DEUTSCHER PRÄVENTIONSTAG

Crime Prevention: An International Journey.

by

MICHEL MARCUS

Michel Marcus[1]

Crime Prevention:
An International Journey

THE QUEST OF THE GRAIL

1. Talking about prevention policies in the world is a compulsory exercise if one wants the bases of dialogue between people to progress and prevention to impose itself as one of the major policies of sustainable development. At the same time, it is an intellectual incongruity, for this dialogue imposes a minimum of comparisons between policies. International comparativism is a perilous thing owing to the use of categories that never satisfy anyone. The intellectual immoderateness of the exercise also stems from the fact that our international comparative touches on political science, criminology, penology, the economy, social issues and history as much as on culture. By introducing logic and the dominion of reason into it, we verge on the ridiculous.

2. The difficulty of the exercise sticks out a mile as soon as we pose the problems of language and translation. It is a platitude to say that the same words do not have the same meaning, that several words in one language may be replaced by a single word in another, that 'world English' does not have the precision and poetry of our languages. Marcelo Aebi reminds us that the word 'delinquency' has the same root derived from Latin and the same meaning in Spanish, Catalan, French, Italian and Portuguese, designating a criminal infraction; but in English, it designates illegal acts and anti-social behaviour.[2] All this must be kept in mind in order to introduce more fluid, more imaginative comparative approaches as constantly evolving processes. Our policies are accumulations of facts, factors of social, economic and cultural influence, the voluntarism of politicians who defy instantaneous captation and their translation into forms.

3. These prevention policies are rooted in a criminal reality that is poorly measured by national statistics. As the world's leading specialists in statistics remind us, our systems can at best measure trends over the long term, but the disparities in putting together measurement mechanisms are such that we must be quite wary of comparing crime rates for vaunting the merits of a given system. Thus, as Anna Alvazzi del Fratte recalls in speaking of the role of the United Nations in

---

[1] The professional past of the author of this journey has an impact on the limits of the latter. A magistrate for many years, he was involved in evolutions in thinking about integrating the act of judging into the community and the nature of sentencing. Becoming a promoter of an approach to prevention problems within an urban policy attacking social dysfunctions, he then devoted himself to the implementation of a European prevention policy open to the realities of the world, this profile is too much one of an activist and a militant and not enough one of an erudite and a researcher/seeker.

[2] Marcelo F. Aebi, 'Self-Reported Delinquency Surveys in Europe', report in *Deviance, crime and prevention in a punitive age (2009), Crimprev final conference*

statistics-gathering, let us try to be 'honest brokers'[3], to borrow Pielke's expression, regarding the application of science in public policies.[4] Let us also be so in the present exercise.

4.   The existing attempts at comparative statistics on the European scale reflect a search for indicators going more in the direction of measuring trends. Thus the European Source Book, under the aegis of the Council of Europe (42 countries), publishes trends in the countries in relation to certain types of crime[5]. The variability rate is wide (+ or -10%), allowing each country to improve the gathering of this data. The European Commission[6] has set up 'a comprehensive system of European crime statistics and developing a co-ordinated EU Crime Statistics Strategy'. The text also states that 'the objective of the strategy should be to provide information necessary for analysing trends, assessing risks, evaluating measures and benchmarking performance' to be supported by input from a Crime Experts Group and the EU Crime Prevention Network. Alongside the statistics coming from apparatuses of criminal justice, surveys are being developed to try to reveal the activities of the social body as far as crime is concerned.

5.   Victimisation surveys are the things that are best shared in the world and used in almost every country. Implemented at all levels—local, regional, national and international—, they apply to topics such as women, young people, ethno-cultural communities, etc. If they often lack regularity, which reduces their potential for measuring evolutions, they bring out the quality of responses from institutions such as the police or justice. The limits of their comparability are not due solely to the size of the sample or to the way responses collected but especially to the formulation of the questions. 'The object of the question changes from one country to the next. Whereas the Quebec Questionnaire is interested in changes in security, Canada's refers to the perception of the number of criminal acts, while England and Scotland speak of "crime rate" and New Zealand of "crime".'[7]

The international victimisation survey carried out since the 1990s under the aegis of the United Nations remains a reference, the repetition of which has allowed for providing a foundation for a number of international texts. The Council of Ministers of the European Union mandated the Commission to set up such a tool at the level of the 27 countries.

---

[3]   'Role of the UN as "Honest broker" of international crime statistics' in *Crime and criminal justice systems in Europe and North America 1995-2004*, HEUNI, Kauko Aromaa and Markku Heiskanen (ed.).

[4]   Roger A. Pielke, Jr, *The Honest Broker: Making Sense of Science in Policy and Politics*, Cambridge University Press, 2007

[5]   http://www.europeansourcebook.org/esb3_Full.pdf

[6]   http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006DC0437:FR:NOT

[7]   'Les enquêtes de victimation à l'échelle internationale' Under the direction of Serges Bruneau, project director, ICPC 2006

Alongside these surveys are the self-reported delinquency surveys, opinion polls on the perception of crime. Increasingly often, all of these tools take place within territorialized research institutes[8]. The experts say they are pessimistic about the quality of the results owing to the extension of security to all the existing fears in our societies. What exactly is being measured when we survey the population? Insecurity or social insecurity?

6. In a world that is commonly acknowledged to be open to all—individuals, communities and states—, and increasingly subject to the sway of complexity and multi-facets, the utopia of unity grows more distant, and the time of binary or totalitarian explanations is vanishing.

Let us put ourselves in the perspective of the representation of a world in the form of a rhizome[9], a vegetal form that excludes any idea of centre, hierarchical organisation or differentiated temporality, which we are never allowed to see in entirety, having to guess what might constitute common plateaux or rather intersections, made up of common tracks, which can always be dismantled and is connectable and invertible, with multiple entrances and exits and leakage paths, futures of variable intensity. Against the centred (even polycentric) systems of hierarchical communication and pre-established connections, the rhizome is an acentric, non-hierarchical system, defined solely by a circulation of states'.[10] The opposite of graphics, drawing or photography, the opposite of tracing paper, the rhizome relates to a map over which one places tracing paper.

7. When speaking of prevention policies, we must acknowledge that we know nearly nothing about what is going on in Asia; we do not know if prevention is entering a cultural or normative construction on a large part of the planet. Terra incognita! Interest in knowing all the partners of the Prevention Rhizome, we shall speak of a map to draw up for developing relations between continents on which we shall put different tracing paper on which we are likely to accumulate enough common echoes.

Across the countries, we must keep an ear open to the dominant themes, which, repeated in several places, begin to form a dialogue space between those who develop policies and those who workl to implement action measures. It is at this price that we can succeed in giving several focal points that will allow everyone to localise his own administrative, cultural crime-prevention system. We are trying to write a waybill, the travel route of a boat, a plane, whatever—there is the idea of a voyage between continents full of adventures, the itinerary of multiple plateaux.

---

[8] ICPC 'International Meeting on Crime Observatories', Santiago, Chile, March 2009

[9] Gilles Deleuze, Felix Guattari, Mille plateaux (Ed. Minuit, Paris); Adam Edwards and Gordon Hughes speak of a 'Deleuzian criminology'.

[10] Idem, p.32

8.   Is prevention a new idea, to rediscover, or a rediscovery[11]? Are we in a period of transformation or mutation of prevention content? An historical reminder, however summary, can give us the keys for better following our current evolutions.

Quickly skimming over the movements that were given momentum by European criminologists after the Second World War acknowledges the strong promotion of prevention as policy having to compensate for the poor results of the prison system in reducing crime. The idea of prevention was initially born of the observation, not only of the poor functioning of the penal system but also its intrinsically inefficient nature for improving the person and avoiding reoffending. An article by Filippo Gramatica, founder of the 'social defence' movement, opens with this assertion: 'By the glimmer of human and social reality, it seems that the right to punish as implemented by criminal law must be deemed outdated and also practically ineffective. The sentence has not only eliminated the phenomenon of antisociality but has perhaps made it more acute.'[12] The congress of October 1949[13] held in Liège (Belgium) drew the conclusions from this, by adopting the following resolution: 'Human solidarity has a duty to the State to promote the conditions necessary for the improvement and fulfilment of the human person and, in particular, to reduce the factors encouraging crime by the general application of preventive measures.'

This resolution was inspired largely by the sociologist Durkheim who made solidarity the basis of society—it was not the contract of J.-J. Rousseau or Hobbes, a thesis fuelling today's liberalism.[14] This influence also marked the birth of the welfare state after the Second World War, with the approach taking on even greater scope in the 1970s, when we underwent a massive increase in crime, especially in forms linked to 'the consumer society'.

9.   Let us remember this pronounced acknowledgement of the operating state of the penal system—it is going to be at the root of almost all political or criminological stands of the 20th century. Thus, alternative measures in legal proceedings or the sphere of sentencing are being invented to relieve congestion in the criminal system, swamped by the rise in litigation, and it can be said that restorative justice is being set up to meet victims' expectations neglected by the penal system.

10.   Prevention is always going to suffer from this relation. There is a constant state of tension between prevention and the functioning of the 'Penal Bloc'. Despite all the criticisms levelled at its functioning, it remains a recourse for politicians in search of visibility and immediate measures. Let us quote one declaration

---

[11] Adam Crawford, 'The preventive turn in Europe' in Crime prevention policies in *Comparative perspective*, Crawford (ed.), Willan Publishing, 2009

[12] 1 January 1947, *Rivista di defensa sociale*

[13] International Society of Social Defence, *Cahiers de défense sociale*, 1971

[14] Durkheim, *The Rules of Sociological Method* (1895)

amongst others by the British Home Secretary at the conference of the Conservative Party in 1993: 'Let us be clear: prison works. It allows us to protect ourselves against murderers, muggers and rapists, and makes those who are tempted to commit offences think twice…'[15] He began a programme of building prisons, calling on the private sector. Let us also recall the peremptory declarations on the war on drugs that found expression in the criminalisation of drug use.

11. This absolute faith in the penal system is not as positive among many criminal justice professionals. Increasingly, many are convinced that crime cannot be eradicated and that the effort should be placed on addressing crime, limit its negative effects and try to reduce opportunities for crime rather than fight it. An example is given by the position of all the English police chiefs[16], hostile to the 'zero tolerance' doctrine initiated by the New York police owing to the obligation of results and not the means assigned to the police.

From the British Home Secretary's declaration it is necessary to remember above all the intense satisfaction he expresses when he says that prison '…allows us to protect ourselves against murderers, muggers and rapists, and makes those who are tempted to commit offences think twice'. This phrase is a machine of war which we use to prove its falseness; it also obliges us to prove the superiority of a prevention policy, What works?... This famous report, presented to the United States Congress[17], represents the opposing view, but is there no other way than opposition between prevention and the penal system? This contradiction between political discourses and discourses from those in the field paradoxically permits international exchanges and the search for consensus other than those that are just for show. It also allows for the rewriting of international texts between shadow and light: the half-light is the place for dialogues and interrogations. But prevention has yet to win, given the little consideration granted it by the world media[18]. Prevention must imperatively find its autonomy in relation to the penal system.

---

[15] quoted by Joanna Shapland and Richard Sparks in *Crime et Justice en Europe depuis 1990*, Editions GERN–L'Harmattan, 1999

[16] 'Association of chief police officers' quoted by Shapland in *Politiques pénales et la politique: le cas de la Grande-Bretagne (1990-97)*

[17] Lawrence W. Sherman, Denise Gottfredson, Doris MacKenzie, John Eck, Peter Reuter, and Shawn Bushway, *Preventing Crime:* What Works, What Doesn't, What's Promising, a report to the United States Congress, prepared for the National Institute of Justice (NIJ).

[18] Silvia Ramos e Anabela Paiva, *Midia e Violencia*, ed. Secretaria Especial dos Direitos Humanos de Presidencia da Republica, 2008 www.ucamcesec.com.br, 'Sentiment d'insécurité et impact des médias', Belgian Forum for Urban Security, 2009 www.urbansecurity.be

OUR BAGGAGE

The route

12. We must take up again the definition of crime prevention. All the world's crim-
     inologists have entered this debate and particularly American and English lit-
     erature. But, in fact, most of the suggested classifications reflect strategies and
     methods rather than the terms of a conceptual debate. Indeed, Brantingham and
     Faust's 1976 distinction[19] is now admitted: inspired by the medical field, primary,
     secondary and tertiary prevention is admitted, even though debates continue as
     to the exact definition of their content. But this distinction between spheres of
     intervention, even including the differentiated intervention of private and public
     actors, does not give us the tools of autonomy vis-à-vis the penal system.

13. Primary prevention concerns the population in general and aims at dealing with
     the factors encouraging crime through policies on health, housing, family sup-
     port, transportation, etc. This primary prevention is close to the content of the
     welfare state in its social dimension, or to the liberal state in providing the means
     for favouring the market. France has often been perceived as practising preven-
     tion with a dominant social characteristic and only one whose effectiveness is
     increasingly uncertain. Indeed, most of these measures have no direct bearing
     on crime but rather have ambitions of better education, better training and better
     health without targeting a particular public.

14. Secondary prevention aims more directly at potential delinquents. Taking into ac-
     count the social, cultural, and economic factors allows for targeting publics that
     are potentially likely to commit crimes. These risk factors can take on psycho-
     logical or medical connotations, which are conveyed by mechanisms permitting
     detection in young children. This detection of young people at risk conceals the
     danger of systematising the approach and categorising 'pre-delinquents', which
     can result in unfortunate consequences for a child's educational orientation.
     These actions find a place among the overall social policies by borrowing their
     human resources and analysis tools. This leads to ethical and political debates
     between the players of these policies, some not admitting being exploited for
     purposes other than those for which they chose their profession. There is also
     serious risk of 'criminalisation' of social policies.

