# GLOBALIZATION AND CRIME

VOLUME 1

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# GLOBALIZATION AND CRIME

VOLUME I

*Concept, History, Method*

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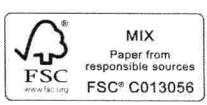


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# GLOBALIZATION AND CRIME

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**Katja Franko Aas** is professor in Criminology at the Department of Criminology and Sociology of Law at the University of Oslo. Katja's research has been focused on two related areas: the use of advanced information and communication technologies in contemporary crime control strategies, border controls in particular, and globalization processes and their impact on criminology and criminal justice. She has been involved in several research projects and was among other project leader of Crime Control and Technological Culture, funded by the Norwegian Research Council. She is currently working on the project Crime Control in the Borderlands of Europe, funded by the European Research Council's Starting Grants, about the impact of immigration on contemporary criminal justice agencies and patterns of crime control.

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# Editor's Introduction: Globalization and Crime

*Katja Franko Aas*

## Globalization: Imagination, Concept, and Method

Global, as Kenway and Fahey (2009) observe, needs to be imagined in order to exist. The global is not, and has traditionally not been, a self-evident frame of analysis and theoretical category within the social sciences, and even less so within the studies of crime and punishment. This three-volume collection of articles not only aims to present the established literature along with more contemporary writing on the topic, but also charts the development of a global research imagination within criminology and the related fields. The collection begins with an article by Anthony McGrew, which presents some of the early debates surrounding the concept of globalization. According to McGrew (p. 300.), 'globalization can be understood as a marked intensification of global interconnectedness, i.e. growing multiplicity of networks, flows, transactions and relations which transcend the states and societies which constitute the contemporary global system'. The phenomenon is essentially associated with the stretching of social relations and the notion of cross-border mobility, which destabilizes what previously appeared to be relatively stable frames. The social world is perceived as being in motion and can no longer be compartmentalized into clearly delineated patches of nation states. The challenge for criminology and social sciences more generally becomes, as Aas observes (Volume I), to conceptually and methodologically capture this emerging 'world in motion' (see also Aas and Bosworth, 2013).

Much of globalization scholarship has been grounded in a critique of the perception of social phenomena as bounded, what Ulrich Beck (Volume I) and others (Sassen, 2007) term *methodological nationalism* – equating social boundaries with state boundaries, and having a nation state outlook on society, law, justice and history. This methodological framework structures, according to its critics, the choice of research phenomena, for example,

statistical indicators, which are almost exclusively national in their scope. As Aas (this volume) points out, the transcendence of the nation state framework enables us to broaden our research horizons and incorporate previously excluded topics and phenomena and is particularly relevant when it comes to analysing the emerging new dynamics of contemporary transnational crime, policing and security, where governance to an increasing extent 'takes place in de-bounded spaces' (Beck, 2002: 52). Consequently, Beck suggests that social science methodology should be 'methodological cosmopolitanism' rather than nationalism.

The transcendence of the national methodological framework forces us to challenge the traditional focus of criminal law and criminology on the nation state and its control of its territory. In that respect the burgeoning field of comparative criminology (see Nelken and Pakes, this volume) has gathered a considerable momentum towards challenging the prevailing focus on the national. According to Bailey (1999: 5), prioritizing single-case national studies 'elevates parochialism to the level of scientific principle' and emphasizes 'us and them' divisions. As Nelken suggests in his contribution, one of the benefits of the comparative approach is that it may prevent *ethnocentrism*. 'Ethnocentrism refers to sentiments that regard domestic arrangements as necessarily "normal" and "right", and other cultures or customs as "weird" and "wrong"' (Pakes, 2004: 3). Like globally conscious imagination more generally, comparative perspectives can be therefore also seen as an attempt at developing 'systematic forms of humility and de-parochialization' (Appadurai in Kenway and Fahey, 2009: 49). 'What this implies is that *the best practice for "us" to learn from may not always be best practice as such,* but rather that which stretches our imagination about what is possible' (Nelken, 2010: 23, emphasis original). Furthermore, if legal systems are to meet the practical challenges of regulating and controlling the burgeoning cross-border flows, cooperation and a certain level of mutual understanding are a prerogative (Pakes, 2004).

