police, and without a conceptual discussion of what this concept consist of, and what it entails using it in the public debate, might have the consequence of deepening social segregation and alienation. We need to provide possible avenues for coexistence and to refute the populist claim that cultural diversity and social integration are incompatible. I want to warn against using simplified term to describe the complexity of social life, and against creating risk based on ignorance, which can only lead to a criminalization of the everyday life that is unfamiliar to a majority population and hamper the possibility for coexistence in a multicultural global world.

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## IV. Registration open

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European Group for the Study of Deviance and Social Control

46<sup>th</sup> Annual Conference

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TALLINN

## Volume 2, Number 1: Tallinn

April 2018

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## VI. News from the Prison, Punishment and Detention Working Group

### Campaigns:

*Moria 35:* The Moria 35 in Lesbos continue their struggle for freedom and, from reports coming from the island, continue to face serious state harassment. Please click [here](#) for a recent update, and [here](#) to donate to Legal Centre Lesbos if you can. You can also follow them on Facebook: <https://en-gb.facebook.com/freemoria35/>

*Save Charles Mukerjee:* Petition to end the detention of Charles and his family who were detained on signing at the Home Office on Tuesday, and currently being held in Yarl's Wood. Charles has learning difficulties and severe epilepsy - this clearly contravenes the Home Office's own guidelines on detaining vulnerable adults: [https://www.change.org/p/amber-rudd-mp-save-mencap-liverpool-member-charles-mukerjee?utm\\_campaign=fb\\_dialog&utm\\_medium=email&utm\\_source=signature\\_receive&post\\_id=1062886707185094#\\_ =](https://www.change.org/p/amber-rudd-mp-save-mencap-liverpool-member-charles-mukerjee?utm_campaign=fb_dialog&utm_medium=email&utm_source=signature_receive&post_id=1062886707185094#_=)

*Hassan Diab:* As you know, Hassan Diab has been released from prison in France and is now back in Canada. This is not the end – despite exonerating evidence, Hassan faces court again on 11<sup>th</sup> April. PPD member Maeve McMahon will present updates in Ljubljana in August, but in the meantime updates and support info can be found here: <http://www.justiceforhassandiab.org/>

*Child Prosecutions:* Israel is the only country in the world that systematically prosecutes children in military courts – between 500 and 700 each year. The Israel Prison Service revealed that an average of 204 Palestinian children have been held in custody every month since 2012. Palestine Solidarity Campaign calls upon the British government to make a public statement to ask mistreatment of Palestinian children in Israeli military detention: <https://www.palestinecampaign.org>

*Stop Prison Expansion!* Community Action on Prison Expansion (CAPE) campaigns to avoid the development of a prison industrial complex in UK <http://www.cape-campaign.org/what-is-prison-abolition/>

*Christopher Alder:* Information from the Christopher Alder Campaign for Justice: 20th Anniversary Memorial on 31st March 2018

<http://npmp.co.uk/2018/02/14/166/>

## Calls for papers:

European Association of Social Anthropologists Annual Conference 2018 - **Stockholm, 14-18 August** - Confinement as a Category of Practice and a Category of Analysis [Anthropology of Confinement Network] – **Deadline 9<sup>th</sup> April 2018**

<https://nomadit.co.uk/easa/easa2018/conferencesuite.php/panels/6626>

ESA RN31 – Global perspectives on racism, antisemitism and nationalism - Mid-term conference Ferrara, 5-6 September 2018 - University of Ferrara (Italy) – Deadline 20<sup>th</sup> May 2018

<https://networks.h-net.org/node/2645/discussions/1454518/call-papers-esa-rn31-%E2%80%93-global-perspectives-racism-antisemitism>

"Between Edges and Margins", Ghent University, conference on innovative methods in the study of deviance titled 'Between Edges and Margins', Gent, Belgium – **13-14 September 2018, deadline 15<sup>th</sup> May 2018:** <http://www.edgesandmargins.ugent.be/>

## Conferences

**May 2018:** Borders, Racisms, Harms: **2-3<sup>rd</sup> May 2018**, Birkbeck University in London – free to attend, please see here for further details: <http://www.bbk.ac.uk/events-calendar/borders-racisms-and-harms-a-symposium>

**June 2018:** Registration for the International Conference on Penal Abolition – London 15-18<sup>th</sup> 2018 - is open! <https://icopa2018.com/registration/>

**June 2018:** To mark the 60<sup>th</sup> anniversary of the publication of Gresham Sykes's *The Society of Captives*, a conference is being held on **June 27-28 2018**, at the University of Leicester. For details of the programme, see [http://www.crim.cam.ac.uk/download/60th\\_Anniversary\\_of\\_Sykes\\_Conference.pdf](http://www.crim.cam.ac.uk/download/60th_Anniversary_of_Sykes_Conference.pdf)

Bookings can be made using the following weblink:

<https://www2.le.ac.uk/news/events/2018/june/the-society-of-captives-today-celebrating-the-60th-anniversary>

Have a great weekend, and best wishes for the rest of April!