15. Finally, tertiary prevention acts on persons known as delinquents or criminals,
     this knowledge going by way of the penal system. These actions are based on
     it, either to ensure reintegration in the person's community under the best con-
     ditions or to ensure the execution of a sentence favouring reinsertion. Tertiary
     prevention has supplanted the other forms of prevention in the public debate
     and views the predominance of the police in prevention actions and having a
     strong influence on the definition of 'urban security' or 'community safety'-type

---

[19] P.J. Brantingham and F.L. Faust, *A Conceptual Model of Crime Prevention*, 1976

programmes. It is also that which gives the full content of the United Nations' programmes and its Resolutions.

16. What has been lost sight of in the international debate is the interweaving of prevention and 'repression' to the degree that the latter is only one of the modes of action of the former. Our debates make prevention and repression the focal points of a continuum going from soft to 'hard', ranging from an athletic activity to executing a prison sentence without mitigation. Crime prevention is above all an objective, with punishment only one of the possible tools for achieving the result. Insertion through sports and prison sentences have a value only if they result in reducing the number of crimes more strongly than if they had not existed. Certain forms of repression can have a preventive function just as others can be harmful, a role encouraging crime. Crime prevention is not defined by its intentions but by its consequences. This pragmatism would be only an imposture if we did not make the effort to measure the effects of our prevention policies in their full component. Evaluating is the keyword in the debate. Despite all the difficulties, we must back up the debate on our policies with figures and scientifically established references.

17. Other concepts are incorporated into this distinction between fields of prevention but do not overturn the trilogy. Thus, Van Dijk and Jap de Waard introduced the victims alongside the offenders[20]. R. Clarke, in Situational Crime Prevention (1992), when he was running the Home Office's research service, mentions 'urban safety' or 'urban security', 'community safety', 'seguridad ciudana', 'human security'… The concepts often describe modes of intervention and strategies rather than coming under, according to their own modality, the three categories of prevention.

18. The United Nations Resolution adopted in 2002[21] offers a reasonable and reasoned basis for prevention and intervention, thereby enabling all countries to build coherent policies.

   ▪ Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focussing on the risk and protective factors associated with crime and victimisation (prevention through social development or social crime prevention);

---

[20] 'A two-dimensional typology of crime prevention projects', 1994 *British Journal of Criminology*, 34, pp. 105-121

[21] United Nations Economic and Social Council. 'Action to promote effective crime prevention. Guidelines for the prevention of crime'. UN ECOSOC, 24 July 2002. http://www.un.org/docs/ecosoc/documents/2002/resolutions/eres2002-13.pdf

- Change the conditions in neighbourhoods that influence offending, victimisation and the insecurity that results from crime, by building on the initiatives, expertise and commitment of community members (locally-based crime prevention);
- Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimising benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);
- Prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms (reintegration programmes)

19. Most prevention policies were implemented beginning in the 1970s. From that time, European and North American countries deployed administrative mechanisms that were more or less light and formalised. Beginning in the Nineties, Latin American and certain African countries joined this movement. It is interesting to note that, subsequent to the Resolutions adopted by ECOSOC in 2005 and 2006, countries were appealed to by means of a questionnaire to find out the state of recommendation implantations. Forty-two countries from all the continents responded to this questionnaire, which generally went unanswered if nothing had been done. A few years earlier, in another UN framework, only seven countries responded, and this progression generated an impressive amount of international literature. But its main characteristic is being particularly homogeneous in its approaches, titles and recommendations; it is singularly difficult to spot theoretical or political cleavages. The process of making the matter more technical in the name of pragmatism is almost completed. We have a large 'tool box' on our worktables, and its quality and pertinence cannot be denied.

The international maps

Our road maps are largely drawn by international agreements and represent a serious reinforcement to help us spot prevention routes.

The affirmation of prevention was backed up by three international organs: the Council of Europe, the European Union and the United Nations, with the first serving as a 'pilot fish' for the others in many matters.

20. In 1957, the Committee of Ministers of the Council of Europe decided to create a committee of experts with a mandate for 'preparing and putting into effect a Council of Europe programme of action in the prevention of crime and treatment of offenders'. The Committee was later named the European Committee on Crime Problems (CDPC). At its first meeting, which took place from 30 June to 3 July 1958, the CDPC drew up a first Council of Europe programme of action, which included, amongst other points, the question of the possibilities of European cooperation in terms of mutual assistance in after-care. This programme was approved by the Committee of Ministers in September 1958.

21. But it was not until 1992 that one of the major organs of the Council of Europe adopted a charter on urban development. The Congress of Local and Regional Authorities laid the foundations of a local prevention and security policy:

'Theme 6. Urban security and crime prevention

- A coherent Safety and crime prevention policy must be based on prevention, law enforcement and mutual support.
- A local Safety policy must be based on up-to-date comprehensive statistics and information.
- Crime prevention involves every member of the community.
- An effective urban Safety policy depends on close co-operation between the police and the local community.
- A local anti-drug policy must be defined and applied.
- Programmes for preventing relapse and developing alternatives to incarceration are essential.
- Support for victims is a key component of any local urban Safety policy
- Crime prevention must be recognised as a social priority and command increased financial resources.'

This modest text will serve as a reference to convince the officials of the European Union to take prevention into account and particularly the role of cities in the issue.

22. Several European seminars and conferences[22] refined the idea of creating a specialised network within the Union for exchanging practices and encouraging all levels of governance to become involved in crime prevention. The high-level conference held in Portugal in 2000 particularly emphasised the necessity of a multidisciplinary approach to prevention. Finally, a decision of the Council of European Ministers of 28 May 2001 was taken, institutionalising a network of exchanges between states on crime prevention. In the explanations of the Decision, it is necessary to mention this excerpt that gives a fairly good account of the philosophy adopted by the European Union:

> 'Society as a whole must be involved in the development of a partnership between local, national and regional public authorities, non-governmental organisations, the private sector and citizens. The causes of crime are multiple and therefore must be dealt with by measures at different levels, by different groups in society, in partnership with the players involved, who have different powers and experience, including civil society.'[23]

---

[22] Stockholm in 1996, Noordwijk in 1997, London in 1998

[23] http://www.eucpn.org/keydocs/1_15320010608en00010003.pdf

23. The adoption of the Treaty of Lisbon was to provide an even stronger foundation for prevention. Article 2 of the Treaty obliges the Union to offer citizens an area of freedom, security and justice thanks to, amongst other things, crime prevention measures.[24] This comes under the competence of the Union and should permit the European Parliament to intervene in this matter, overriding national legislations.

We can thus acknowledge that 27 countries make prevention a priority in their policy, at least in their intentions. This commitment can have an effect of emulation for other countries. Paragraph 5 of Article 2 of the Treaty states this commitment of the Union: 'In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens.' From this, reinforcement in cooperations can be expected.

24. As of its founding in 1945, the United Nations included crime prevention and the standardisation of criminal justice in its consultative function. In 1955, the UN created a special Committee of experts in charge of proposing international studies programmes and policies in the field of crime prevention and dealing with offenders, which was followed, in 1971, by the United Nations Committee on Crime Prevention and Criminal Justice (CCPCJ), which became a Commission in 1992.

Made up of high-level government representatives and experts on crime prevention and criminal justice, it meets every other year in Vienna, with a mandate to coordinate the United Nations' actions in the sphere of criminal justice and devote itself to setting up norms and the preparation of United Nations Congresses every five years.

Through the congresses in Havana, Cairo and Bangkok, prevention of petty crime progresses in the corridors of the UN. These different congresses enabled the adoption of a Resolution by the Economic and Social Council in 2002, the first of its kind, with crime prevention its central object. This text is accompanied by a crime prevention guide[25], and it should be noted that this guide was elaborated in 1995 but never adopted by the Assembly. The UODC received the mandate for the implementation of the text.

---

[24] 'Art. 61 paragraph 3. The Union shall endeavour to ensure a high level of security through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities', Treaty of the Union.

[25] UN Economic and Social Council (ECOSOC), UN Economic and Social Council Resolution 2002/13: Action to Promote Effective Crime Prevention , 24 July 2002, 2002/13, available at: http://www.unhcr.org/refworld/docid/46c455830.html
'We stress the need to consider measures to prevent the expansion of urban crime, including by improving international cooperation and capacity-building for law enforcement and the judiciary in that area and by promoting the involvement of local authorities and civil society. 10.We recognize that comprehensive and effective crime prevention strategies can significantly reduce crime and victimization. We urge that such strategies address the root causes and risk factors of crime and victimization and that they be further developed and implemented at the local, national and international levels, taking into account, inter alia, the Guidelines for the Prevention of Crime.'

The UN texts on prevention are still linked to those concerning criminal justice or police and judicial cooperation in criminal matters. Prevention is not yet a field of development; in that, the international sphere does not distinguish itself from the national level.

25. In the 1980s, the idea that the principles applicable to criminal justice and crime prevention be inserted into the theme of sustainable development progressed. The weakness of all these UN declarations is their failure to ever mention prevention as a guideline for development policies. Thus the Declaration of the Millennium, adopted by the United Nations General Assembly on 8 September 2000, makes no mention of prevention. The problems of organised crime, drugs and trafficking in human beings are dealt with only in a repressive, and in no way preventive, perspective. It indeed seems that prevention still has problems to get through the circle of practitioners before finally ending up on the table of the politicians, not to mention the enclosures of the UN. The maps of our itinerary are not perfect.

The networks

26. Since the 1980s, prevention has experienced this abundant movement surprisingly favoured by exchanges not totally correlated with the development of the Internet but based more on dialogues in conferences and seminars. We have to remember the creation of networks such as the ICPC, the European Forum for Urban Security, UN Habitat Safer Cities, and the acceptance of movements such as 'Crime concern' or 'Nacro', opening onto the international level. Holding large conferences such as those in Montreal in 1989, Paris (1991), Naples (2000) and Zaragoza (2006) has allowed for the adoption of texts which were quickly disseminated by the various social networks. There were numerous attempts in Latin America to establish city forums in Chile, Argentina, Mexico, and in Africa with the Johannesburg and Dakar conferences. A profusion of initiatives prompted governments and international agencies to rewrite international agreements, which really made prevention come into being or be reborn.

27. The most amazing illustration of this profusion is the curious coupling represented by the International Center for the Prevention of Crime. Consisting of a mixed network of governments, NGOs, cities and international institutions, this institution marks out its route to the four corners of the world, defying all the laws of political science and international law.

All this movement has rooted crime prevention in the territory, hence emphasizing cities and the role they should play in prevention. The organisation of exchanges between cities by breaking down existing barriers between professions, between the penal bloc and prevention players has increased the number of actions in all spheres.

28. We must stress the important role played by a few academics such as Philippe Robert, Joanna Shapland, Patrick Hebrecht, Adam Crawford, Hans-Jürgen Kerner, Melosi and J.-P. Brodeur in providing the first comparatist approaches,

which were the bases of these exchanges.

29. For a few years, this family of prevention militants was not terribly large,[26] but it is completely different today, and now is the time to draw the lessons from the different experiences and the results obtained.

This questioning is all the more important in that it appears that crime has been reduced in the European and North American countries. Setting aside our scepticism regarding crime statistics, we can only observe that overall crime rates are going down. Is this reduction due to the implementation of prevention policy in the principal countries affected by crime? Although the dates between the inauguration of these policies and the drop in crime correspond, we must avoid mixtures that back up the pertinence of our position and remember, in particular, that at the same time, incarceration rates rose considerably in the same countries.

Knowledge

Audits

31- As cities, the territory of the crime scene and solutions to devise were displayed before our eyes, it was necessary to gradually constitute instruments for capitalising on the essential components of sociological or criminological analysis that we find in city streets. Bit by bit, this technique of piecing information back together took shape with an aim to setting up coherent, coordinated actions. "Safety audit" "safety diagnosis"—little matter the name—, this magnifying telescope of the real became an exercise largely shared in the prevention and security world. In particular, safety audits allow for centralising information, energy and resources of different organisations and communities in order to be able draw up a complete picture and help organisations with divergent opinions agree on the prioritisation of problems. It establishes the bases of problem-solving, finding the right balance between the different activities of the sectors involved in the Partnership. It is both a diagnosis of the past and a projection into the future, thanks to monitoring indicators. Its complexity is variable, depending on the number of government levels involved in prevention and the number of partners present in the field. Some cities have given this tool a highly democratic design by letting the population share in the safety diagnosis and publishing it on the city's official website. The local security audit, starting from the identification of problems, allows for determining the degrees of involvement necessary of each partner. The aim of the safety audit is to provide a systematic analysis, and its use as a tool in developing prevention strategies is widely recognised by other international agencies, in particular the World Bank, the European Union, the United Nations Office on Drugs and Crime (UNODC), UN-Habitat, the World

---

[26] May tribute be paid to G. Bonnemaison, J. Calhoun, N. Whiskin, F. Vanderschueren, I. Waller, Van Djik, E. Bontempi, R. Hartley, M. Ezraty, J. Connill, C. Vezina, I. Mellup, E. Vetere, C. Laub, Y. van de Vloet, E. Marks and N. Mellor.

Health Organisation, the International Center for the Prevention of Crime and the European Forum for Urban Security[27].

This is a tool in service to urban governance.

