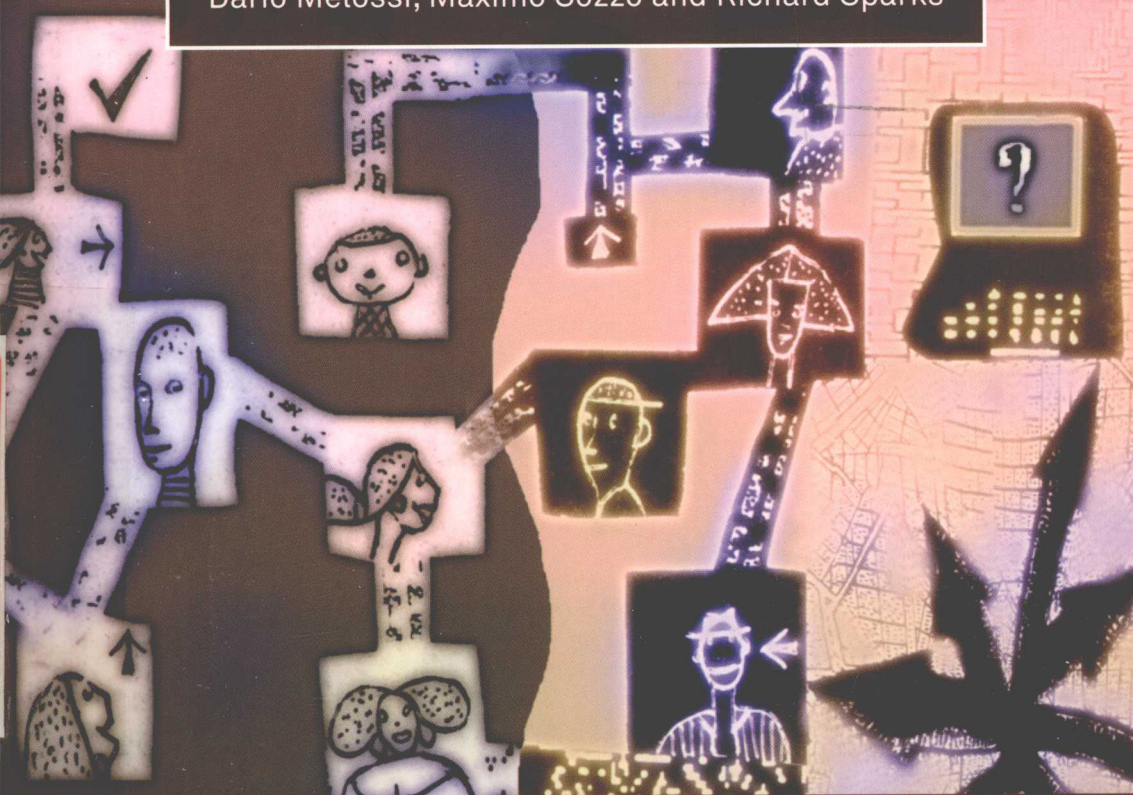


Travels of the Criminal Question

Cultural Embeddedness and Diffusion

EDITED BY

Dario Melossi, Máximo Sozzo and Richard Sparks



ONATI INTERNATIONAL SERIES IN LAW AND SOCIETY

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Introduction. Criminal Questions: Cultural Embeddedness and Global Mobilities

DARIO MELOSSI, MÁXIMO SOZZO AND RICHARD SPARKS

IN THE PROCESS of bringing together this book we spent a certain amount of time wondering about an appropriate title, as editors and authors are inclined to do. Finding a form of words that in some way encapsulates a theme, or an ambition, or which at any rate does not misrepresent the content of individual contributions too grievously, is one of the perils and privileges of editorship.

