

# Migration, Culture Conflict, Crime and Terrorism

ADVANCES IN CRIMINOLOGY

Edited by Joshua D. Freilich and  
Rob T. Guerette

# Migration, Culture Conflict, Crime and Terrorism

*Edited by*

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Published by  
Ashgate Publishing Limited  
Gower House  
Croft Road  
Aldershot  
Hampshire GU11 3HR  
England

Ashgate Publishing Company  
Suite 420  
101 Cherry Street  
Burlington, VT 05401-4405  
USA

Ashgate website: <http://www.ashgate.com>

### **British Library Cataloguing in Publication Data**

Migration, culture conflict, crime and terrorism. -

(Advances in criminology)

1. Emigration and immigration - Social aspects
  2. Immigrants - Cultural assimilation
  3. Immigrants - Crimes against
  4. Immigrants - Crimes against - Prevention
  5. Terrorism
  6. Marginality, Social
- I. Freilich, Joshua D. II. Guerette, Rob T.  
364'.086912

### **Library of Congress Cataloging-in-Publication Data**

Migration, culture conflict, crime and terrorism / edited by Joshua D. Freilich and Rob T. Guerette.

p. cm.

Includes index.

ISBN 0-7546-2650-4

1. Crime--Social aspects.
  2. Terrorism--Social aspects.
  3. Emigration and immigration--Social aspects.
  4. Immigrants--Social conditions.
  5. Alien criminals.
  6. Culture conflict.
  7. Crime--Religious aspects.
- I. Freilich, Joshua D. II. Guerette, Rob T.

HV6181.M54 2006  
304.8--dc22

2006005842

ISBN-13: 978-0-7546-2650-3  
ISBN-10: 0 7546 2650 4

Printed and bound in Great Britain by Antony Rowe Ltd, Chippenham, Wiltshire.

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# Acknowledgments

The editors thank Istanbul Bilgi University for hosting the conference that made it possible for the authors of these chapters to come together to share and discuss matters pertaining to migration, culture conflict, crime and terrorism.

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# Introduction

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This anthology comprises selected chapters from the third international conference on migration, culture conflict, crime and terrorism held in Istanbul, Turkey in October 2003.<sup>1</sup> Since the initial conference held in 1999 these topics have only increased in importance. In addition to other events, the terrorist attacks in the United States on 9/11, and March 11, 2004 in Spain, underscore the need to better understand and respond to problems stemming from culture conflicts. The present volume builds upon the first two conferences and through scientific scrutiny makes sense of recent developments.

While the book originating from the first conference (Freilich, Newman, Shoham and Addad 2002) garnered favorable assessments (Antonopoulos 2005; Vazsonyi 2003), the reviewers pointed out areas for future research focus. Antonopoulos called for an examination of the media's role in the migration-culture conflict-crime nexus and greater consideration of the historical context from which these issues arise (2006: 226). Taking this into account, the present volume includes chapters which examine the influence of media on crime perceptions and other issues within the context of historical developments. Although the focus of selected chapters ranges widely, covering topics such as religion, culture, the media, terrorism, transnational and organized crime, offending, and victimization, all in some fashion intersect with migration and illegal conduct. Taken together, the chapters represent an encompassing overview, in both breadth and depth, on these matters.

Depending on the context, views on immigration and its consequences vary considerably. Some contend that criminal participation by migrants is the result of environmental factors found in the host country that are beyond the control of migrants themselves. Since new immigrants often reside in poverty and experience

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1 The conference was sponsored by Istanbul Bilgi University. This meeting followed the first two international conferences on migration, culture conflict, and crime that were held in Israel in 1999 (Freilich, Newman, Shoham and Addad 2002) and Germany in 2001 (Freilich and Newman 2002).

racial disadvantages in the host country, it is claimed that these conditions, operating through strain or cultural/learning adaptations, lead to higher offending rates among immigrant groups. In other words, the poor social conditions and the marginalization of immigrant groups in the host society contribute to and facilitate the migrant-crime relationship (Newman, Freilich and Howard 2002).