Research

30.   The establishment of prevention policies and the greater attention paid to crime by public authorities has developed the field of research throughout the world. Although the most advanced countries, in terms of volume of research as well as quality, remain the USA and the UK, other countries are tending to catch up. But if we are to believe the composition of the jury of the Stockholm Prize and the works rewarded by that authority up until now, the Anglo-Saxon influence remains predominant[28]. This preeminence results from an abundance of research on a few topics such as situational prevention, the police and community safety. The dense network of universities and research centres is also due to the greater availability of public/private partnerships for financing research. If we also add the fact that criminology has undergone a serious decline in Europe, we can better explain the overall imbalance. The convergence is based more on thinking about prevention methodology, its territorial base and, first and foremost, on knowledge of crime and the feeling of insecurity. As an example of seeking greater mutualisation of research, we must mention the Crimprev network29, which brings together 35 universities and research centres across Europe. The network's objectives are:

'The production of scholarly added value by the systematic use of comparisons within the European Union, thanks to the great variety of situations in the different member countries, which represents a sort of natural laboratory.

'The dissemination of the scholarly added value produced, (a) within the Consortium; (b) more widely, within the scientific community; (c) among officials at different governmental levels throughout Europe; and (d) to the various stakeholders in these subjects (media actors,

---

[27]   Sohail Hussain, 'Guide sur les audits locaux de sécurité', EFUS, 2007, http://fesu.org/fileadmin/efus/secu-topics/EFUS_Safety_Audit_f_WEB.pdf

[28]   2010: Professor David L. Weisburd (George Mason University, USA) for a series of experiments showing that intensified police patrol at high crime 'hot spots' does not merely push crime around. 2009: Stockholm Prize in Criminology was awarded to Eugenio Raúl Zaffaroni of the Supreme Court of Argentina, and John Hagan of Northwestern University in Illinois, USA. They received the prize for their pioneering research regarding the causes of and prevention of genocide. 2008: Professors David Olds of the University of Colorado, USA, and Jonathan Shepherd of Cardiff University, UK for their field experiments in policies for crime and injury prevention. 2007: Alfred Blumstein (USA) and Terrie E. Moffitt (UK) for their discoveries about the development of criminal behaviour over the life-course of individuals. 2006: John Braithwaite (Australian National University) and Friedrich Lösel (German citizen from Cambridge University) for their theoretical and empirical predictions about policies for preventing repeat offending.

[29]   Crimprev http://www.gern-cnrs.com/gern/index.php?id=77&no_cache=1

NGOs, the private security sector or others).

'The development of an interdisciplinary scientific network, suscepti-
ble of: (a) gradually integrating competent centres in different coun-
tries, starting from a solid core group. A specific emphasis will be
put on integrating recent EU members and candidate countries; and
(b) establishing relevant scholarly cooperation with centres located
outside the Union European, especially in the two Americas, based on
long-standing relationships.

'The provision, for officials at various government levels, of metho-
dological skills bearing on assistance in decision-making, measure-
ment of facts and evaluation of public policies, in order to contribute
to the work of monitoring centres at supra-national, national or infra-
national levels.'

This network has been in operation for four years, and discussion as to its con-
tinuation is underway. We must again note the real renascence of criminology
institutes that have managed to reorient their work and congresses for the expec-
tations of players in the field.

Training programmes

31. The mobilisation of universities is also felt in the increase in the number of trai-
ning programmes at all levels on issues of safety and prevention. These trai-
ning programmes were set up starting from criminology, law or political science
departments,[30] and their increase is essentially due to the appearance of new pro-
fessions in European cities under the overall term of 'local policy coordinators'.
These functions require capacities of crime analysis and means of prevention,
open-mindedness to the international scene, taking into account the cultural di-
versity of cities as well as a capacity for mobilising and running partnerships.
Criminology and the law are incapable of providing all the instruments necessary
for this exercise. The connection with sustainable development contributes to the
diversity of the subjects taught. Transversality, globalise and partnership are the
keywords of the training programmes given.

Evaluation

32. Studies concerning the evaluation of prevention policies are the other strongpoint
of this knowledge. The promoters of prevention, always having to prove that
their actions are more effective than a simple application of criminal law, thus
bring pressure to have efficient measurement tools that can be easily mobilised.
The application of management rules with the indexation of budgetary resour-
ces on results is the second factor contributing to the abundance of evaluations;

---

[30] A good example of these training programmes is that of Hurtado University in Santiago do Chile
http://www.postgrados.uahurtado.cl/personas/cursos_detalle.cfm?id=1377%20

finally, the general movement towards greater democratic visibility of public policies obliges this effort.

33. The founding evaluation report dates from 1969, an era that witnessed the launching of a large-scale political project in the USA: The Great Society. Campbell, author of a famous report, laid down the principle that a society should experiment in order to progress and, to do so, it was necessary to integrate scientific knowledge in decision-making to validate the experimentations and bring them into general use in society as a whole. It was up to science to make the effort to put itself in suitable terms for the politician to again take its recommendations into account.

The 1997 Sherman report[31], implicitly responding to the prevailing opinion at the time, which held that nothing in prevention was working, laid the foundations for evaluation by reviewing the evaluative studies carried out in different areas: the neighbourhood, family, school, work, sites propitious to crime, the police. Since then, this methodology has been taken up and developed. Great Britain was, without contest, the country that theorised this model the most and carried it onto the international scene as a reference.

34. A seminar held in the framework of the European Union[32] allowed for making an appraisal of evaluation policies in Europe, and several conclusions can be drawn from the totality of reports. The first is the observation of disconnecting the evaluation process from that of an audit or any operation referring to management objectives. France is an example of this abusive use of the term 'evaluation' to conceal exercises of audits, most often carried out by civil servants[33].

Evaluation is a process that must be carried out by an independent third party. In the UK, where this respect for externalisation is accepted, the role of the university can lead the evaluator to play an increasingly political role. Tim Hope[34], basing himself on the assessment of the participation of English scientists, does not hesitate to speak paradoxically about a 'politicisation' of science due to the excessive demand of public authorities, ending up by harnessing all the energy of English research centres. The Labour government 'coupled crime prevention with a highly ideological policy of proof under the auspices of what works'[35]. This danger led, for example, to Belgian universities withdrawing from invita-

---

[31] Sherman at al., *Preventing Crime: What Works, What Doesn't, What's Promising*, Washington DC, 1997, NIJ

[32] Philippe Robert (ed.), *Evaluating Safety and Crime Prevention Policies in Europe* , VUBPress, 2009; book based on a seminar funded by EU Crimprev

[33] Anne Wyvekens, 'Evaluation of safety and crime prevention policies in France' in Robert's book

[34] Tim Hope, 'Evaluation of safety and crime prevention policies in England' in Robert's boo

[35] Tim Hope, 'New labour governments have specifically coupled crime prevention (or, as they call it, crime and disorder reduction) with the ideological practice of "evidence-based policy and practice", encapsulating the policy pursuit of "What Works", in *Evaluation of Safety and Crime Prevention in England and Wales,* Criminogishe Studies, 2009, VUBPress

tions to tender for evaluations.[36]

35. The evaluation approach presupposes the existence of a statistical apparatus capable of providing the limits of a before-and-after of the action carried out. Such is not the case in a number of countries, which imposes resorting to qualitative analyses having an anthropological, sociological connotation. This is the major part of the object of evaluations in Latin America and makes dialogue difficult between countries; Europe is familiar with this problem as concerns the former communist countries. The limit perhaps only stems from the discrepancy in the level of the evaluation. This process can rely on statistics at the level of European cities just as it is impossible for African cities; on the other hand, at the national level, dialogue again becomes possible but limits the comparative field to blocs of public policies.

36. Can a crime prevention action be evaluated in a context where social policy is absent? The use of evaluation stems from ethics or politics, and to evaluate, we must measure. Can this be done with the statistics we have, about which everyone is in agreement when saying that they no longer reflect an activity of institutions but describe criminal reality?

Indicators

Being able to follow the progression of a policy, along with the trends and depth of its impact, is something indispensable, but budgeting for it is even more so. This issue is crucial for prevention, which must constantly prove itself: the costs/advantages ratio, contribution for the community and contribution for the sustainable development of the latter.

37. The financial and economic crisis led to extensive questioning amongst experts. What good are measurement indicators to us if they are incapable of predicting such crises? Even more, we became blind to the movements perturbing individuals and societies, and the indicators we use are very short term. In Paris, at the initiative of the French presidency, an international commission, chaired by Professors Joseph E. Stiglitz and Jean-Paul Fitoussi, proposed a new approach focussing on the distinction between the evaluation of current well-being and the evaluation of its 'sustainability', i.e., its capacity to hold up over time. Present well-being depends on income as well as what people do, their way of life, their appreciation of life and their natural environment. 'Whether these levels of well-being can be sustained over time depends on whether stocks of capital that matter for our lives (natural, physical, human, social) are passed on to future generations.'[37] The stakes consist more of emphasising the measuring of the

---

[36] Sybille Smeets and Carrol Tange, 'Evaluation of safety and crime prevention in Belgium' in Robert's book

[37] Joseph E. Stiglitz, Amartya Sen, Jean-Paul Fitoussi, 'Report of the Commission on the Measurement of Economic Performance and Social Progress', Paris, 2009
http://www.stiglitz-sen-fitoussi.fr/en/documents.htm

population's well-being than the production apparatus. Thus should be measured: material living conditions (income, consumption and wealth), health, education, personal activities, participation in political life and governance, social ties and relations, the environment and finally insecurity. It then appears that the methods used for reducing insecurity and particularly prevention must be noted and reworked, taking into account the sustainability of the measurements taken. We are far from the activity statistics of our criminal justice apparatuses.

Knowledge for whom?

38. What is the relation between knowledge and politics? Have prevention and security policies integrated science in their decisions? The answer is rather negative; in any event, the time necessary for evaluation is not that of political agendas. It appears that the results of evaluation function over a longer period and can bring about changes in opinion. Their capitalisation constitutes a leading opinion whose effects are quite obviously aleatory.

39. Knowledge does not influence, but can we do without it? Is proof necessary for making a political decision? No, especially in the area of security, which increasingly belongs to the area of risk. Risk-evaluation relies in part on facts but much more on an imaginative universe, that of the person making the decision; and it is known that the imaginative universe in politics is largely fuelled by a certain populism and the hope of not being caught out. This dimension does not belong to intellectuals.

Knowledge in terms of crime has very little outlet in the sphere of decision-making. This question hardly arises when it is a matter of the medical or physical; it always arises for the social sciences and thus for criminology; but it takes a new turn owing to the impact on the future of the organisation of our societies from the question of security.

40. Terrorism, an exacerbated form of insecurity, revealed behaviours and attitudes of political officials that were, to say the least, staggering to us in their obstinate refusal of proof. There is good reason to fear that the whole security question might be subjected to the same approach. Knowledge modifies behaviour and opinions, and multiple experiments tending to enrich the knowledge of citizens' panel demonstrate this possibility. But competition is keen with political or social players arriving on the scene and using rumours or truncated frameworks of interpretation of reality, setting off racial violence and the exclusion of minorities. From election to election, the intellectual handling of security is declining.

GOVERNANCE

Governance of security

41. A whole range of convergences has come to light round the governance of security. According to the United Nations,[38] governance 'is an efficient and effective response to urban problems by local authorities who must answer for their acts and who act in partnership with civil society'. It brings with it 'an evolution from the direct supplying of goods and services by the government to an approach that gives a sense of responsibility'; it functions through 'the decentralisation of responsibilities and resources to the local authorities, incentive to the participation of civil society and creation of partnerships with the goal of achieving common objectives'.

    The concept of governance marks a break in the conception of the state's operation; does it go so far as call the form of the state, its definition and role into question? The term suggests an overhaul of competences between powers and their redistribution between the state, civil society and the market. This approach is understandable in the area of providing housing, services and collective goods. Is security part of this 'governance'?

42. At the Rijksmuseum in Amsterdam hangs the famous Rembrandt painting entitled 'The Company of Frans Banning Cocq' but better known as *de Nachtwacht* or 'The Night Watch'. This canvas represents rich citizens patrolling the city to maintain order. Painted in 1642, the scene can be viewed as both the representation of the birth of the police as well as the precedence to the police function of an exercise by citizens of this function of public peace. The latter view is backed up by the survival of citizen participation in a certain number of countries. Today, the objective of many prevention and security policies is to encourage this participation, which has taken both the volunteer form as well as a remunerated form.

43. We get by on the common belief that the state has a monopoly on force and, as an indirect consequence, a monopoly on security. The renunciation of defending oneself is accompanied by the guarantee that the state provides the security of property and persons. The other assurance that this state provides is ensuring external as well as internal security. The evolutions noted in all countries show that the state is no longer in a position to take on this monopoly. Through different policies, wherein the dominant theme is partnership and decentralisation, the monopoly has crumbled, its exercise divided up between civil society and the market. In addition, especially in the case of external security, terrorism or organised crime, it is dependent on more or less close cooperation with other countries or entities of international status.

---

[38] United Nations, PNUD (Habitat), Global Campaign on Urban Governance, 1999

In this original act of transferring security, and thereby of the monopoly of violence, to the state, the deception was to view security reduced to that of the state and no longer that of the citizen. Police forces in the communist countries and Latin American dictatorships all had state security as a mission, to the detriment of the citizens' freedom and security. State security is not totally that of the citizens, and this discrepancy is subject to supervision and democratic debate. In contrast to this state security, we have spoken of human security.

44. Governance arose from the conjunction of the globalisation of our economy, the globalisation of regional conflicts and, at the same time, the general movement of decentralisation and minority mobilisations, not to forget the intervention of new players in handling public policies. Private operators and the market are the principal stakeholders, which does not mean that governance homogenises our perception of the world—there is no universal model. But it involves a deconstruction of the elements making up public policies to construct an adequate methodology, a qualification of the promoters round an overall, sectional methodology.[39]

Governance of the complexity, intersectoral and the structuring between different levels of government, minority mobilisation and the relationship with the market—all that has taken the form of partnership authorities with a central figure: that of the territorial elected official close to problems and driven by a desire to answer questions asked by the electors.