We concluded that a good way to express what the various papers were about,¹ and at the same time to name the underlying and emergent project that we hope to advance, was with reference to the ‘the criminal question’, and to the duality that we see as inherent to it between mobility and embeddedness. We are well aware that the expression ‘the criminal question’ does not at present have much currency in English-language criminology and that in consequence our title might appear slightly stilted. One of the hopes that animate this volume is that meaning may be *discovered*, as well as ‘lost’ in translation. The term ‘the criminal question’, as we use it here, has been carried across from the Italian

¹ This book is the product of the discussion developed at the International Institute for the Sociology of Law of Oñati in the context of the Workshop ‘Discourses and Practices of Crime and Punishment: The Question of Cultural Embeddedness and Travels’, that took place on 19–20 June 2003 and was convened by the editors of this volume. We are grateful to the IISL for providing financial support for this workshop and a wonderful environment in which to hold it; and to the participants who made possible the emergence of the ‘international-conversation-in-action’ that this volume attempts to record and develop. We are only too well aware that much time has elapsed and can only apologise to our long-suffering contributors. There are many reasons for this, among them that genuine international collaboration, even in our hot, wired times is just not as simple as it seems.

language and is a resonant one in the context of the intellectual and political debates surrounding the orientations of criminological work in Italy in recent decades.

In the mid-1970s the journal called *La questione criminale*, the criminal question, was founded in Bologna. At least in Italy, it came to embody the meaning and research agenda of what was at that time coming to be called critical criminology. A few years later, in *Limited Responsibilities*, Tamar Pitch, one of the main participants and contributors to that act of foundation, and a key figure in the development of critical criminology in Italy, had this to say about what the criminal question is:

To study the criminal question is different from studying crime. It means that crime is not considered independently from the procedures by which it is defined, the instruments deployed in its administration and control and the politics and debates around criminal justice and public order. The criminal question can therefore be provisionally defined as an area constituted by actions, institutions, policies and discourses whose boundaries shift [...] (Pitch, 1995:52)

Pitch went on to call attention to the need to 'be aware of the fact that the sociologist and the criminologist themselves contribute to the construction of the criminal question through their analyses, discourses, political interventions and debates' (ibid: 54), a point to which we return in a moment. She also noted that 'what "the public" think of as crime and what, according to the "public" should be considered crime, or what cultural and symbolic significance is carried by law and criminal justice, is an integral aspect of the criminal question' (loc cit).

It should be clear that in this perspective the criminal question is, by definition, one steeped within a specific historical and more especially a *cultural* situation. Despite a degree of contemporary popularity of 'culturalist' approaches to law, crime and justice (the widely touted notion of 'cultural criminology', for example) it remains the case that even to float the idea of 'the cultural' as a mode of analysis or explanatory resource is to court theoretical controversy and perhaps to beg many of the most knotty questions. Nevertheless, the production and circulation of ideas, representations and symbols around these matters continues with ever-greater intensity and through ever-more diverse channels and networks. This is true, we suggest, both for official and quasi-official governmental discourses (whether these originate 'within' the state as such or in commercial or nonstatutory 'centres of calculation' (Rose, 2000) and for the multiform channels of news and entertainment media, campaigning and interest groups, internet blogs and chat-rooms and the rest of our bewildering contemporary conversations.

As Garland made clear in his paper at Oñati Seminar (which appears in this volume in somewhat revised and extended form), the boundary between analyses that foreground questions of culture and those that emphasise material interests and functional imperatives has always been an artificial and problematic one:

'culture encodes and is encoded by economic and political forces, and [that] the analysis of culture is not a distraction from the study of penal power's controlling effects but is, on the contrary, a vital component of such study'. Moreover, Garland continues:

Cultural categories, habits and sensibilities are embedded in, and constitutive of, our political and economic institutions. The study of culture does not begin where the study of power and economics leaves off — it is a constituent part of any political or economic analysis.