Conversely, many native-born citizens blame immigrants for all that is wrong in their communities. Despite research to the contrary (Lee 2003; Martinez 2002; Tonry 1997), migrants are accused of committing more crime than the host population, and taking unfair advantage of government benefits (Buchanan 2002). Many argue that the migrant/crime association results from a selection process, since criminals are more likely than others to migrate (Newman, Freilich and Howard 2002). Research has also found that more heterogeneous societies have higher crime rates (Howard, Newman and Freilich 2002a, 2002b). As a result of these fears, many countries have seen an increase in the popularity of groups that advocate for legal migration to be curtailed or eliminated. It is claimed that foreigners do not wish to assimilate and seek instead to supplant the indigenous traditions with their own culture (Huntington 2004; Raspail 1985). It is also contended that specific migrants, akin to the Trojan horse, serve the interests of outside powers and seek to attack the host nation from within. Right-wing political parties and movements in many nations argue that Arabic and Islamic immigrants pose such a threat and should be monitored closely, and ultimately deported to their countries of origin, to prevent future 9/11s.

Although many nations have long adopted policies that allow foreigners to be repatriated under certain circumstances (the United States, for instance, deports non-citizen felons, after they have completed their prison sentences, and has stripped citizenship from naturalized citizens found to be disloyal), these statutes usually apply after specific *actions* (i.e., crimes) have been committed. Contemporary calls, like those issued by the National Front in France to banish Arabic migrant communities (DeClair 1999), in contrast, are a form of national profiling that are based upon *who* the non-citizens are. Relatedly, in some countries angry citizens accuse their government of ignoring the immigration issue and are taking matters into their own hands. In the state of Arizona in the United States, for example, some citizens have formed private paramilitary organizations that patrol the Mexican border to enforce immigration laws (and detain illegal migrants) as well as prevent drug smuggling (Marizco 2004). Critics warn that it is only a matter of time before these groups degenerate into vigilante groups and commit hate crimes (Hendricks 2004).

In other instances, however, migration is viewed favorably and is associated with positive consequences in the host country. Today in Russia and similar to the past practices of many European nations, the shortage of laborers has led to liberalized immigration policies and a warmer reception for migrants who fill the need for workers. Though not currently the case, during the mid-1900s the United States adopted a program that allowed migrant workers into the country to accommodate laborer shortages during and after the Second World War. Referred to as the Bracero program, over a 22-year period more than five million workers were imported to work at farms and ranches in 24 states (Welch 2002). Thus, views of immigration,

its implications, and how it is responded to, are dictated by the larger economic, political and social context.

To some extent, how nations respond to migration processes also affects the negative and positive consequences of immigration. The Director General of the International Organization for Migration (IOM) writes that, “if properly managed, migration can be beneficial for all states and societies. If left unmanaged, it can lead to the exploitation of individual migrants, particularly through human trafficking and migrant smuggling, and be a source of social tension, insecurity and bad relations between nations” (McKinley, 2004: 3).

There is clear evidence of an increasing trend among national governments to strengthen their management of the immigration process (McKinley 2004). In 2000 the United Nations adopted protocols against transnational organized crime, which included human smuggling and trafficking, which marked the first such measure by the UN in this area. Further, there have been efforts by the European Union to pressure transit countries that fail to restrict the flow of migrants or do not crack down on human traffickers (Simons 2002). Citing the ever increasing diversity and complexity of the migration landscape the IOM recently released a model for nations to use in managing immigration (see Figure I.1). Comprising four primary parts – Migration and Development, Facilitating Migration, Regulating Migration, and Forced Migration – the model was offered as a guide for a “comprehensive” as opposed to an ad hoc approach to migration management. Importantly, the IOM model tackles the need for countries to address the various aspects of migration simultaneously. If policies aimed at any of these parts are to be successful, however, greater understanding of the nature of migration in various contexts is needed. The chapters in this anthology address many of the areas identified by the IOM model. In addition, since this conference was organized in the post 9/11 world, many of them explore issues surrounding terrorism from a variety of perspectives. The chapters have been grouped into four topical categories – Religion, Culture and Terrorism; Migration and Offending Issues; Organized Crime, Trafficking and Refugees; and Responding to the Victimization of Migrants.