Partnership[40]

45. The new integrated approaches to urban development are not a matter of a fashion. They stem[41] from the necessity of taking into account the new stakes of city government linked to changes in the process of cities' urban development. Our cities are the worksites where new forms of urban governance are being constructed, urban governance characterised by going from a phase dominated by the pretension of 'making the city' to another, more pragmatic and more complex, of 'making do with the city'.

46. 'Making the city' was based on relatively crude, fatalistic urbanisation processes occurring in virgin lands (massive urbanisation of the first peripheral agricultural belts) and implemented by a single authority according to linear processes without much overlapping of political or technical responsibilities. On the contrary,

---

[39] Elkin Velasquez, 'La Governance de la seguridad ciudana' in *Consolidación de los gobiernos locales en seguridad ciudana*, Urbal-Red 14 Europea comissión

[40] Recommendation of the Council of Ministers of the Council of Europe, 24 September 2003 https://wcd.coe.int/ViewDoc.jsp?id=70083&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864

[41] 'Do contractual and partnership policies favour an integrated and global approach of the combat against social exclusion?' EFUS report for the European Commission, 2001

'making do with the city' presupposes making do with the territory, the populations and organisations present (winning back formerly urbanised spaces: real estate rehabilitation, requalification and urban renewal). This approach necessitates the intervention of players acting simultaneously, in partnership and co-production. By definition, it presupposes taking into account the components of urban territories (their social capital, their ecology), and is also a matter of taking into consideration not only spaces and territories but also time, rhythms, cycles, phenomena of resonance or opposition of phase in the activity of urban players. Therefore it is necessary to offer possibilities of play between the multiple interests present on the same territory.

Partnership cooperations and associated contractual formulas are the rule. English law made partnership 'obligatory' in all public policy; the other legislations are more along the lines of incitation or encouragement.

47. Transformation of the city, as well as transformation of methods of social regulation, the dramatic rise of individualism and the break in families and communities, which have brought to the fore, by default, the essential role that the old forms of solidarity could have played, can also explain partnership as an attempt at avoiding failure. Indeed, the recourse to the market or the welfare state alone, even overhauled, is not in a position to replace what may be considered the hidden part of the social iceberg, namely the domestic mutual aid and community systems. The reinvention of these largely weakened systems in other forms opens the door, in numerous countries, to a diversity of initiatives from local players (systems of local exchanges, the social, interdependent economy, the community economy, new job pools linked to the multiple forms of social reproduction and urban recycling), all initiatives relying on modes of involvement and voluntary help and eluding monetary exchanges fairly widely to take on contractual or partnership forms.

48. Partnership involves more than an adjustment in the functioning of pre-existing bureaucracies; the end of the state monopoly pushes towards a total overturning. We are all programmed to become 'partners against crime'[42] as we come out of a period when crime was the affair of professionals and enter one where crime and prevention are the affair of all.[43] Complex figures of this partnership are being constructed in all countries. A crossing of the levels of government, a confrontation of the public and private sectors and recognition of the inhabitants' role engender lasting understanding in all fields and particularly that of preventing insecurity.

---

[42] Adam Crawford, 'Governance and Security' in *Crime and Insecurity*, Adam Crawford (ed.), Willan Publishing, 2002

[43] Gilbert Bonnemaison, 'Rapport des Maires sur la sécurité', Documentation française

The introduction of partnership requires an increasingly studied methodology, especially under the impact of English policy, which is very much oriented towards the search for efficiency and accountability. The introduction of this methodology, strongly governed by management imperatives, runs counter to numerous cultures in the world. Few prevention actions are the object of pertinent evaluation in the countries of Southern Europe. Most African or Latin American countries do not have the statistical tools necessary for introducing a technical nature. And above all, the cognitive approach to crime problems is always more a matter of sociology than management.

Considerable research also underscores the persistence, in certain Southern European countries, of a contradiction between the principle of partnership and the conflictual dimension of the policy and the *interinstitutional* defiance that goes hand in hand with it. Partnership would then be the arena of a combat waged by partners trying to have a major influence over the others. Without going so far as to assert that the applicable model is the sole expression of 'conflictual partnership', one notes that partnership is sometimes presented as a logical impossibility as soon as its institutionalisation is at stake.

Partnership is also experienced as a 'Trojan horse', introduced into the snare of an overly centralising state. It obliges certain countries to enter into contractual logics that gradually eat away at their centralising logic. But moreover, it can be experienced as an underhanded way for the state to pass off certain functions by economising on budgets.

Elected Representatives

49. The governance of the affairs of this world witnesses the promotion of civil society as much as that of local elected representatives. Just as the political personnel occupying the benches of parliaments or the corridors of central power are undergoing a crisis of confidence on the part of electors, the political personnel taking care of the affairs of cities and regions are seeing a relative affection on the part of electors, which is kindled by the link of proximity[44]. Running into local officials in the street, being able to question them in an immediate report and obtaining responses—even unsatisfactory—gives one's vote a content, a reason to vote and—why not?—perhaps reason to stand for the next local elections oneself. The most significant evolutions in the perfecting of democracy and its use are recorded in the forms of exercise of the mandate of territorial representatives. All these reforms and evolutions endeavour to maintain the link of proximity with the elector. The challenge is important in large cities and urban conurbations where the relationship with the elector is most often remote.

---

[44] The regular Eurobarometer survey of February 2007 confirms the attachment of European citizens to local and regional democracy illustrated by the confidence rate they accord local and regional elected representatives (50%) in comparison with their country's government (34%) and the European Union (47%). http://ec.europa.eu/public_opinion/archives/eb_special_en.htm

This evolution must also take into account the recourse to communication techniques that can allow hopes of greater citizen participation in decision-making[45]. All these evolutions are little recorded on the national scale and even less on the European scale. It is easier to record constitutional changes affecting the fundamental balance of powers between them than daily improvements in democracy at the local level. And yet, one does sense that here, too, the future of major social questions is being played out, such as the integration of immigrants or security. Security or crime prevention is no longer in itself the domain of competence of a single holder of power. Several levels of government are concerned by the implementation of security measures, but it is increasingly the local level that predominates in the analysis and follow-through of measures. The local representative is increasingly obliged to take into account spheres of action that the law or budgetary rules do not necessarily grant him.

50. For it is the elector who 'lays down the law', and the elector is little concerned with the often-complex dividing up of administrative competences between levels of power. He will tend to sanction the closest elected representative electorally, for the latter shares with him all the problems of daily life and is supposed to have an interest in resolving those problems[46]. So it is that an issue as clearly defined as that of security has left the 'private preserve' of the police and also become that of the mayors.

This new positioning of elected representatives is not always conveyed by the representatives' stranglehold over new sectors of competence but, at minimum, it obliges them to take an interest in what is being done by all the agencies involved in these security issues. Are these new competences exercised differently from the old ones[47]? We would need an international research institute to record that evolution.

---

[45] 'The role of local officials in crime prevention' (FESU, 2004), supported by the European Commission, relates the studies carried out in nine European cities. http://fesu.org/fileadmin/efus/pdf/Elus%20locaux%20VF.pdf

[46] Claudio Martini, President of the Emilia Romagna Region, ' …Starting in the 1990s, security policies became the centre of electoral campaigns in Italy.' Conference on 'Role and competences of supra-local authorities in urban security', Florence (Italy), 22-23 February 2004.

[47] W. Sohn, 'Report on the Partnership Approach in Crime Prevention – Germany', European Committee on Crime Problems, Council of Europe, 2001

COMPASS ROSE

From East to West and South to North, our routes cross and intersect four questions that serve as points of reference for our policies as well as objectives to surpass.

The City

'Human establishments'[48] that have turned into cities; cities have multiplied and got larger, covering ever-greater areas, absorbing most of the world's population and, in some cases, going beyond the capacities of their countries to manage them, becoming world-cities, city-states. How can the question of security not be inscribed in their territory, their streets, their neighbourhoods? The management of cities strikes state organisations, obliging them to delegate and transfer powers, which were previously kingly.

Urban security revives the question of the city, its functions, contradictions and evolution. Security has become a condition of the city and its renewal, an element of its identity and the competition between cities and between urban projects.

51. The social preoccupation with crime and insecurity invites us to re-examine what creates tension in cities, their inequalities, contradictions and dichotomies. Nowadays, how do poor and rich coexist, young people and adults, men and women, native-born and immigrants, the settled population and nomads, day life and nightlife, norms and the law? To ask the question means shaking up urban projects (renewal, construction, planning) that still have trouble integrating and therefore anticipating the dimension of the conflict. Too many projects reason in weightlessness and broach security only in technical terms limited to the work (solidity, fire…), underestimating the interferences between the different spaces to which they are connected. Not asking the question about conflict in urban programming and management means taking the side of a fictional consensus and creating public spaces incapable of making the tensions of the city visible and receiving them.

52. A normative approach to the city is not enough for creating security

Public health standards in the 19th century contributed—not without violence—to shaping our cities. In turn, crime prevention and insecurity have been the object of normative work concerning materials and urban planning[49]. This approach is interesting in that it encourages thinking about the environments propitious to crime and the feeling of insecurity, and allows for disseminating quality standards.

The formalist (and normative) approach to the security/urbanism pairing is a delusion if the requalification of a space is not itself continuously adapted to the evolution of the demand and population. Without this adaptation, a space, even

---

[48] Expression used by the United Nations

[49] 'Situational prevention'

of great quality and appropriated by its users, can turn against its population and become an area of insecurity. The introduction of safety standards in town planning makes sense only in the framework of a dialogue between the local territory and the most central level where arbitrations modifying flows and populating are carried out. 'Gated communities' are examples of a unilateral, private appropriation of urban space.

53. The security of a space is guaranteed not by its being granted sanctuary status but by its vitality and the vitality of the interactions and exchanges with other spaces (public, semi-public or private). That presupposes a capacity for managing politically, socially and technically the tensions and frustrations arising from differences in development between the city's neighbourhoods or spaces. The articulation of the public offer, the volunteer offer and the commercial offer of security participates in this capacity. In the metropolis of Buenos Aires, 500,000 people live on a surface area of 323 km² or 1.6 times the area of the capital with its population of 3 million[50]. 'Never since the 1890s have wealth and luxury consumption been so isolated and enclosed. The spatial logic of economic liberalism brings the most extreme colonial outlines back into force. Everywhere, the rich and near-rich are closing themselves off in sumptuous enclaves, cities of leisure activities and enclosed replicas of California suburbs. Meanwhile, the poorest stand on the other side of the fence, their sole presence justifying the retreat of those living in grand style behind their fortifications. The rich can extricate themselves from the mould of urban working-class life thanks to the creation of transportation networks and independent security systems.'[51]

54. The principle of urban governance presupposes that the active participation of the inhabitants becomes a priority of policies public

Community participation is defined as a process by which people are put in the capacity of getting truly, actively involved in the definition of stakes that concern them, in the decision-making on the factors that affect their lives, in the formulation and development of policies, the planning, development and providing of services. Yet few stakes concern people more, few factors affect their lives more than security.

Strategies concerning prevention and security tend increasingly to articulate two distinct objectives: reducing individual risks (e.g., health risks linked to drugs) and reducing social nuisances linked to those risks. This reasoning calls for taking greater interest in the social and community dimension of insecurity, wondering about the role that can be played by civil society taking charge of it, and bringing civil society into the decision-making process.

The initiative of the participation process and its steering is primarily incumbent

---

[50] 'Enhancing urban safety and security', Global report on human settlement, UN-Habitat, 2007

[51] Mike Davis, *Evil Paradises, Dreamworlds of Neoliberalism*, The New Press, New York, 2007

upon the local authorities who, more than others, have a position of responsibility in the framework of their urban management. They act in the name of the inhabitants and are accountable to them.

55. All our cities are familiar with brutal contrasts between clean, well-maintained, supervised neighbourhoods and those that more closely resemble dumping grounds or human garbage tips. Behind this fundamental inequality are concealed all the mechanisms feeding poverty, the impossibility of their inhabitants' leaving those neighbourhoods and the deepening of inequalities. To face up to this worldwide phenomenon, two approaches are at work.[52] Either one deems it advisable to reconstruct the neighbourhood, renovate it, and turn the slum into decent housing, hoping that from this rebirth of the neighbourhood will ensue a rebirth of the inhabitants; or one bets on personal development alone as being likely to make the person the active agent in the transformation of his place of residence or a change of residence. The USA embodies this latter model[53], whereas France and Great Britain would embody the former[54]. Many parallels exist between the two, but what should be stressed is putting the person forward as the player in his change (empowerment) and consequently, the change he contributes to introducing into his environment. These principles are to be found in all the policies implemented in the socio-economic sphere and in the sphere of security and prevention. For example, the fight against the drug traffic can take the form of an occupation, in all its forms, of the street, the public space , etc.[55]

56. In this framework, the police again take on a role based on problems encountered and no longer on infractions. Their modus operandi is to contribute to reinforcing the community in its fight against insecurity and not feeding the judicial machine in a kind of automaticity. The authors of the 'broken window' theory insisted on this point: 'the very essence of the role of the police in maintaining order lies in the reinforcement of the community's self-control mechanisms'. And this maintaining of order is not an abstract order but that of the neighbourhood subject to the protection of individual rights: 'arresting a drunk or a vagabond who has hurt no one may seem unfair and, in a sense, it is, but sitting idly by before a gang of drunks or vagabonds can lead to the destruction of a neighbourhood'.[56] When the New York police proclaim this theory in the name of 'zero tolerance', all reference to community will have disappeared and we will have no more than a simple exercise in modernisation of the management of the police supported by a reinforcement of repression over people.