In studying social relations, we can, and do, make rough demarcations between the domains of the economic, the political, the legal, the scientific, and the cultural — and these distinctions serve a useful purpose, up to a point. But unless we want to confine 'culture' to the world of leisure, art and entertainment (and, in so doing, artificially restrict the study of meaning and sensibility as it relates to social action) it turns out that the generic category of 'culture' envelops all of the other, more specific social categories. If the distinctive stuff of culture is meaning, perception, feeling, sentiment, value, belief and the various forms of their expression, then, in the social world, it is not particularly distinctive at all. Culture is suffused through all social relations, institutions and practices, and abstracting it away from these forms necessarily does violence to the true relationship between meaning and action.

Seen in this light the notion of 'the criminal question' does useful work in drawing attention on the one hand to the specific temporal and geographical location and constitution of a given field of forces, and the themes, issues, dilemmas and debates that compose it; and on the other it encourages us also to see the connections between these embedded realities and the wider, conceivably global, contours of influence and flows of power with which it connects. We should therefore expect each instance of 'the criminal question' to carry the weight of its history and to display the obdurate legal, institutional, linguistic particularities of the political culture of which it is an intrinsic component. There will be in every case conflicts, enmities and affiliations that we can expect only initiates to grasp, at least without some fairly effortful induction for the newcomer. Conversely, no individual case-in-point will really be entirely hermetic, immune to external influence, or lacking common features with others. In this sense the theoretical and methodological difficulties that have always attended comparative social scientific analysis are magnified, but not superseded, in conditions of late modernity.

Formulations of the criminal question get around. They are passed on through various media and networks. Some of these now make images and ideas almost globally available, almost immediately. Others, like academic and professional journals, conferences, congresses and so on, are less obvious channels of influence which, though they may well have expanded and intensified recently, have longer histories. How far do the many ways of circulating images of and responses to crime and punishment internationally flow from and owe their contemporary shape to the cultural and economic transformations now widely known as 'globalisation'? Giddens has influentially argued that globalisation

can be defined as ‘the intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa’ (1990: 64). Similarly Beck speaks of ‘the processes through which sovereign national states are criss-crossed and undermined by transnational actors with varying prospects of power, orientations, identities and networks’ (2000:11). Globalisation produces, he suggests, ‘multiplicity without unity’. For us, the question at issue concerns how such conditions bear upon the construction of the criminal question in any given place and time. We believe that there is ample evidence that there is much more at stake than simply pressure towards homogeneity, though that exists too.

One of the editors of this book has written elsewhere, developing this issue, of a ‘historical embeddedness’ of social control and punishment (and, more implicitly, of deviance and crime) (Melossi, 2001). This term in turn raises some substantial definitional problems. What precisely is meant by *embeddedness*, and how can something that is in significant ways embedded, situated, and locally produced also *travel*?

Some years ago, a celebrated article by Mark Granovetter helped to introduce the notion of embeddedness into sociological parlance. There, embeddedness was defined as ‘the argument that the behaviours and institutions to be analysed are so constrained by ongoing social relations that to construe them as independent is a grievous misunderstanding’ (Granovetter, 1985, 481–2). Granovetter referred to ‘embeddedness’ *tout court*, in yet another twist on the century-long sociologists’ attempt at rescuing *homo oeconomicus* from his indenture to economics. Melossi subsequently directed his attention to the *cultural* embeddedness of historical institutions, such as the institutions of social control and punishment. For Melossi the implication is ‘that such institutions cannot be conceived separately from the historical evolution and development of the larger setting of social action within which they have emerged — a setting constituted also through given cultural traditions’ (Melossi, 2001).

Indeed, all sociological explanation, in whatever mode, is contextual and perhaps, in the parlance of the ethnomethodologists, ‘indexical’ (Heritage, 1984). The very purpose of the ‘descriptive metalanguages’ deployed in sociological analysis is ‘the explication and mediation of divergent forms of life’ (Giddens, 1979: 162). For example, this might have a distinct bearing on the ways in which we reflect upon the history of criminological thinking, and the differences between its histories in different national settings. Methodologically speaking, such historical inquiry might stand closer to the ‘historical hermeneutics’ defended by Quentin Skinner (in many publications, for example, 2002) — an influential position in the wider history of social and political ideas but one only lightly explored by criminologists to date (cf Loader & Sparks, 2004).