### **Migration, Religion, Culture and Terrorism**

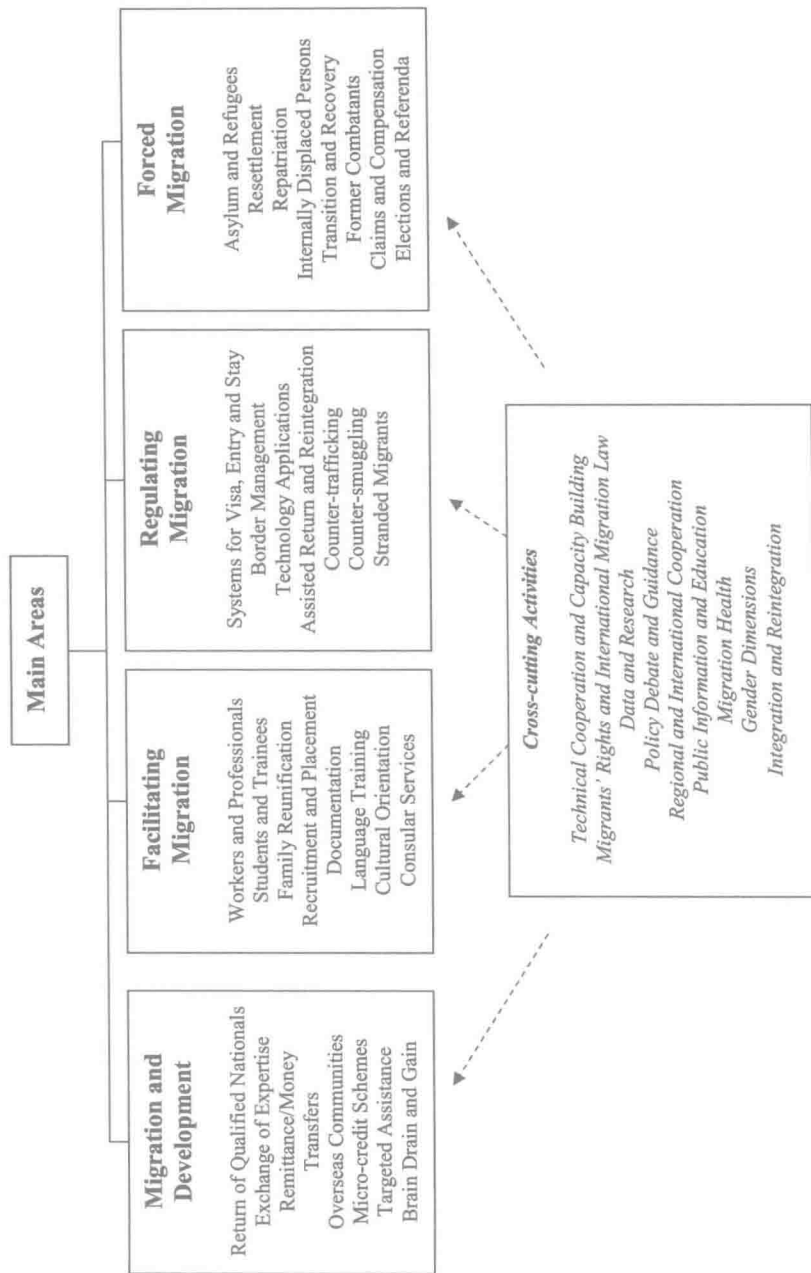
The post 9/11 period has highlighted and associated together in the public mind the issues of migration, religion, and terrorism. There is little doubt that many nations seek to control immigration in the name of safeguarding their country against terror. Part I of this book examines the interactions between and among these issues. To a large extent, terrorism is an outgrowth of migration and religion. Routinely, terrorism (and other forms of violence) are attributed to extreme religious ideologies, such as fundamentalist and or apocalyptic views of Islam, Judaism, Christianity, or racist fringe off-shoots such as Christian Identity, Hinduism and other faiths (Jurgensmeyer 2000; Stern 2003).

Hans-Heiner Kühne, in Chapter 1, identifies the dissonance between the status of terrorists as criminals and most governments' policy of treating terrorism as a war. He asserts that terrorists lack authority to pronounce war and therefore deserve the status of criminals. Yet, many governments embrace policies that call for a "war" on terror that allows them to deal with terrorists through war-time and military procedures and thereby deny these individuals the rights afforded under criminal processes. Kühne calls a warning to be wary of this trend. He argues that the current war on terrorism has led to a repressive shift in national penal law systems even when there is no discernible domestic terrorist threat and that it has blurred the difference between domestic crime issues and external, military, and security considerations.