---

[52] Jacques Donzelot, Faire société, *la politique de la ville aux Etats-Unis et en France*, Ed. Seuil, Paris, 2003

[53] 'Community Development Corparation'

[54] 'Policy of the City' or 'urban renewal unit'

[55] 'Take back the streets', an operation launched by the CDCs in the 1990s

[56] J.Q. Wilson and G.L. Kelling, 'Broken Windows', The Atlantic Monthly, March 1982

Situational prevention offers a different perspective depending on whether it lies within a strategy of defending spaces or aid to community development. The issue of repression also changes meaning if it is exercised with the support of the community and not 'by the increase in the number of arrests with an uncertain judicial destiny, which will increase anxiety more than reassure the inhabitants'.[57]

The Market and Security

57. It is a recent discovery of the importance of the phenomenon, or rather a redis-covery of old forms of regulating conflicts in public areas, that have perpetuated and developed in certain countries.

Increasingly, the market has become the interlocutor of the public authorities. It is difficult to define the private sector; the sole pertinent criterion is still to define it as what is not public, i.e., define by a statutory law, constitutive of services of general interest. But the overlapping of the two sectors is ever greater, the forms of intervention having become so much more complex, especially with the intro-duction of management techniques that lead the public sector to 'sell' its services or delegate a certain number of its functions in exchange for remuneration.[58] All stages of the criminal justice system are touched by this privatisation. The maintaining of order and the public peace, investigations in the event of offence, crime prevention, alternative forms of justice such as mediation, restorative ju-stice, the carrying out of sanctions, the prison administration, reintegration of former convicts, or taking charge of minors. Each of these areas has given rise to practises permitting the accumulation of know-how, often lost in the civil service but constituting prevention methods that sometimes elude the transparency ne-cessary for public monitoring.

58. Most authors cite the development of the private sector in the 1990s. The study of the business figures of a few large groups indeed shows a separation. So it is in Europe that we have gone from 600,000 private guards to a million in less than five years. For all European countries[59], there are 1.3 million private guards for 1.6 million policemen, with two countries, Poland and Great Britain, having the opposite ratio. For all of Latin America, evaluations were 1.6 million five years ago. In the US, there are 2.7 private guards for every policeman, in Canada, two; South Africa has three private guards for each policeman.

Why this development that touches all parts of the world? Several hypotheses have been advanced, but none is sufficient to explain everything:

---

[57] J. Donzelot

[58] Ronald van Steden, *Privatizing Policing, describing and explaining the growth of private security*, Legal Publishers Bju, 2007

[59] Source: SEESAC South-eastern and Eastern Europe Clearinghouse for the control of small arms and light weapons, Belgrade

59. The increase in crime but, even more, the increase in fear. Although European countries are witnessing a stabilisation of crime, certain forms, such as interpersonal violence, continue to rise. Latin America and certain parts of the Caribbean are still in a period of high growth, whereas China also gives a hint of a considerable increase. But even more, it is fear that surrounds the problem of crime and motivates a certain number of individual or collective behaviours. At the same time that the majority of inhabitants of this planet are experiencing development opportunities unimaginable fifty years ago, an emancipation vis-à-vis shackles linked to traditions, culture, or sexuality, today they are experiencing a collapse of social ties and an increase in distrust, which drives them to a demand for security, a laying-bare of the risks they are running. There ensues a pressure on the public authorities to guarantee that their development occur without risk. It seems that the more freedoms, autonomy and pleasures a person gains, the more he or she feels in insecurity. This irrefutable fact has two possible conclusions: either the recourse to more or less programmed eruptions of violence, or to a nagging demand for assurance and reassurance vis-à-vis the politician. Thus can often be explained the violence surrounding sports or the massive use of drugs and alcohol in a festive atmosphere. This can also explain the vote for parties developing extreme security solutions. The demand for rules is as strong as the demand for freedoms. One guesses that the heightened demand for security is not entirely satisfied by the public response. A permanent state of tension has grown up between security and freedom.

60. Most cities are made up of centres surrounded by neighbourhoods that are quite divided between rich and poor, this division favouring territorial defence strategies[60]. The form of cities has reduced areas of encounters and concentration. Vast urban areas are occupied by private properties, leisure areas, shopping areas, transportation and education. These spaces are quite susceptible to degradations, minor disorders and abnormal behaviour. They call for, on the part of users, visible, efficient regulation. The police have never carried out this function. The priority of its interventions is to arrest criminals not ensure public peace in these areas. The private or semi-public sector, proprietor of these spaces, has taken on the function of constable.[61]

61. A criminal justice system glutted and inadequate for meeting security demands

This situation is getting worse owing to the restriction of police budgets. Numbers are no longer increasing, and the cost of a policeman is estimated at nearly three times that of a private guard. The first effect of the existence of a private sector is to weigh on the working conditions and salaries of the public sector.

---

[60] These strategies are also apparent in the choice of implantation of transportation lines by the refusal to let poor neighbourhoods benefit from them for fear of seeing the poor invade the wealthy neighbourhoods.

[61] Law Commission of Canada, *In search of security: the role of police forces and private agencies*, Ottawa, LCC, 2002

Regardless of profession and country, apart from the functions of the upper managerial staff, the salaries of the private sector are much lower. This introduces a profitable, perhaps short-term, break for public budgets but is harmful in the framework of overall economic balances.

62. The misunderstanding is all the greater as the population asks the police to fulfil missions that were never their province: the role of the police has never been to check that a shopkeeper indeed locked the door of his shop. The police have, in addition, got rid of a certain number of missions[62]. Thus, many studies show that the police no longer respond in the case of an alarm being set off. Police visibility in the streets has diminished, whereas the populations unanimously demand that 'on-the-beat' visibility. There are other cases where the population has legitimate mistrust of its police. In countries where corruption of public authorities, and especially the police, is notorious, the population prefers to directly pay for a private police. This is a situation that is also encountered in countries having had authoritarian regimes and where the police played the role of repressing citizens.

63. The government's choice to resort to the private sector is the other explanation for the development of private security. The example of Great Britain with its 'new public administration' policy [63] shows us the scope of this delegating to the private sector, as well as its limits. From the transfer of prisoners to carrying out documentation tasks in courts and the police, by way of prisons or taking charge of sexual offenders, the range is quite open. It is difficult to evaluate results, even though it is recognised that a certain number of services have been improved. But does this delegation signify an abdication of the state? The ultra-liberal concept of 'the minimum state', defended by Hayek, has always included the necessity of keeping the maintaining of law and order under state control[64]. Thus, Tony Blair's Labour government multiplied the organs intended to supervise the carrying-out of delegated tasks, and public/private partnership became the key word of management policies. But is this enough to prevent attacks on civil rights and freedoms?

64. The last factor concerns the intrinsic development of security enterprises; '9/11' represented a powerful boost, and multinationals such as Group 4Falk, Sécuritas, Sécuricor and Wakenhut sprang up. The first is present in more than 50 countries and employs 125,000 people in activities ranging from security to prison management by way of rescue services and fire-fighting. The turnover in this branch of industries taking on tasks delegated by the military is growing rapidly, with nearly 20 billion dollars to the present day for almost 1,000 companies. Special UN operations in countries getting over a crisis are increasingly being carried out

[62] Mark Button, Private Policing, Willan Publishing, 2002

[63] 'New Public management' (NPM)

[64] F.A. Hayek, *The Constitution of Liberty*, Routledge & Keegan, London, 1960

by private operators; the war in Iraq has served extensively as a training ground. The volume of interventions also brings with it heightened professionalisation; the sector is suffering from a recognition crisis as to the qualification of its employees. The development of numerous university training programmes attests to the training effort.[65]

For many policemen and civil servants, the private sector offers professional openings, which often poses conflicts of interest. This proximity favouring the development of an investigation function in private groups, most of the counterfeiting cases coming to the attention of the police are investigated beforehand by private services. This internationalisation of groups favours the elaboration of joint methodologies and often imposes 'seizures of power' or a 'private security government' on countries with weak or easily corruptible state structures.

Criticism of this trend towards privatisation of security comes not only from a few activists: professionals such as police officers or social workers are often in a position of antagonism, which puts in check the partnership formulas developed in the cities, at the field level.

65. The functioning of the private sector is linked to a process of productivity and unicity, which is detrimental to a prevention function. Contact with a young drug addict in a public area or with a young person to convince him to cooperate in an integration process or make him agree to reduce the noise he is making does not come about in a counted, defined time that can be measured in advance. Listening, an indispensable element in the prevention function, is difficult to subject to productivity or, even worse, to an extreme specialisation of listening. The private agent is subject to a contract defining the service for which he is paid; he protects only those who pay him, and his rules of intervention are dictated by commercial interest. This specialisation is antinomical to the overall listening required by a young person who is suffering.

66. The increase in prevention and security agents makes up a puzzle leading to confusion in the public's mind. The various statutes and different uniforms worry the citizen more than they reassure, and all the more so in that the official police practically no longer appear in those areas open to the public. So it is with nightlife in cities, which is entirely regulated by doormen of nightclubs who exercise their ascendancy over behaviour, admittance and exclusion.

67. The private sector is an industry built on fear and the elimination of risk. To sell itself, it must play on the population's fear reflexes even if it means increasing fear with an alarmist discourse. It sells its services with the aim of getting rid of its client's fear and thereby promises a crimeless society. Insurance companies have nourished this risk refusal, which is a transformation of the precaution

---

[65] Report of the Confederation of European Security Services and the Institut des Hautes études de sécurité intérieure, Paris, on 'The contribution of private security to public security in Europe', December 2008

principle. They impose security equipment and services, supported by the juris-prudence of the courts.[66] They have favoured the introduction of what is called 'situational prevention', which is only in part the introduction of safety rules in architecture and town planning. They have also contributed strongly to auto theft by playing on the amounts of insurance premiums. This is a function that costs companies and individuals ever more dearly.[67] This tracking of risk is also a way of killing the vitality of creation. The 'safety utopia' described by Bouteil-lier sounds like a nightmare[68]. 'Too much security' stifles civil liberties and, in particular, individual freedom.[69] Can an industry hope to continue to prosper on one matter, crime, which will always be the reflection of our miseries and social dysfunctions?

68. The junction with the military security sphere is increasingly powerful and raises other questions; this junction comes about through the police function. Wolfgang Wodang, parliamentarian and author of a study for the Council of Europe, writes 'that the recourse to "Private Military and Securities Companies" services, espe-cially in "weak" or "fragile" states, accentuates the reduction of the state's role, the weakening of public governance and the lessening of its capacity to resolve conflicts by civilian ways. This use leads to an erosion of public order and even-tually makes the state disappear.'[70] In addition, this junction favours the spread of strategies and a technology that one would think to be reserved for war. In face of the urban riots that France has experienced, French policemen are retrained in territorial occupation and surveillance strategies conceived for Afghan or Iraqi cities.[71] All this can be seen as concerning only the police in charge of maintai-ning order, but the relationships of minorities and young people in particular with the police are conditioned by this approach. After such interventions, prevention players have considerable difficulty in pursuing their actions.

69. The most immediate conclusion we need, regardless of the degree of our coun-tries' involvement in privatisation, is the necessary regulation of this market as well as the choice of delegating prevention and security functions that can be exercised by the private sector.

---

[66] The courts of New York call into question the responsibility of building owners in the event of burglary. Every building now has its contract with a security firm.

[67] As the United Nations Economic Commission for Africa notes, this cost is considerable: the security in-dustry in South Africa is estimated to turn over between R10 billion and R18 billion (about US$ 3 billion) equivalent to about 3% of GDP. 'Crime and development in Africa', UNODC, Vienna, 2005

[68] Bouteillier, J.C.J., *The safety utopia: Contemporary discontent and desire as to crime and punishment*, Dordrecht, Kluwer Academic Publisher, 2005

[69] 'Too much security?', *International Journal of the Sociology of Law*, 2003, pp.155-184

[70] Wodang Wolfgang-Political Committee 'Private military and security firms and the erosion of the state monopoly on the use of force', Council of Europe, 16 Dec. 2008

[71] Use of drones, ballistic helmets, laser-sight launchers, etc. Report of 8 February 2008 of the Direction centrale de la Sécurité Publique, published by Mediapart. http://www.mediapart.fr/journal/france/180308/violences-urbaines-police-et-crs-veulent-de-nouveaux-moyens-de-riposte

Democratic supervision of the nature and content of the contracts signed with the private sector should be the object of publications and discussions at the level of their application. But above all, if we wish to be logical, it is necessary to 'officialise' public/private partnership by a national and local organisation of relations, by drawing up codes of ethics, and also by setting up procedures enabling people to have easy recourse against abuses; the other project of this collaboration is the precise determination of the powers of constraint that private agents can have over people as well as their powers of investigation. The sharing of information on private life is the most ticklish dossier of the partnership.

70. Does privatisation lead to the disappearance of the protector-state? It seems that even in countries that have developed this action most, the state preserves a certain number of prerogatives, beginning with the one that consists of putting an end to the partnership. 'A complex network combining public and private is emerging. In many urban areas, one notes the birth, no longer of dual but of complex policies: the public police subcontract services from the private police; in certain cases, the private police help the public police in their investigations. The private police carry out tasks that were the exclusive domain of the public police, and private organisations sometimes hire the services of the public police for private functions.'[72] That can be seen as a state refocusing some functions with the aim of better achieving them, but what the state must not forget is to guarantee to all its citizens, regardless of their origins, equality in the access to prevention and security.

The Penal Bloc

71. Made up of the police, all the agencies vested with the power of coercion and the system of sentence enforcement, the penal bloc is defined as a combat area. In addition to the physical enclosure of imprisonment, which has become the principal and almost sole sentence in the 21st century; there is the institutional enclosure of a network of agencies; finally, an enclosure of judicial reason thinks of criminal law as a specific entity, having few relations with the other judicial and social standards. This autonomy raises the question of the connection that must exist between this bloc and prevention. But again, it is necessary to define the field of prevention in relation to the penal bloc. This irrefutable fact is perhaps in the process of changing.