We remain persuaded that embeddedness in the senses outlined here continues to be a crucial feature of the criminal question wherever we encounter it, and that this imposes certain fairly stringent conceptual and methodological demands in the ways in which it is proper to theorise and study it or feasible to

intervene in practice. At the same time part of the *raison d'être* of this book is precisely that the criminal question also travels. The phenomena of crime and crime control are in a strong sense historically constituted and culturally located and they circulate. Moreover, some social theorists argue that *disembedding* is a characteristic feature of contemporary social systems (Giddens, 1990: 21; see also Nelken, this volume). Giddens defines disembedding as 'the "lifting out" of social relations from local contexts of interaction and their restructuring across indefinite spans of time-space' (*loc cit*). Among the disembedding mechanisms that Giddens sees as intrinsically involved in the development of modern social systems he numbers the establishment of 'expert systems' (1990: 22). It may well be true to say that criminology as an academic discourse and crime control as an arena of practice display quite weakly developed forms of expertise by comparison with some of Giddens's favoured examples, such as the aerospace industry. Nevertheless, from the invention of penitentiary imprisonment to the creation of new 'moral inventions' (O'Malley, 1992), such as zero-tolerance policing or situational crime prevention, these fields have generated institutions, techniques and quasi-technical vocabularies that have achieved widespread, though not necessarily universal or uniform, application.

The example of the penitentiary is instructive here, as well as historically central. From its inception in the religious and ideological contexts of the 18th century the penitentiary was a model — or strictly speaking a range of competing models — that was understood by its proponents as capable of being transported to and replicated in new settings (Melossi & Pavarini, 1981). Bentham, for example, explicitly viewed the Panopticon as a device that he could actively market to potential purchasers, even if it never made him the fortune he hoped for. John Howard's influence gained greatly from the authority associated with his epic journeys through Europe and the precision of his first-hand observations. De Tocqueville's place in this story also derives from an experience of travel, and hence a role in mediating between the intellectual worlds of Europe and the new American republic.² As Scharff Smith (2004) has shown, throughout much of the nineteenth century there was a complex series of voyages, missions, exchanges that led to penal ideas crossing and recrossing the Atlantic and increasingly to the reimportation of penitentiary standards and innovations from the New World back to the Old. Moreover, these patterns of circulation would eventually also transport the penitentiary *savoir* much further afield, to South America (Salvatore & Aguirre, 1996) and beyond. It is instructive to see these patterns of circulation not just as the precursors of the great penological congresses of the early twentieth century (latterly recalled by Radzinowicz, 1999) but as the ancestors — remote perhaps but nonetheless direct — of today's entrepreneurial think-tanks, manuals, distance-learning programmes, and private prison industries.

² It may be worth recalling here that the official history of the Eastern State Penitentiary in Philadelphia, opened in 1829, characterises it as 'the first modern building in the United States', www.easternstate.org/history/sixpage.php.

All contemporary fields of knowledge production³ entail an infrastructure of publication, dissemination and exchange — courses, conferences, citation indices, meetings, networks, newsletters, e-mails, websites. Of course, it has not entirely escaped us that our own activities, and specifically occasions such as the workshop from which the present volume originally arose, are a small instance of this general process. The networks through which academic exchanges are conducted may initially be formed in some sense accidentally, but they also develop most easily along lines of linguistic and cultural affinity. For example, throughout the modern era criminological and other scientific discourse has travelled relatively easily between, for example, Italy, Spain and Latin America. Remarkably, the 1930 Penal Code of Fascist Italy, so-called ‘Codice Rocco’, became a ‘model penal code’ for many democratic countries also because it incorporated, albeit in a conservative way, some of the precepts of the Positive School, another true international phenomenon in itself (Marques & Pires, 2007). Latin America’s criminology has certainly owed quite a bit to its connections with the Southern and Latin part of Europe (del Olmo, 1981). At the beginning, one century ago, such connections may have been with the Italian Positive School but, more recently, they developed in unison with the teachings of Alessandro Baratta, a sort of ‘liberation criminology’ (Sozzo, 2006). Despite all this, English-language criminology has in the main remained blissfully unaware of the content, scope, and even of the existence, of scholarly communities working in Italian, German, Spanish, French, Dutch, Japanese and other languages. Meanwhile, and crucially, discourse travels exceptionally easily from an English-language point of production to other sites (see further the contributions by Melossi, Selmini and Sozzo, in this volume).