Vicky Canning and Simone Santorso

Co-ordinator and Secretary, Prisons, Punishment and Detention group

European Group for the Study of Deviance and Social Control

## VII. News from Europe and Around the World



### Interdisciplinary and Intergenerational Symposium on Deconstructing and Reclaiming Impact

by the Applied Sociology Research Group

**Thursday 3 May 2018**

**09:30 – 17:00 followed by Wine and Cheese Reception**

**University of Greenwich, Old Royal Naval College, Queen Anne Building, Greenwich SE10 9LS, Room QA075**

This symposium is an opportunity for academics from different disciplines, and at different stages in their careers, to come together and share their stories around impact. We are particularly interested in exploring the gap that may exist between our own personal interpretations and understandings of impact, and how that relates to the work we do, and criteria we need to abide by through contractual obligations, institutional cultures, explicit and implicit expectations, and standardised frameworks. We would like to use this opportunity to encourage critical reflection on the future role and practice around impact, and our responsibility as academics – both cross-disciplinary and cross-generationally – in shaping that future. On the day, colleagues from the University of Greenwich and other UK institutions will share their stories in an informal fashion, to foster dialogue across disciplines and generations on this subject, in the hope of learning from one another, establishing common ground, and creating networks of support, collegiality and collaboration.

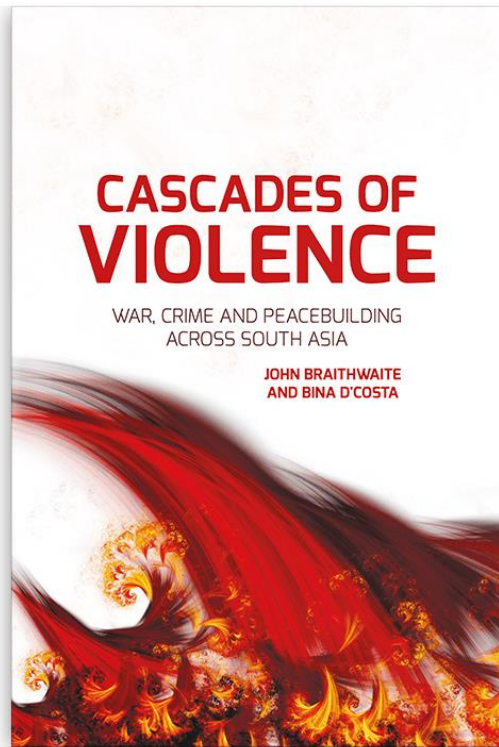
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**Giulia Zampini and Linnéa Osterman**

Department of Law and The Centre for Criminology  
University of Greenwich



## War, crime and peacebuilding across South Asia

*By John Braithwaite and Bina D'Costa*

WAR AND CRIME are cascade phenomena. War cascades across space and time to more war; crime to more crime; crime cascades to war; and war to crime.

John Braithwaite and Bina D'Costa investigate the complexity that arises from these *Cascades of Violence* to show that increasing our understanding of how these cascades work can assist in the simultaneous prevention of both crime

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The book shows how nonviolence and nondomination can also be made to cascade, shunting cascades of violence into reverse.

*"Cascades of Violence is one of the few books that all at once constructs a sophisticated and innovative theoretical framework, relies on a wealth of primary material, and presents extraordinary comparative breadth and depth. It will be of great value to students and scholars of violence." - Séverine Autesserre, Barnard College, Columbia University, author of Peaceland and The Trouble with the Congo*

*"Braithwaite and D'Costa's metaphor of violence cascades is the starting point for a landmark analysis of complex reciprocal relationships between war and crime... This book's remarkable formulation and analysis of ten provocative propositions yields hopeful lessons that illuminate new pathways to the reduction of war and crime." - John Hagan, Northwestern University and American Bar Foundation, author of Darfur and the Crime of Genocide (with Wenona Rymond-Richmond)*

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