72. The lack of convincing results in the functioning of the Penal Bloc is leading states to redeploy their efforts towards prevention actions aimed at sharing the security 'burden'. This evolution, marked by institutional reorganisations, the launching of action plans, creation of national entities, communication and co-operation between countries, is occurring as the result of a situation that certain

---

[72] Law Commission of Canada, 'In search of security: the roles of public police and private agencies', Ottawa, LCC, 2002

authors have described as the era of 'penal populism' and the predominance of the 'penal state' to the detriment of the social state. This evolution also seems to be occurring in Canada and the US. It is more difficult to detect in Latin America.

73. In our democracies, where equality among citizens is the rule, the functioning of the penal bloc never was. Whether it be in the functioning of the police or access to the courts, poverty has always kept poor people from being respected users and, as in wars, has always made them cannon fodder.[73] The over-representation of minorities in prisons, illiteracy, joblessness and the land-less condition flourish within the walls of the penal bloc. War strategies have invaded the command posts. From war to drugs by way of increasingly frequent interventions by armed forces in poor neighbourhoods, without overlooking exceptional legislations that become the norm, police who have replaced the patrol with task forces, and the tightening of detention systems, the penal bloc sometimes looks like an army at war against its own people. Social inequality is henceforth magnified by the functioning of the penal system.[74] The emergence of pandillas appears facilitated by a prison system favouring the reinforcement of gangs. Most of the Africans living in urban areas have no access to legal services.[75]

74. In the most developed systems, victimisation surveys always show the large discrepancy between the facts reported by people and those handled by the criminal system.[76] This cut is all the more poorly perceived in that the politicians' discourse tends to lead one to believe in a forthcoming end to this irrefutable fact. The public still requests the visibility of police uniforms in the streets, which is less and less within the means of the police whose numbers tend to decrease and whose preoccupations are far from those of the inhabitants. Although the Penal Bloc is undergoing numerous reforms, the number of incriminations is increasing and the media are attentive to its functioning, that does not make it a player open to social realities or particularly to the concerns of preventive policy. The relationship with the community and civil society remains largely absent.[77]

75. The other characteristic of the penal 'bloc' is the lack of attention paid to victims up until now. Europe has witnessed clear improvement in this area, the improvement having come about primarily under the impetus of women and the lack of consideration accorded to sexual offences. The reception of victims has improved, in particular thanks to structures intended to help and take care of them

---

[73] The average rate of access to justice in Latin America is 22%, according to the 2007 Latinobarometro, quoted in the UN-Habitat report 'Guia para la prevención local'. It is 10 points for Brazil as opposed to 38 for Venezuela.

[74] 'Hacia politicas de cohesión social y seguridad ciudadana', UN-Habitat, Universidad Alberto Hurtado, 2009

[75] *Pauvreté urbaine et accès à la Justice en Afrique*, collective book, Sankoré L'Harmattan, Paris, 1995

[76] Research report: a comparative analysis of the European crime and safety survey, European Commission, Brussels, 2005

[77] Joanna Shapland, Justice, *community and civil society , a contested terrain*, Willan Publishing, 2008

overall. The reception in police stations tries to take into account the traumatised state in which the victim may be. Certain legislations grant victims the right to give their opinion on reduced sentencing. Very few grant financial compensation in case of default on the part of the perpetrator of the damages.[78]

But the most promising leads of the past few years—restorative justice and mediation—remain on the fringes of the penal bloc. Through the face-to-face confrontation that it organises between the victim and the perpetrator, mediation has an extraordinarily civic role. It is a course in public spiritedness and allows for introducing a dialogue where none existed, to again give to the perpetrator a sense of the other's dignity; it establishes a social tie in communities. Able to be exercised at all levels of the penal bloc, it could become the true offer of conflict-settlement before the more classic offer of justice. It still remains too limited to experimentation, and when international texts demonstrate concern about this issue, it is always presented as a solution for unclogging the prison system. A managerial view always wins out but not sufficient to impose its becoming an ordinary procedure.

76. Turned towards serious crime, the priorities of the penal bloc are not those that citizens wish for in their daily life.[79] Investments within the police forces increasingly go to equipment backing up specialised investigations. Justice has set up 'short trial circuits' for minor cases, thereby revealing the premisses of summary justice; the police are inventing procedures for lodging complaints by Internet, whereas fine-collecting is being entrusted to automated systems. The personalisation of the justice service is disappearing. Trying to face up to this non-response or its insufficient responses, system managers are automating proceedings, shortening waiting periods and thereby gradually reducing what jurists call respect for the principle of contradiction.

77. This poor response on the part of the penal bloc brings about the development of what Mark Button calls 'vigilantism'. Born in the USA, it designates movements of individuals who, for lack of an official authority, take the law into their own hands to apply it. This action is always collective and presupposes organisation and premeditation. The most spectacular examples were provided by the 'Lawmen of São Paulo' and the 'exterminators of Baixada Fluminese' in 1993.[80] Most African cities are familiar with this type of 'summary justice', and Europe, too, has been the setting for these movements but integrates them into official structures. Thus, the French and British police forces integrate volunteers authorised to accompany patrols, whereas Italy voted a law authorising citizen patrols at

---

[78] France has the most complete legislation in Europe

[79] Wesley Skogan and Kathleen Frydl (ed.), *Committee to Review Research on Police Policy and Practices*, National Research Council, 2004

[80] http://www.conflicts.org/index708.html, Angelina Peralva, 'Violences urbaines, démocratie et changement culturel : *l'expérience brésilienne' in Culture et Conflits*, Paris, 2005

night. Of course, citizen participation does not lead to arrests and sanctions. The courts punish this type of behaviour, even more so when it is individual. More spontaneously, mothers may occupy a public area to disturb a drug scene; citizens regularly occupy a street to prevent relations between prostitutes and their clients and obtain their departure, like fathers occupying the space at the foot of blocks of flats to hinder gatherings of young people. We have no visibility on the development of such movements, but their continued existence should lead us to better broach the issue of citizen and community participation in the functioning of the penal bloc, but by opening up the possibility of the strong development of forms of justice and community police.

78. Canada provides us the premisses of what could become a public integration policy within the citizens' penal bloc, 'community courts' or 'sentencing circles', and 'community forums' being the best-known examples of this.[81] The authors make the distinction between initiatives taking place within the penal bloc and those having a fairly large degree of autonomy.

Dialogues have gradually been established round prevention policies between the penal bloc and field players working in our city streets. A partnership is taking shape which can be made mandatory in the case of the Netherlands and England or on a more voluntarist basis in the case of France and Spain. Determining crime-reduction strategy is discussed and finalised, and from this come partnership actions, touching the sphere of victims, participation in the prevention training programme with young people, learning about legality and prevention of reoffending. The 'Houses of Law and Justice' set up in France, the Netherlands[82] and Belgium reflect Justice's leaving its boundaries to go and meet the community. Great Britain has instituted a Criminal Justice Consultative Council, the territory being divided up into zones (local criminal justice boards), presided over by a judge and in charge of identifying the problems encountered such as, for example, receiving witnesses. These Councils bring together several partners, but their very limited budget restricts the scope of their action.

79. Pressure on the penal bloc from the political personnel and public opinion through the intermediary of the media is intense. Questions of security and crime have become central in all elections, this translating into an acceleration of legislative reforms to define or redefine offences; modifying procedures to speed up judgements; delegating functions to third parties, especially from the private sector; and refocusing on the 'primary' (with the difficulty of determining what is primary and secondary in questions of crime). But that translates by a demand for certainty in administering sentences, a reinforcement of sentences by the legislator and also sentences handed down by the courts. All this movement has little

---

[81] Isabelle Bartkowiak and Mylène Jacoud, 'Next direction in Canadian Justice: from state workers to community representatives' in *Justice, Community, Civil Society* (Shapland)

[82] Holland: 'Justice in the Neighbourhood'

justification in the crime statistics, which, after a sharp rise up until the 1990s, tended to drop. Thus, Great Britain, experiencing its highest crime rates, saw them rise sharply up until the Nineties and since '97 has witnessed a decrease of more than 30%.

80. Can this reinforcement of repression and the increased attention paid to certain forms of prevention be explained by the crisis of the politician brought about by the revelation that our states are less and less capable of protecting citizens from potential risks in the sphere of employment, ensuring our pensions and covering health expenses? 'The Emperor's New Clothes'? Perhaps under the impact of globalisation and the belated discovery of the interdependence of economic and financial movements. '9/11' and the financial crisis have accentuated the states' increasing inability to assume responsibility. Henceforth, politicians fall back on topics they think are more within the reach of their speeches and acts. Crime is one of those topics, along with immigration. These phenomena are felt like aggressions coming from the outside world and are often confused in the discourse: the criminal is necessarily someone from somewhere else. Immigrants are first viewed as vectors of organised crime or human trafficking and not as potential economic development or exchanges[83]. The administrative organisational chart of the European Union reflects this prejudice. The immigration question is connected with the sphere in charge of judicial, police and crime-prevention cooperation. It is not surprising that politicians throughout Europe indulge in 'penal populism', playing dangerously with racism and the exclusion of minorities.[84]

81. Beyond politics and the guarantee that the bellicose discourse against crime reassures citizen and politician alike, is there agreement between the socio-economic state of our countries and the sensitivity to crime and demand for more repression? Two authors, Cavadino and Dignan, set forth the hypothesis of a 'penal globalisation' phenomenon, based on the observation that prison sentences are increasing in many countries and that this increase corresponds to development models characterising the social and economic policies of those countries[85]. Starting from indicators such as the neo-liberal nature of economic and social policy, the differences in revenues, state/citizen relations, inclusion/exclusion, political orientations and penal ideology, they group countries into four large categories: the neo-liberal states, exemplified by the US; the corporatist and conservative states such as Germany; the social-democratic states; and finally, the oriental corporatist states (Japan). This classification enables them to note that all the countries coming under the 'neo-liberal' heading have the highest incarceration rates. Registering the fact that many countries have had considerable rises in the

---

[83] Michel Marcus, 'Sécurité et démocratie à l'épreuve de la violence', Council of Europe, 2003

[84] The example of Gipsies is a sad summary of this litany of accusations as to their nature, which 'encourages crime', and the impossibility of integrating them.

[85] Michael Cavadino and James Dignan, *Penal system: a comparative approach*, 2006

prison population (Great Britain saw the number of its prisoners double in less than ten years), the authors conclude that the more a country evolves towards neo-liberalism, the more its prison population swells. Many criticisms can be levelled at the authors as to their definition or methodology. The incarceration rate in the US is so high that it is difficult to put it in the same category with states such as Great Britain, South Africa or Australia[86]. It is obvious that other cultural factors should be mentioned, but as concerns Europe, it is interesting to note that all the countries of the former communist bloc, where ultra-liberal policies were applied so as to quickly put them into positions of competitiveness, soon occupied the front ranks in terms of imprisonment. Poland and Hungary are exemplary in this regard: respectively 222 and 150. Prison indeed serves as a regular outlet of a whole population not taken charge of by a sufficient social network. The question of the social state's validity arises.

This type of analysis reminds us of the penal bloc's strong involvement in the social and economic policies of our countries. It tells us that our duty is to enlarge the circle of our questioning and go beyond, being a matter for professionals, their daily routine giving free rein to the ways of working of which they are the playthings.

Social Issues

82. The link between crime and development signifies that fighting crime and creating safer environments is an investment that is beneficial to all and especially the poorest. It is therefore a priority for public authorities at all levels, including those in charge of criminal justice and urban management, as well as for a wide range of social and economic services. The 'security of individuals and their living environment' is one of the standards on which the UN-Habitat's campaign for urban governance is based, being deemed fundamental for the creation of the 'inclusive city' where everyone, regardless of his or her state of health, gender, age, race or religion, is entitled to participate productively and positively in the possibilities that the city has to offer'[87].

83. The social issue is defined by the lacks and exclusions undergone by persons in relation to the averages of living as defined by national or international standards. The European Commission defines social exclusion as a multidimensional phenomenon that emerges from several types of destitution and the obstacles encountered—most often combined—, which prevent people from participating and fully benefiting from fields such as education, health, the environment, housing, security, culture or access to rights.

All these elements are found in the National Action Plans against poverty and

---

[86] 2005-06: USA: 736; South Africa: 335; England and Wales: 148; Australia: 126

[87] 'The World Campaign for Urban Governance'. UN-Habitat, Nairobi. http://www.unhabitat.org/pmss/getPage.asp?page=bookView&book=1537

social exclusion that were submitted in June 2001 to the European Commission by the member states. The principal risk factors in social exclusion identified therein are:

- long-term unemployment;
- the fact of living with limited resources on a long-term basis;
- the weakness of academic qualifications and leaving the educational system early;
- the fact of living in a vulnerable family;
- disability;
- poor health;
- drug use or alcoholism;
- precarious housing;
- racism

The concentration of these elements is most often encountered in parts of territories that are most frequently present in our cities. The fact of living in these neighbourhoods further reinforces the impact of these exclusionary factors, were it only the absence of services equal to the stakes.

84. The connection between the social question and crime prevention is a complex one, feeding, in particular, the thinking of framers of political policy evaluation. Is the scope of a country's social policy not determining in relation to crime prevention?