Only latterly have such well-trodden pathways been supplemented and complicated by the more unpredictable, multidirectional flows facilitated and accelerated by the general availability of electronic communication (see further Sozzo, this volume).⁴ We are acutely conscious that for just such reasons the examples and cases of criminological travel that are outlined in this book constitute a minute and somewhat arbitrary selection, both thematically and geographically, of those that might have been mentioned with equal interest. Similarly, our curiosity is engaged here in the first place by issues of embeddedness (and disembedding), translation, translocation and diffusion even if, as we willingly accept, this is only one way of responding to the notion of *travel*. A number of contributors in this volume are concerned to discuss a somewhat different possibility, namely the diffusion of *common* models and

³ We avoid for the present the potentially endless discussion associated with the term ‘discipline’ in this context, let alone the labyrinths of inter- and multi-disciplinarity.

⁴ It may be the case that the creation in 1999 of a European Society of Criminology, now hosting a lively and well-attended annual conference and publishing a significant scholarly journal, and the promotion of networks, such as the International Society of Criminology and various more specialised groups provide opportunities to redress the historic situation that we describe here.

practices, or at least seemingly very similar ones (see in particular the papers by de Giorgi and Rivera), especially under the pressure of a certain dominant, even hegemonic, economic and cultural position. Some travellers — the point hardly needs labouring but is nevertheless somewhat central — are more powerful than others. Their ‘cargo’ carries more weight, authority and capacity to effect change than does the freight of other, less privileged wanderers (Wacquant, 1999b; Bourdieu & Wacquant, 2001).

One of the strongest and most prominent arguments that constructions of the criminal question travel — and travel with serious consequences — is presented in the recent work of Loïc Wacquant. In Wacquant’s view convergences between the language and practice of criminal justice systems around the world do not result simply from common responses to similar problems, nor yet from the pragmatic adoption or emulation of lessons or techniques. Rather, Wacquant detects the dominance of a certain set of models and slogans — ‘broken windows’, ‘zero tolerance’, ‘no-frills prisons’ and so on — that are, in his view, integral to the ways in which ‘hegemonic neo-liberalism’ (2009 b: 5) superintends the insecurities and fears that it itself engenders. These developments, on this account, come as a package and are actively and energetically exported by think-tanks, consultants and other evangelists for neoliberalism and for its penological and policing solutions. In these ways, Wacquant argues, ‘the dissemination of ‘zero tolerance’ partakes of a broader international traffic in policy formulae that binds together market rule, social retrenchment, and penal enlargement’ (Wacquant, 2009b: 171).

For Wacquant this set of conditions is not adequately approached via theoretical perspectives that postulate an evolutionary transition between societal stages or eras (from modernity to late- or post- or reflexive-modernities, for example). The issue on this view is not *succession* but *diffusion* — the diffusion of an actively promulgated orthodoxy. Thus:

The punitive turn of public policy, applying to *both social welfare and criminal justice*, partakes of a *political project* that responds to rising *social* insecurity and its destabilizing effects in the *lower rungs* of the social and spatial order. This project involves the *retooling and redeployment of the state* to buttress market-like mechanisms and discipline the new post-industrial proletariat while restraining the internal disruptions generated by the fragmentation of labor, the retrenchment of social protection schemes, and the correlative shake-up of the established ethnic hierarchy (ethnoracial in the United States, ethnonational in Western Europe, and a mix of the two in Latin America). But the crafting of the new Leviathan also registers the external influences of political operators and intellectual entrepreneurs engaged in a multilayered campaign of ideological marketing across national boundaries in matters of capital/labor, welfare, and law enforcement. Even as neoliberalism is from its inception a multisited, polycentric and geographically uneven formation, at century’s turn this campaign to revamp the triadic nexus of state, market, and citizenship from above had a nerve center located in the United States, an inner ring of collaborating countries acting as relay stations (such as the England in Western Europe and Chile in South America), and an outer band of societies targeted for infiltration and conquest (Wacquant, 2009b: 172).

It is not our primary task here to evaluate Wacquant's strong diffusionist thesis. It is worth noting that while Wacquant clearly believes that the proponents of the new consensus exercise powerful influence, he interprets the eager reception of his own work, especially in Latin America (and its multiple, rapid translations into various languages) as signals of resistance, and the search — often by state officials themselves — for other pathways and for 'civic firebreakers' with which to hold back the sway of what Bourdieu & Wacquant (2001) earlier termed the 'new planetary vulgate'.

One of our concerns here, and one that we feel has been less fully examined in recent debates, is with the *reception* side of the dynamics of policy mobility and transfer. How are new theories, concepts and ideas, or new gadgets, slogans and policy instruments imported? How (if at all) are they naturalised, adapted or changed in that process? For similar reasons, we have much less to say here than some of our contemporaries about the significance of contemporary moves towards specifically transnational or supranational agencies and institutions, although we freely acknowledge these to be crucially significant aspects of the contemporary scene, and ones that link strongly with the more particular issues that are our current focus (see, eg Huggins, 1998; Sheptycki, 2000; Sheptycki & Wardak, 2004; Franko Aas, 2007).

For now we feel there is a good deal still to be explored about how discourses and practices move around, sometimes gain ground and influence in previously 'alien' contexts, and pass across boundaries between states and regions. We also take the view that there are some quite tricky conceptual and terminological problems involved when talking about the international and intercontinental mobility of representation, policies, practices and so on. What happens to these cultural objects when they arrive at intersocietal 'edges' (Giddens, 1984)? How are they enabled to circulate? Who facilitates that circulation and why? For some cultural objects the peculiarities that go along with their 'embedded' character may render movement difficult, or mean that the transformations that they undergo in the process are especially marked (Nelken, 2009; Nelken, this volume). Others, perhaps increasingly, seem designed to be generic, to move around lightly and rapidly, for commercial or political reasons, so that anyone with the necessary know-how could institute a programme, set up a franchise, replicate a study and so on. In these instances research and policy guidance are produced in such a way as to encourage a degree of transcultural standardisation, via the use of validated questionnaires, risk-assessment protocols, best-practice guidelines, performance indicators, and so on. One influential example might be the approach pioneered by the International Centre for the Prevention of Crime in Montreal (www.crime-prevention-intl.org). Another could be the widely adopted five-point scale for the robustness of evaluation measures devised by criminologists at the University of Maryland (Sherman *et al*, 1997). It is not our objective here to dispute the effectivity of these endeavours, nor the often heroically entrepreneurial efforts of their authors. We merely raise the question of whether the possibility of complexity arising in translation may be denied

or overlooked in some models of research and intervention, perhaps making it harder to identify or acknowledge when it occurs. Another issue, taken up here most explicitly by Sozzo, concerns the diverse possible sources of criminological knowledge and practice. In many cases, the most readily transportable knowledges are those that come packaged-for-use by local elites. In this sense it is unsurprising if the most 'international' criminology turns out to be one of a rather technocratic orientation.