Roland Eckert argues, in Chapter 2, that terrorism emerges as a result of humiliation or when one's collective identity is threatened. He explains that migration sometimes, by disrupting one's sense of self, leads individuals to embrace fundamentalist and traditionalist belief systems that provide stability to their lives. Unlike Huntington's thesis, however, Eckert maintains that it is not always the case that orthodox/traditional religious beliefs cause conflict, but that sometimes this causal order is reversed. In other words, conflict may cause participants to discard their more peaceful identities in favor of apocalyptic and traditionalist religious teachings/identities that encourage violence. Indeed, a number of scholars have recently made this claim in regard to the Chechen campaign against the Russians, which originated as a secular dispute. The solution, then, is to promote mediation and conflict resolution strategies.

Meanwhile, in Chapter 3, noted criminologist Shlomo Giora Shoham provides a sweeping historical and cultural analysis of the clash between fundamentalist Islam and the West that, besides responding to Antonopoulos's call for more attention to the historical context, applies his personality theory to shed further light on these significant matters. Shoham's masterful journey ends on a hopeful note. He argues that a dialogue based upon mutual respect which results in a reconciliation between these two cultures is indeed possible, once militant Islam realizes that its use of terrorism will not bring it any closer to its goals (see also Dershowitz 2002).

Finally, Freilich, Opresso and Newman, in Chapter 4, change our focus from the causes of the migrant/terrorist association, to an analysis of how governments responded it. Their study outlines the legislative and policy changes pertaining to non-citizens that Australia, Canada and the United States enacted in response to the 9/11 attacks. Freilich et al's investigation indicates that although the three countries balanced the same factors (e.g., individual liberty and public safety, economic interests and national security), they differed in the premium they placed on them. They conclude that the United State, and to some extent Australia, placed national security interests above economic and personal liberty concerns, while Canada privileged economic interests. It appears that each country's political context, and personal history with migrants and terrorism influenced their legislative and policy responses.



**Figure I.1 IOM Model for the Management of Migration**

Source: Adapted from McKinley (2004).

## **Migration and Offending Issues**

Criminologists and others have long engaged the issue of whether or not migrants commit more crime than the native-born population. Unlike other studies that examine this issue in terms of ethnic, or national origin distinctions, Katrin Brettfeld and Peter Wetzels, in Chapter 5, examine the association between religious background, migrant status, and crime in Germany. Their findings are important because they too illustrate the importance of the context in which perceptions are shaped. The common European stereotype that more religious Muslims commit more crime was not empirically supported. In most cases, there were no significant behavioral differences between Christian and Muslim youths. More religious Islamic youths were more likely, however, to have positive attitudes toward violence, while more religious Christians were less approving. This difference, as well as the finding that there were higher levels of family violence among Muslim youths, may be due to the more traditional gender roles in the Muslim community. It is clear that future research is needed on this issue.

In an overview of juvenile crime among immigrants found in Chapter 6, Kerstin Reich identifies the relationship between the context in which immigration occurs and how immigrants are perceived in Germany. When there was a need for workers, immigrants were welcomed and ushered into the country. When financial resources were low and unemployment rates were high, however, the immigrants were perceived as a social problem. Reich empirically confirms that immigrant juvenile crime is increasing in Germany. Through qualitative data, Reich also explores the issue of “imported” versus “home grown” criminality (see also Newman, Freilich and Howard 2002), and finds that participation in crime tends to increase with time spent in the host country and that immigrant juveniles tend to identify strongly with their original nationality. He concludes that better integrating young migrants into the host country’s mainstream society would be an effective crime prevention strategy.

Moving to a smaller cross-section of the immigrant population, Koichi Miyazawa and Philipp Osten provide an overview of foreign nationals held in the Japanese penal system in Chapter 7. They discuss the obstacles prison administrators face in facilitating the integration of immigrants with distinct language and cultural orientations. This is interesting because it identifies an overlooked dimension of immigrant integration. While most attention has been placed on increasing immigrant assimilation into conventional society, Miyazawa and Osten’s examination implies a need to learn more about the impediments of integration for those migrants brought into criminal justice institutions.

Finally, Pfeiffer, Windzio and Kleimann in Chapter 8 examine how the media influenced the public perception of crime inside Germany which partially addresses Antonopoulos’s call for greater consideration of the role of the media. Their study indicates that many people’s perception of the crime problem did not match reality. For example, most people estimated the number of burglaries to be much higher than the actual number. The authors demonstrate that these incorrect perceptions, which include the notion that foreigners are to blame for an increasing crime rate,

are partially the result of sensational media reporting. Pfeiffer et al found that these incorrect perceptions led to greater public support for harsher punishments, and the to the imposition of more severe penalties in general, and it appears against non-citizens in particular, as well.