If this connection had to be illustrated, the analysis of fear of crime would suffice to show it. Surveys on the feeling of insecurity constantly bring forth the question 'Are we in the process of measuring fear of crime?'[88] 'Fear of crime and the feeling of insecurity are the parallel manifestations of a more general syndrome of insecurity, which can be explained only in light of social changes.'[89] The evaluation policies of prevention actions constantly run up against the interaction of different policies, which was made very clear in the Sherman report.[90]

It is commonly agreed that the countries of Northern Europe represent models

---

[88] Klaus Sessar and Helmut Kury, 'Risk and insecurity as broader concept behind fear of crime and punitiveness', contribution to the European project 'Assessing Deviance, crime and prevention in Europe' (Crimprev), 2009

[89] H. Hirtenlenhner, 'Disorder, social anxieties and fear of crime.' in H. Kury (ed.), *Fear of crime, punitivity*, Bochum Brockmeyer, 2008

[90] 'Simply comparing the return on investment of each crime prevention policy to its alternatives can mask another key issue: the possible interdependency between policies, or the economic and social conditions required for a specific policy to be effective. Crime prevention policies that are not delivered in a program may fail to prevent crime in a community where children grow up with daily gunfire. A chain gang may have little deterrent effect in a community with 75% unemployment a vacuum.' Lawrence W. Sherman, 'Thinking about Crime Prevention', www.ncjrs.gov/works

where the social question is most developed. Assistance policies greatly reduce the risks that a citizen runs in his or her life. Family, health and training policies round and on the occasion of work are strong, and conditions for obtaining assistance are unrestrictive, being considered a right for all inhabitants of those countries. It is probable that this type of model of society, called 'social democratic', leaves little room for the deployment of a crime-prevention policy. These social policies have the scope and flexibility to adapt to situations presenting the greatest risks for individuals, third parties and society. The very characteristic role of the national crime prevention councils, created quite some time ago[91], is revealing of this situation. The essential function of these councils is one of studies, economic forecasting and, above all, teaching and diffusing prevention messages. They advise orientations taken by the criminal justice system; to this function is added another, touching on methodology and the organisation of prevention. Inversely, countries little covered by social policies, such as the USA, have a broader field for crime prevention. Thus, the numerous support programmes for young single mothers in the US, in the circle of crime prevention, are not the object of this spotting in the Nordic countries; or else, actions consisting of taking young people in hand after school, which come under policies of the national education department.[92] 'Tell me what your ordinary policy is for the fringes of the population with particular problems, and I will tell you the importance of your prevention policy.'

85. The parallel between social policy and prevention policy is not without danger. The economic and financial crisis results in decreases in social aids and the raising of thresholds for qualifying for them. It ensues that the population takes a dim view of the efforts deployed for the reintegration of young delinquents, seeing crime as a bonus for benefiting from aid and support in the access to certain services. Similarly, it considers prisons too 'luxurious' (television, showers…); another illustration by Mrs Thatcher's first Home Secretary in 1993 who asserted: 'Prisoners enjoy a level of material comfort that taxpayers have trouble comprehending.'[93] In France, it is difficult to communicate on training programmes for delinquents in the mountains or in foreign countries, enabling them to confront realities other than those of their neighbourhood.

86. Another, more serious consequence stems from the cumbersomeness of the organisation of social policies and, more precisely, the cumbersomeness of the departments providing services and aids. The lack of flexibility and reaction facing particular situations makes dealing with certain social situations difficult. This claim is accentuated by neo-liberal criticism, which views it as a demonstration

---

[91] The National Prevention Council of Sweden, created in 1974, was the first in Europe. http://www.bra.se/extra/pod/?action=pod_show&id=8&module_instance=11

[92] US National Crime Prevention Council http://www.ncpc.org/programs/teens-crime-and-the-community

[93] *The Observer*, 22 August 1993

of the necessity of less state and the need to reduce these services in favour of the private sector. The other peril of this difficulty in communicating with the public is that crime prevention is ignored and sacrificed when budgetary restrictions must be carried out.

87. Over the past few years, this crisis of the welfare state, combined with a dramatic rise in resorting to sanctions to give people a sense of responsibility, has translated into a 'penalisation of social life' movement.

The increase in the number of bills can be observed in all countries: twenty-odd bills for England, and thirty for France in the last ten years. Laws applicable to minors have gone through upheavals throughout Europe, especially by registering a lower age of criminal responsibility. A certain number of legal rules concerning the protection of people's private life have been called into question. In the name of security, exchanges of information about individuals focussing on their private and sex life go beyond the rules established in the framework of social policies. Certain authors place this 'subversion' in the development of a criminalisation of social life.[94] Abnormal daily behaviour of persons is more or less targeted by criminal law, hence a continuous flow of laws whose object is to figure out and govern behaviours. The justification given is the necessity of adapting the laws to new forms of crime. A strengthening of laws can be conceived of for new forms of crime, but the movement applies more to petty and 'average' delinquency than to crime per se and as such seems like the mark of states making citizen supervision an object of government. The action of politicians is reduced to announcing laws and playing with scales of sentencing that are becoming increasingly complex. Repression is the order of the day and is manifested in several ways: the lowering of the age of criminal responsibility[95]; lengthening of sentences[96]; the increase in the number of penal incriminations; the calling into question of criminal irresponsibility in case of madness; the calling into question of judges' responsibility[97]; and the application of exceptional measures to common law.[98] Since 2002, France has had 30 reforms in criminal procedure and 40 in criminal law!

Social life finds itself attacked by a perversion linked to the administration system based on the non-enforcement of laws. Thus, that translates by changes in the

---

[94] Denis Salas, *La volonté de punir, essai sur le populisme pénal*, Hachette Pluriel, 01/2008

[95] CE report of October 2008 by the rapporteur on human rights concerning Great Britain, remonstrating on juvenile justice and the age of criminal responsibility, encouraging the English to adopt a threshold of 14-15 years, the European average.

[96] Establishment of the precaution period for persons guilty of sexual abuse, permitting administrative sentence prolongation. This only shows the obvious lack of treatment in prison.

[97] Sanction given to a Spanish judge, Juana Gálvez, for not having incarcerated the presumed killer of a child, 20 October 2008; in France, judges have been repeated called to order subsequent to releases of prisoners.

[98] Development of files, prolongation of police custody time limits for acts of destruction committed on the occasion of collective violence.

appellation of social actions into so-called security and prevention actions, the motive being that it is easier to obtain subsidies under this appellation. Numerous actions concerning immigrant populations are financed by 'security' budgets, this also leading to role confusions amongst social workers most of whom reckon they were not hired for crime prevention but social prevention. The increase in the number of ethics charters indicates that, in the midst of these confusions, local players are seeking to define new rules.

88. Rare are the decriminalisation processes. This movement was current in the 1970s when decriminalisation was strong, particularly regarding morals or in 'mass' litigations. As a current exception, mention must be made of the example of Portugal where the change in strategy concerning drugs whose beneficial effects are hailed by the entire scientific community[99] has made the logic of fundamental, and in particular, social rights prevail over the criminal logic stemming from international conventions on narcotics. By decriminalising drug use in 2001, social law overrides criminal law, through the notion of 'the user's social and health protection'.

89. Outside of Europe, the question of the coexistence of social policy and crime prevention is raised just as much, but not in the same terms, owing to the little structuring of a public policy or a choice of organisation by the state. Thus, as Robert Castel reminds us, 'the social state formed itself at the intersection of the market and labour. The stronger it was, the stronger the dynamics that it regulated: economic growth and the structuring of the employees' condition. If the economy re-autonomises itself and the employees' condition crumbles, the social state loses its integrating power'[100]. For a certain number of countries, the construction of this trio came about more belatedly or even has never occurred. The market alone exists everywhere with states searching for their role. Social issues belong to non-institutional players and international organisations. Thus, in the countries freed from the communist regime, the role of associations, foundations and NGOs is extremely important in the spheres of health and family aid. These organisms work with state bureaucracies, but the strategic plans and management of these policies remains insufficient, were it owing only to the lack of civil servants. The problem of coordination arises, along with the problem of mid- and long-term objectives.

Latin America is often in this kind of situation: the social question is delegated to NGOs most of whose financing is provided by international backers, which makes efforts at coordination between structures of the public authorities difficult, as well as between the NGOs themselves. Many efforts are made to attempt

[99] Glenn Greenswald, Drug decriminalization in Portugal, Cato Institute, Washington, April 2009
M.L. Cesoni, 'L'incrimination de l'usage de stupéfiants dans sept législations européennes', Groupement de recherches Psychotropes, politique et société, Paris, no. 4, 2000

[100] Robert Castel, Métamorphoses de la question sociale, Ed. Fayard, 1995

lasting coordination. In addition, many of these NGOs have no direct objective touching on crime prevention and can rightly claim to belong to governances that are more social. The issue is changing under the impact of the expansion of the drug traffic, as well as the appearance of youth gangs. Specific structures are then created with the difficulty of finding specific financing. The economic crisis that is going to strike Latin America this year, after six years of growth, leads to fears of a considerable increase in poor workers (earning less than two dollars a day), and women and children will be the first victims of this crisis[101]. Particularly to be feared is the growth of pandillas (nearly 80,000 people), which are also organised forms of survival for abandoned young people, in addition to their criminal activities.

90. It would be a mistake to think that the improvement in living standards and social conditions would suffice to bring down crime rates. If that were the case, European countries would have very low crime rates. Inversely, poverty does not automatically engender a rise in crime; other cultural, community and social factors intervene to act on this correlation. Thus, the high number of homicides in certain Latin American countries stems in part from the urban guerrilla wars of the 1970s-80s. The cultural problem is just as important in the crime problem: 'Crime is not a tumour or an epidemic but a painful interpersonal or community problem—a close, daily, quasi-domestic reality, a community problem that no one in the community can resolve. A social problem, which, when all is said and done, calls for diagnosis and treatment.'[102]

The question of individual and collective values arises in the recourse to crime in order to survive in poverty. One too often forgets this dimension in the analysis of poverty. The respect of one's body is, for example, one of those important qualities in a young person capable of turning him or her away from drugs or prostitution. Antanas Mockus, mayor of Bogotá in the mid-Nineties, successfully launched strong actions touching the culture of the law and the development of civic responsibility. Nicaragua achieved a strong decrease in the number of *pandillas* and *maras* by developing dialogues between the police and young people, establishing partnership policies resorting to the arts and culture, and offering opportunities for training and jobs. Even so, it is necessary to have aid actions, making use of all these factors. The search for respect is a theme we continually encounter in all the phenomena of youth gangs. Thanks to the group and its strength through violence, the young person hopes to see himself respected by the Other and be recognised. Between poverty, social policies and crime, the margin for carrying out efficient actions is narrow but it does exist.

'Prevention and security policies are incapable of preventing the devastating

---

[101] http://www.undp.org/french/economic_crisis/overview.shtml

[102] García-Pablos de Molinas, Tratado de criminología. Tirant Lo Blanch, Valencia, 2003

effects of socio-economic conditions weighing on certain social groups or certain urban areas. Those policies must not serve to mask the absence of social and economic policies or, worse, the accumulation of segregative decisions and practises.'[103] The absence of social policy, or its dismantling by laws of the market, considerably reduces the capacities of a prevention policy, but its affirmation is necessary.

STORM WARNINGS

The Traceability of Man

91. Chicago authorities[104] have just begun a study of 10,000 students aimed at spotting those likely to be victims of fatal violence. Five hundred cases of fatal violence were studied, bringing to the fore that the victims are Black men, having numerous days of truancy and warnings at school, and living in destructured families. The study's goal is to provide means of defence to potential victims, in particular by giving them a police phone number. This example illustrates a tendency to set up processes allowing for spotting persons likely to be delinquents or victims, with the objective of focusing prevention actions on them. In addition, the detection of certain factors leading to deviant behaviour or to becoming a victim can be undertaken—relatively early in certain cases—in the life of these people. Violent behaviour is detectable quite early on in certain children and can be reduced by personalised support. Even then it is necessary to determine the nature and number of these violence-generating factors or symptoms allowing for detecting a predisposition to behaviour dangerous for others. The World Health Organisation has looked into these problems of violence and transposed its methods, elaborated in the public health sector, to that of violence prevention[105]. It has built an ecological model of violence helping to understand the causes and effects of interpersonal violence and promoted a multi-sectorial approach to health public; but it affirms that this strategy must remain distinct from a crime prevention strategy.

92. What the WHO did not foresee is that the players participating in its strategy are, for the most part, involved in crime prevention strategies (housing, police, social action...). In the field, this leads to confusions and vigorous refusals to apply 'early' intervention techniques. In addition to the socio-economic factors are psychologising factors. The presence of the 'penal bloc' in these alliances gives little assurance to the social sector of a predominance of the health and social logic. This debate also concerns the evolution of our societies, in particular under

---

[103] P. Robert in Robert's book

[104] New York Times, 2009,
http://www.nytimes.com/2009/10/07/us/07chicago.html?pagewanted=1&tntemail0=y&_r=1&emc=tnt

[105] 'Preventing Violence', a guide to implementing the recommendations of the world report on violence and Health, WHO, Geneva, 2004

the impact of the insurance logic, which increasingly governs social life and is symbolised by the principle of precaution. The notion of 'public at risk' concentrates all the debates.

The reign of the law of series, nurtured by numerous actuarial studies consisting of accumulating the risk factors of unexpected appearance concerning situations covered by insurance, allows for spotting persons at risk and eliminating them from insurance systems or increasing their financial contribution. This system breaks formal equality between persons, with reimbursement of care being increasingly dependent on risk factors. This managerial logic has penetrated all areas of social life under diverse appellations and finds a way to apply in the sphere of crime. Starting from factors determined by international doctrine and taken up by large international organs like WHO, efforts can be concentrated on population categories, but there is considerable danger of blindly transposing analyses that depend closely on social, cultural and economic conditions. The fact of keeping a child in a single-parent household takes on a possibly negative sense only when combined with other socio-economic factors. In the study carried out by the Chicago authorities, the fact that victims belong to destructured families or are on the verge of dropping out of school can also be found in the profile of perpetrators of aggressions.