Conversely, pausing to reflect on the difficulties of translatability and on the networks of influence and affinity that effect some kinds of circulation rather than others, highlights for attention such issues as the ways in which cultural capitals are accumulated and exchanged; the peculiar position of the criminal question in the preferred narratives and self-images of particular nation-states; the part played by criminal justice in the struggles for political mastery and self-definition that attend processes of transformation from autocracy to democracy, and so on. In this regard, which criminologies, techniques or practices travel best and come to be canvassed or adopted in new locations is a politically significant question.

The very questions of translation and translocation raise obdurate and challenging conceptual issues. When something that is 'embedded' moves around, is it simply 'translated' – carried across or lifted over – from one 'embeddedness' to another? A number of contributions in this volume are involved in trying to understand processes and experiences of 'translocation', in the sense that something — discourses and practices around crime — has been moved from 'there' to 'here'. Conventional accounts of 'policy transfer' do not generally problematise the ways in which the object being transferred may also be *transformed*, to a greater or lesser extent, in the process of moving across space and between contexts. Neither do they seriously countenance the possibility that some versions of 'transfer' are engaged in expounding and exporting a 'concentric', metropolitan world-view at the expense of local knowledges, commitments and democratic preferences.

Perhaps indeed we should consider the travels of the criminal question as a special case of the question of *translation* as a general issue. No one has put more forcefully than Alfred Schutz — in his famous essay 'The Stranger' — just why questions of translation are of central significance for social theory. Translation here is both a literal, technical problem (the problem of moving between languages without sacrifice of meaning or force) and a metaphor for mobility and the mediation of cultural frames of reference:

The discovery that things in his surroundings look quite different from what he expected them to be at home is frequently the first shock to the stranger's confidence in the validity of his habitual 'thinking as usual'. Not only the picture which the stranger has brought along of the cultural pattern of the approached group but the whole hitherto unquestioned scheme of interpretation current within the home group becomes invalidated. It cannot be used as a scheme of orientation within the new social surroundings. For the members of the approached group their cultural pattern

fulfils the functions of such a scheme. But the approaching stranger can neither use it simply as it is nor establish a general formula of transformation between both cultural patterns permitting him, so to speak, to convert all the coordinates within one scheme of orientation into those valid within the other (Schutz (1944), 503/4).

Indeed, the question of translation is one of the most complex that sociologists and other social observers have to deal with. At the most general level all attempts at sociological explanation — not to mention sociological understanding (*Verstehen*) — involve translation, at least in Giddens's senses of explication and mediation noted above. We do not intend to involve ourselves here (and are not qualified to do so) in the deep and protracted debates on translatability, incommensurability, indeterminacy (Van Quine & Orman, 1960; Davidson, 1984) and interpretation (McCarthy, 2002) that have provided such a *leitmotif* of twentieth century philosophy. Neither, on the other hand, do we think that students of criminology and the sociology of social control can properly conclude that such matters have nothing at all to do with their topics and simply ignore the issue. In our view the working premise for researchers on crime and crime control, especially but not only in a comparative or transnational framework, must be that these practices are necessarily generated within, in Putnam's terms, a 'certain framework of pre-understandings' (1992: 209). This carries some substantial implications for grasping what is at stake in the criminological conversations of diverse times and places and for how one goes about historical, comparative and cross-cultural research.

We may very well assume, for instance, following Rusche & Kirchheimer (1968 [1939]) that there is a historical and statistically evidenced connection between periods of economic slowdown and change in the use of prisons (a change for the worse). Specific studies will however have to show that there are reasons actors give to themselves (whether these actors are criminals, police officers, judges, media people, policy makers, or whatever) that make them act, under specific economic circumstances, in the direction predicted by Rusche and Kirchheimer. In this sense, in respect of the *meanings* that social actors attach to what they do, there is no social action that is not 'culturally embedded'.