### **Organized Crime, Trafficking and Refugees**

A number of countries have responded to the current anti-migrant environment and have recently lowered the number of migrants they legally admit. Similarly, many nations have also reconsidered their policies that govern refugees, asylum seekers, and others claiming to have fled political persecution. Issues related to asylum seekers, and organized crime and transnational trafficking have therefore assumed a prominent place on the migrant research agenda. Alexis A. Aronowitz in Chapter 9 provides an overview of the UN Research Project, "Coalitions Against Trafficking in Human Beings in the Philippines". Aronowitz defines key terms, discusses the broader problem of illegal migration in general and the survey instrument used in the study in particular. Her subsequent thorough review of each step in the trafficking process is important, since trafficking is a worldwide problem. Aronowitz concludes that there must be a collaborative effort on the part of governments, victim organizations, and non-governmental organizations to combat this issue. Fusun Sokullu-Akinci builds on Aronowitz's study and, in Chapter 10, comments on the the involvement of organized crime in trafficking in Turkey. She not only discusses the causes of organized crime, but more importantly, sets forth a detailed listing of policy initiatives to combat it.

Lastly, Turgut Tarhanli discusses the legal dimension of refugees and asylum seekers in Turkey in Chapter 11. Tarhanli's piece examines and compares Turkey's legal provisions that govern asylum and refugees requests with international law. He finds a synthesis between the two and argues that to accord with Turkish national and international human rights doctrine, refugees and asylum seekers should not be hastily expelled, deported or returned to countries from which they have escaped. Tarhanli argues that sufficient time must be allotted for the investigation of the claims, and that the refugees and asylum seekers must also be granted access to judicial procedure to validate their claims.

### **Responding to the Victimization of Migrants**

Another dimension of managing migration deals with responding to and assisting immigrants victimized both during the migration process and after their arrival in the host country. It is incumbent upon government to respond to victimization among both authorized and unauthorized immigrants. In Chapter 12, Rob T. Guerette characterizes the issue of death among migrants in the United States as they attempt unauthorized entry from Mexico. Noting the increasing trend of migrant deaths around the world, Guerette identifies the possible role of situational crime

prevention as a means to reduce and prevent deaths within the migration process. The utility of this approach, he argues, is that it operates within the current context of greater border policing and provides an immediate response without relying on reversal of restrictive immigration policies. This idea is intriguing because it not only identifies the need to manage this emerging facet of migration but also because it calls for the application of a method largely used to prevent conventional crimes to this transnational issue.

Shifting to victimization within the host country, both Natarajan and Erez and Britz identify the need to improve the ability of institutions to assist immigrant women who are victims of domestic violence. Erez and Britz study the experiences of social services providers, legal advocates and lawyers in dealing with battered immigrant women in Chapter 13. Through a national survey conducted in the United States, they found that battered immigrant women often have difficulty accessing social services and the criminal justice system for assistance. They argue that effective advocacy and intervention for battered immigrant women should include the development of collaborative working relationships among legal practitioners, social workers, domestic violence advocates, cultural consultants, and non-traditional community leaders and organizations. Finally, Natarajan in Chapter 14 presents a case study of a problem-solving approach to assist battered women in India. The model entails the use of an all female police unit specially trained to respond to the unique needs of abused women. A primary focus of the program is to provide better access to police services for victims of abuse. While the model was used with a native population, Natarajan points out that the utility of such an approach with battered immigrant women is equally relevant, especially given the reluctance of immigrant women to seek help. Together, both studies shed light on yet another dimension of managing immigrant populations and further underscore the unique requirements that immigrant populations place on preexisting institutions in host countries.

## **Conclusion**

In comparison to other foci of scientific inquiry, the quantity of research examining migration, culture conflict, crime and terrorism has yet to come of age. While those working in this frontier have made significant progress, much more work is clearly needed. The chapters in this anthology further our understanding of a variety of issues surrounding migration. At the same time, they also illuminate the complexities of managing migration and make apparent the challenges all nations currently face. As globalization continues governments will find it increasingly necessary to manage the process and impact of immigration. To be successful, governments will need to be both cognizant and informed of its many dimensions. It is hoped that future research builds upon this volume, and continues to investigate these very important matters.



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