## What is Global and How is it Made?

Nevertheless, despite apparent relevance of the concept of globalization for understanding the contemporary social condition of interconnectedness – marked by environmental challenges, migratory flows, the financial crises and concerns about terrorism – several observers have noted a discomfort with using the term. Globalization simply does not seem to be an attractive concept. Part of the reluctance in employing the term, as McGrew (this volume) points out, stems from the fact that the term is often regarded 'as an ideological construct that simply reflects a new stage of global capitalism'. The debates about globalization in past decades have been highly polarized and divisive. Besides serving as a theoretical category of social science, the term

is also used in various contexts as a 'political category of blame', a 'cultural category of fear' and 'an economic category of opportunity and enterprise' (Ericson and Stehr, 2000: 30). Critics and proponents of globalization tend to see the phenomenon as either intrinsically bad or automatically good. Some therefore prefer not to use the term at all, and talk of 'transnationalization' in order to avoid over-generalization and to 'suggest that transnational practices impact on human relationships in diverse ways in different places' (Sheptycki, 2005: 79). The debate above brings to our attention the often unclear and confusing aspects of the concept of globalization and forces us to ask: what is globalization and what kind of qualities does it have? This conceptual clarification is a necessary precondition for employing the global as a useful analytical concept and frame of analysis.

According to Sassen (2007: 5), globalization involves two distinct sets of dynamics. One involves the formation of evidently and explicitly global phenomena, institutions and processes. The other, however, is far less obvious and has to do with the national and the sub-national and involves 'detecting the presence of globalizing dynamics in thick social environments that mix national and non-national elements' (ibid.). An analysis of the globalizing social condition therefore demands not only a clearer view of the global, but also a better understanding of what constitutes the categories of the national and local. This would *not* imply only a turn of attention to openly global phenomena (such as the Internet, the International Criminal Court (ICC) or what appear to be manifestations of transnational criminal networks), but rather an awareness of the 'multiscalar character of various globalization processes' (Sassen, 2007: 17). A globalized research imagination therefore demands attention to issues of scale, which is also addressed in Marianna Valverde's article in Volume I. Rather than seeing the global as the new structure – an assumption frequently made by the eager first wave of globalization analysts – we may instead be wise to envision it as an unfinished process, 'which problematizes the fixed, given and static notions of social order' (Urry, 2002a: 59). As such, the process does not per se lead to a homogenous global order (Lacey, 2011) and may even strengthen the relevance of the national and the local.

Consequently, what may at the first glance appear as globalization of penal policies needs to be contextualized and seen in specific local – or better 'glocal' (Robertson, 1995) – contexts. 'Punishment is deeply embedded in the national/cultural specificity of the environment which produces it' (Melossi, 2004: 84). Penal policies, for example, change their character as they move to a new cultural setting. Although politicians, criminal justice policy makers, researchers and bureaucrats may borrow from the same international vocabulary of terms, discourses and expressions, this does not mean that these words are in practice translated into similar actions. We need therefore to be aware of the cultural embeddedness of crime and punishment, and should not 'read the emerging – global – landscape too

flatly' (Loader and Sparks, 2002: 100). The authors caution us against seeing the study of global transformation as an encouragement to focus on the macro-level developments, and as 'a license for preferring the novel and the fashionable, and for sweeping over the grounded, the empirical, and the local' (ibid.: 103).

Globalization can be therefore seen not only as an invitation to turn our gaze 'upwards' but also to 'dig deeper' into the local and the national. The ethnographic study of culture and cultural variation thus gains a particular importance as an antidote to the abstract nature of many theoretical claims about globalization and its impacts. Ethnography may at first sight appear to be an oxymoron, an approach 'not meant for the global'. However, Michael Burawoy (this volume) suggests that precisely because of its ability to enter the lives of those they study in 'their space and time', ethnography offers 'a privileged insight into the lived experience of globalization'. By being attuned to the mobile and multi-sited horizons and rhythms of social existence, ethnography offers a productive methodological and theoretical impasse into the global and the intricate dynamics of embeddedness and disembeddedness, 'dwelling and movement'. This is, however, by no means an easy endeavour and implies considerable imagination and re-adjustment of existing methodological approaches, which enable a theoretical extension from micro processes to macro processes to be supported by an extension of observations over time and place (on the extended case method see Burawoy et al., 2000; Burawoy, 2009; see also Tsing, 2005).

We see here the importance of developing a methodological research imagination that is attuned to the complexities of the global, which means seeing global transformations in their local contexts and through their many facets, paradoxes, limits and discontinuities. Globalization is not an either–or development, but has many modalities and can unravel at an uneven pace.

## History

In addition to the perception of globalization as a homogenizing force, another frequent misconception relates to the perceived historic novelty of the phenomenon. While its proponents seem often prone to overstating the uniqueness of the current situation, the more sober and sceptical voices point out the long trajectories of many of the trans-border phenomena that we are witnessing today. Extensive historical scholarship on the subject has outlined numerous modalities of globalization and de-globalization through time, exemplified by ancient 'mini globalizers' such as traders 'like the Venetian Marco Polo, mobile warriors like Genghis Khan, and cross-border proselytizers like Saint Paul' (Holton, 2005: 40).