Translocation as a species of translation always implies some degree of creativity, of innovation. Walter Benjamin argued that translation in literature involves 'transformation and renewal' such that 'the original undergoes a change' (1969: 73). The 'object' which moves across space is always likely to undergo some sort of alteration. The local actors who take on the work of translating a discourse or technique into their own historical and cultural context have to adapt it to the local problems and vocabularies. In so doing they produce its 'metamorphosis', acting as 'traduttori traditori' (Sozzo, 2006; Sozzo, this volume). It may well be that those who experience working in more than one culture often show a keen and special sensitivity towards these issues, if only because the experience of being a foreigner and working with another language brings this point home in a way that all the other types of 'translations' we are involved with, both in our everyday life and in our scientific endeavours, do not (see further Melossi, 2000).

Perhaps the notion of elective affinity famously employed by Max Weber in *The Protestant Ethic* (Weber (1958 [1904–05], 91–92) provides a more useful analogy for thinking about the translocation of crime control discourse than Giddens's image of disembedding as 'lifting out'. When any cultural product or institution of consequence travels abroad it alters the context in which it arrives, and is itself altered to some extent. Its 'elective affinity' with certain cultural-historical elements in the context of its origin gives way to a different 'reaction' with other historical-cultural elements. However, the movement from one mode of elective affinity to another will produce patterns that have a great deal in common. To give an example, the affinity of the early workhouses, the 'Ur-prisons' so to speak, with something called 'manufactures', in England or Holland in the sixteenth-century, finds echoes in other parts of the world, for instance southern Europe or Latin America or, more recently Asia or Africa, even if neither term — 'workhouse' and 'manufacture' — fully captures what certain sites of coerced production are, and are called, in Brazil, Thailand or Ghana now. Furthermore, all of this will happen in a situation of deep conflict and competition, within which different courses of action, different discourses, venues, blueprints and practices will be tried out and find their development (see Melossi, this volume).

Travels of discourses and practices around crime have been a recurrent feature of modernity — see the examples outlined by Rafter in this volume and Sozzo (2006). Nevertheless, these processes have arguably become significantly more intense in the last quarter century or so, and their pace has accelerated sharply. New mechanisms and new vectors for enabling the diffusion and mobility of discourses and practices have emerged. The fact that there is a good deal at stake in that mobilisation — financially, politically and culturally — has become more expressly recognised. At the same time, and notwithstanding the massive cultural power of the North Atlantic sphere, there is a diversification and increased complexity of the directions of travelling, as in the case of restorative justice (Karstedt, 2001, 2002). By extension, there is a multiplication of the actors that made discourses and practices travel, from the experts and political 'authorities' of the XIX century to the many new 'experts' of our own time (consultants, representatives of nongovernmental organisations and foundations, etc) and international and supranational organisations (International Development Bank, World Bank, European Union, United Nations, etc) (Wacquant, 1999; Haggerty, 2004).

The diffusion and circulation of discourses and practices around crime seems to have reached another level of prominence in our present. That is why the international circulation of these discourses and practices becomes a pressing issue for scholars who try to understand their operation in their own particular cultural contexts (Newburn & Sparks, 2004: 10). But this evidence does not simply mean that there is some sort of uniform picture that is increasingly 'going global' in this field (O'Malley, 2002). We need to challenge the premature and frequently misleading premise that everything everywhere is flooded by

sameness — a claim that is frequently combined with a dystopian and pessimistic view about our present and its political potentialities. We may thus be able to engage afresh in an encounter with the empirical moment, *here* and *there* (Nelken, 2000), constructing a comparative gaze that entertains the possibility of distinguishing tendencies to convergence and to divergence, addressing the ‘tense and contradictory intersection between “the space of flows” and the “space of places”’ (Newburn & Sparks, 2004: 3, citing Castells (1996); see also Sparks, 2001; Jones & Newburn, 2002; 2006).

This is an intellectual endeavour that is forbiddingly difficult for the individual author. But for an international scholarly community — with its networks for dialogue and exchange — as a whole, it seems achievable. This book — and the workshop from which it emerges — represents an attempt to construct these kinds of bridges for an international pluralist conversation, putting together scholars working from different sociological and criminological perspectives and from diverse cultural horizons around this problem.

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