Also the idea that criminal groups are taking advantage of international connections and forming some kind of international underworld, which could be in danger of taking over the (upper) world, is not a historic novelty, as pointed out by Peter Andreas' contribution in this volume and Ethan Nadelmann's article in Volume II. Nor are states – now or in earlier times – simply passive victims of criminal enterprises, but rather play a much more ambiguous and active role in shaping the amorphous nature of illicit cross-border flows. Concerns about international crime, particularly US-style gangsterism, were a salient feature of the media and political discourse in the 1920s and 1930s (Knepper, 2011). Fears that British cities would come in the grip of Chicago-style gangsters were based on more general anxieties about 'Americanization' of life and 'became a code for invoking an increasing number of changes that unsettled and altered the British cultural landscape' (ibid.: 43). While today, the feared alien criminal tends to be of Muslim or Eastern European origin, rather than Jewish or an American gangster, Knepper's article in this volume brings to our attention that there is a considerable continuity between the past and present concerns about international organized criminality and the challenges of addressing these in terms of research and penal policy. Similarly, Jo Doezma's article in Volume II points out the similarities between the contemporary discourse about trafficking in women and the anti-white-slavery campaigns at the end of the 19th century.

Moreover, phenomena that have traditionally been studied through the prism of national penal history may reveal their transnational, particularly colonial, elements when seen through a global outlook. Malcolm Feeley's article in this volume thus addresses the practice of transportation, which was a vital technology of punishment in England in the 17th and 18th centuries. As Feeley points out (p. 329):

> Transportation was a significant feature of English penal policy for over two centuries, and constituted its most significant forms of serious sanctioning for half this period. It operated as the dominant form of severe sanctioning for a period longer than the modern prison has existed.

Transportation, first to the North American colonies and then to Australia, was marked by a similar entrepreneurial spirit and the embrace of market solutions within criminal justice, which is also favoured by the present neoliberal cannon. Moreover, Feeley's article can be read in tandem with Brotherton and Barrios' analysis (Volume II) of a more recent form of expulsion, namely deportation. Also today, like in previous epochs, practices such as deportation considerably expand the punitive reach of powerful states in the global order and invite us to situate national penal practices within a broader context of colonialism and imperialism, a topic further addressed in the final volume of this collection.

## Globalization, Neoliberalism and the Production of 'Waste'

One of the key points of contention within the heated globalization debates concerns neoliberalism – a certain political and economic discourse, which often tends to be equated with globalization itself. Neoliberalism represents the crux of the heated discussions about globalization and its consequences. It is often used to denote all that is condemned by the critics of globalization: privatization of state assets, lifting of barriers to trade and business and giving free rein to market forces, greater emphasis on individual responsibility, and the dismantling of welfare state systems. The issue is most directly addressed in Friedrichs and Friedrichs' study in this volume. The authors coin the term 'crimes of globalization' to refer to policies and practices of international financial institutions, such as the World Bank, the International Monetary Fund and the World Trade Organization, and the harmful consequences, their policies have had, on large numbers of people, local communities and the ecological habitat particularly in countries in the global South.

The growing awareness of the criminogenic effects of globalization has brought a renewed interest in one of the central criminological and sociological concepts, anomie, which had been for some time in a state of 'hibernation'. Anomie can be described as a condition of normlessness, which is conducive to deviance due to people's inability to achieve their social goals. Globalization is frequently seen as a breeding ground for 'global anomie' by privileging the winning mentality and encouraging new needs and desires through the proliferation of consumerism, at the same time as it has failed to deliver its promises for the vast majority of the world's population (Passas, this volume). The tension has been acutely felt in so-called transitional countries, such as the former Eastern bloc states, most notably Russia in the 1990s (Castells, 2000). Here, the rise of neoliberalism has been connected not only to the widening discrepancies between people's desires and their means to achieve them, but also to the demise of a strong state system and the proliferation of illicit opportunities (Castells, 2000). Neoliberalism's victory has therefore been also a victory of a value system that puts a premium on consumption, individualism and the search for quick and easy ways towards success at the same time as the opportunities of reaping profits from illicit activities proliferated (Passas, this volume).

These structural and cultural transformations need to be kept in mind when analysing the centrality that illicit flows have acquired in the present global economy (Naim, 2006), particularly in several economies in the global South. What has been termed 'deviant globalization' is built and operates on globalization's infrastructural and ideological backbone, particularly the 'everything is for sale' spirit of neoliberalism (Gilman et al., 2011). The economic strength of deviant entrepreneurs, and their political influence, is thus intrinsically connected to the mainstream globalization and the deep social divisions it helps to produce and maintain. In the case

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