93. Behind this managerial orientation of public policy, the question arises of recording personal data, which allows for the development of the system. The claim to intervene before the offence requires putting together databases, many elements of which already exist in developed countries. The identification of persons who are the object of prevention measures is predominantly linked to a request for social services. To be entitled to a particular service, a social investigation is often begun, allowing for collecting data on one's private life. To this first circle of population is added a population that the social services spot, specifically based on behaviour or situations that can be translated as abnormal behaviour. The 'profiling' of these population categories has consequences on the nature of their rights and services. This profiling is also coupled with the cartography of crime applied to the city, drawing up a list of acts committed as well as, increasingly often, the domiciles of the perpetrators.[106] In the US and UK, there are numerous Internet sites that put the addresses of 'sexual predators' online. The paradox is that to be able to target fringe groups and minorities, a file on the entire population is necessary. Six million people in Germany, nearly ten million in England, 14 million in France and 25 million in the US are the object of varied files permitting cross-checking.

94. The recourse to genetic analyses is spreading massively. Originally intended for

---

[106] An example of this is given for the city of Rotterdam by René van Swaaningen: 'Sweeping the street: civil society and community safety in Rotterdam' in *Justice, Community and Civil Society*, J. Shapland (ed.), Willan Publishing, 2008

sexual offences, DNA is now used for many other infractions. 'The DNA databases were built initially to deal with violent sexual crimes and homicides,' stated Harry Levine[107] in the New York Times. 'Over time more and more crimes of decreasing severity have been added to the database. Cops and prosecutors like it because it gives everybody more information and creates a new suspect pool.'[108] There is nothing objective about these databases in their piecing-together operation. A report of the House of Commons showed that 42% of Black men have their genetic profile on record as opposed to only 6% of Whites. Does this discrimination reflect the functioning of the criminal justice system or the reality of crime? In fact, it has been noticed, for example, that members of sexual offenders' families also go into the DNA databases.

The supervisory organs of the computer-processing of personal data admit that it is impossible to check these files. Users of these files are increasingly numerous, not counting those who feed them. Are we becoming a society of genetic surveillance (to parody Michel Foucaut's expression)?

Under the impact of '9/11', the notion of risk has taken on a singular turn,[109] and risk-reduction strategies have been called into question. Thus, in the sphere of drugs, what predominates is a discourse of head-on war waged by 'czars'. Is it possible to construct policies reinforcing social cohesion with prevention tools that divide, isolate and pre-condemn people?

Without Risk-Taking

95. Former American Defence Secretary Donald Rumsfeld advocated a doctrine of immediate action against all risk, even those not yet known, thereby introducing the future into the present. He made present the future consequences of an eventuality that may or may not occur, totally indifferent to any calculation of probability. The precaution principle is acquainted with the boundaries of the action of public authorities and imposes an obligation on them to prevent serious, irreversible damage in the areas of the environment and public health. The triggering of this principle relies on scientific knowledge and the advice of experts, underscoring a lack of knowledge or inadequacy. Rumsfeld sweeps away all expertise and knowledge: for him, a 1% risk is enough to warrant taking action. Terrorism and security are domains of exercise of this anti-intellectual refusal of the knowledge of risk; people are judged in terms of what they might do[110], and uncertainty becomes the motive for action. This governance of uncertainty implies a fearsome concentration of means on certain individuals. Up until now,

---

[107] Professor of sociology at City University of New York

[108] New York Times 18 April 2009, http://www.nytimes.com/2009/04/19/us/19DNA.html?_r=1&th&emc=th

[109] Corey Robin, Fear: The History of a Political Idea, Oxford University Press

[110] Adam Crawford 'Governing perceptions of crime and insecurity in the age of uncertainty' in *Deviance, crime and prevention in a punitive age*, a seminar hosted by ICCR at the open university, June 2009

uncertainty was conveyed by the fact that prevention actions kept a range and an imprecision in their targeting. Now, uncertainty is targeted, and increasingly, fringe populations must be targeted in the name of preventive suspicion[111]. Power (quoted by Crawford)[112] states that we have gone from a period of risk-management to a governance of uncertainty, but this does not signify the replacement of one system by another! One of the effects of this evolution is found in politicians' speeches, perfectly illustrated by former Prime Minister Tony Blair. Questioned as to his motivations for starting the war in Iraq on mere information, he replied: 'Here is the intelligence. Here is the advice. Do you ignore it? But, of course intelligence is precisely that: intelligence. It is not hard fact. It has limitations. But in making that judgement, would you prefer us to act, even if it turns out to be wrong? Or not to act and hope it's OK? And suppose we don't act, and the intelligence turns out to be right. How forgiving will people be?'[113] This theory of 'but if' is devastating; European politicians get themselves elected on the theme of security and this same discourse: 'Imagine had I not acted… Had I not made this law...' Would that the prevention process benefit from the same boldness! Thus it is, in recent years, that European governments are experiencing intense legislative activity in the name of domestic and international security. The annihilation of risk kills pardon, the inherent risk-taking in all human relations.

This tracking of uncertainty carries over into international relations and particularly in world policy of controlling migratory flows. This policy has definitively gone under the control of interior ministries from that of development ministries. This leads rich countries to increasingly impose on migratory countries control policies of their population. A law-and-order ascendancy has seen the day in all countries, and this all the more so in that the question of organised crime is one of the other storm warnings on our prevention policies, being increasingly linked to migratory policies.

GPS[114] of Violence

96. The violence that seems to be submerging a certain number of countries, and the durability of organised crime in countries having gone through civil policies are grounds for being fearful as to the continuity of prevention policies. The homicide rate in Latin America and Africa is perplexing regarding the capacity of those countries to find a territorial unity, one of population—in short, their capacity to develop policies of 'living together'. Even though cities are experiencing spectacular improvements (e.g., Medellín and Bogotá[115]), the questions that arise call

---

[111] Follow the debate in many countries on the nature of sentences to inflict on sex offenders.

[112] M. Power, Organized Uncertainty: *Designing a World of Risk Management*, Oxford University Press, 2007

[113] htpp://news.bbc.co.uk/1/hi/uk/4443386.stm, quoted by Crawford

[114] Global Positioning System

[115] ICPC 'International Report on Crime Prevention and Community Safety: Trends and Perspectives', 2008

into question the internal balances of those societies and the future of their police and justice apparatuses, facing up to massive problems of corruption. How to develop policies of access to law, education and legality, of respect for the law when, from generation to generation, the only law that counted was that of the street, the gang, the Mafia? How can social policies stand up to the ascendancy of the drug networks? Rare are the struggles within a country that are not accompanied by solid connections with drugs for financing arms, the frameworks of movements; how can one imagine that, in case of victory, these ties be broken?

It is in the Taliban-controlled zone of Afghanistan that heroin production (80% of world's production) is concentrated. There is a drug geography but it is one made up of multitudes of enclaves 'under the influence'.

Africa offers the case of a non-producing continent but is a place of transit and, increasingly, consumption. 'Finally, Western Africa countries are perceived as having a permissive working environment for drug traffickers due to widespread corruption and poor law-enforcement structure. Many countries in the region face difficulties in controlling their territory, to administering justice and are plagued by corruption. The case of Guinea-Bissau provides examples of the consequences of the difficulties for weak states to enforce the law. In September 2006, the authorities of Guinea-Bissau seized 670 kg of cocaine. Two Latin American persons were arrested but soon after freed, while the drug consignment disappeared, and the case was filed. It was only in early September 2007 that investigations resumed into the alleged involvement of several high-level officials of the Government of the former Prime Minister in the disappearance of the drug. In April 2007, the police in Guinea-Bissau seized another consignment of 635 kg, but the traffickers escaped with the remainder of the consignment, believed to total around 2.5 mt of cocaine (which had been flown into a military airstrip) because police did not have the manpower or vehicles to give chase.'[116]'In 2005, confiscations of cocaine reported by African countries represented only 0.3% of seizures round the world totalling 756 tonnes. This tiny percentage was probably more representative of the weaknesses of African drug-control agencies in effectively fighting against the cocaine traffic on their territory than the real extent of the phenomenon.'

97. As the 2009 UNODC report[117] acknowledges, most of the means allocated by the states go to the fight against the drug supply: 'Countries are frequently criticised for failing to hold up their end in cooperative supply control efforts, but rarely is a nation taken to task for doing too little in prevention and treatment. Partly as a result, in most countries, far more resources have been assigned to supply-reduction than to demand-reduction.' An American study shows that total spending

[116] 'Cocaine Trafficking in Western Africa: Situation Report', UNODC, October 2007 http://www.unodc.org/pdf/dfa/Cocaine-trafficking-Africa-en.pdf

[117] World Drug Report 2009 UNODC, http://viewer.zmags.com/publication/a8a299fc#/a8a299fc/178

on drugs, alcohol and tobacco was close to 357 billion dollars, supported by the cities, states and national levels, and that of this amount only 2% of the budgets was assigned to prevention![118] Moreover, the balanced approach that should be the rule in policies is not to be found in the International Convention linking states. Perhaps it would be urgent to undertake a campaign to have the Convention changed on this point.

The debate between those who would like to 'legalise' drug use to put an end to its harmful effects, especially as concerns corruption, and the upholders of a line of maintaining prohibition, often overlooks this preventive aspect that is necessary regardless of the solution chosen. A noteworthy Australian study[119], supported by figures, reminds us of the important role that drug consumption plays in the commission of offences and crimes. More than half the perpetrators of burglaries are heroine users! Drugs are still the most decisive factor in crime.

And getting out of the crisis is further obscured by the underlying drop in the price of drugs sold in our streets. From the index of 100 in 2000, the price of ecstasy has dropped to 50, cocaine to 60, and heroine to 80 on the European market. The estimated amount of this market is between, 160 and 200 billion Euros![120]

Are our prevention policies adapted for facing up to this problem?

98. Increasingly linked to this phenomenon are the development of gangs and their recourse to violence generated by drug trafficking. Although observers concur in describing gang violence as essentially provoked by the search for respect and preservation of a territory, trafficking engenders blind violence. Arrests, prison stays and death are increasingly accepted by the young people in these gangs. Their territory has changed and, for some of them, has become international: the Maras of El Salvador are also in Barcelona and Madrid. Estimated at 80,000 individuals, these gangs, having left Honduras, Guatemala and El Salvador for the USA, then sent back to their countries, are the object of dialogues between governments, the tone being rather repressive. But, so far, the zero tolerance and 'Mano dura' policies have been a failure.[121] The city of Barcelona has set up an authority for dialogue with the Maras and achieved a certain success in integrating them into programmes helping find employment or training.

This phenomenon of gangs and organised gatherings of young people is spreading across Europe. It seems to express a search for bonds and solidarity that social or family structures no longer offer.

---

[118] National Center on Addiction and Substance Abuse, Columbia University, 2009, http://www.casacolumbia. org/templates/Home.aspx?articleid=287&zoneid=32

[119] Australian Institute of Criminology, 'Drug use monitoring in Australia'. The study was carried out amongst prisoners.

[120] 'Final Evaluation of the Drugs Action Plan 2005-2008', European Commission {COM(2008)567}

[121] UN Report, January 2009

From the analysis of these phenomena, organised crime, trafficking, gangs and collective violence, several remarks should alert.

99. The first is based on the observation that domestic security is merging with external security. That is translated by an alignment of the former with the latter and a 'militarisation of responses'. Under the combined effect of the increase in military interventions under the UN or some other flag, the recourse to increasingly sophisticated materials invented by the militaries, and governments' very 'head-on' conception in their 'fight against crime' that presides over the world of reason, a militarisation of thought and action is spreading. This process always proceeds by publicly designating a threatening adversary. A mobilisation is always decreed, and victory bulletins issued. 'Delinquents are henceforth less often represented in the official discourse as socially-deprived citizens who need support. One prefers to depict them as guilty individuals, without merit and dangerous.'[122] Is this how we treat our fellow citizens, even were they involved in criminal careers? This is the price for mobilising electors.

The nature of actions undertaken is also military in character. Re-establishing or maintaining order denotes military and not civilian operations. In Europe, the authorities often speak about winning back neighbourhoods, the latter being represented as lawless areas, implying that the law of criminals holds sway. Following the 2007 urban riots in France, the police, called 'forces of order', were equipped with drones[123] to fly over the neighbourhoods; international seminars were organised between police forces to draw lessons from the way French paratroopers had maintained order in Algiers in 1960. This work doctrine also presided over UN reconstruction operations, whose programmes never include the 'crime prevention' section.[124] It is at work in the Mexican favelas and streets. The world is deconstructing and reconstructing itself on a model resulting from military reflexes as well as under the sign of crisis and urgency.

100. Governments give the impression of lurching from crisis to crisis, and the tools, as conceptual as intervention, belong to the world of urgency and therefore temporary by nature. 'Governments, struggling to confront the current storms, go from one series of emergency measures to another, from one ad hoc crisis-management campaign to another.'[125] These operations increasingly mix civilian and military means. Urgency is antinomical of prevention, which is naturally lasting.

101. The second questioning on the treatment that we reserve for this violence is the tendency to divide up our responses depending on the type of crime manifested.

---

[122] David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society*, Oxford University Press, 2001

[123] Remote-controlled flying machine, equipped with cameras

[124] Exception for Serbia

[125] Zygmunt Bauman, *Le présent liquide, peurs sociales et obsession sécuritaire*, Ed. Seuil, 2007

Our criminal justice systems' pursuit agencies have become specialised according to the types of crime, and the 'noble' parts of our systems are, of course, reserved for the professional elites. These breaks lead to losses of information within systems, compromising their effectiveness and, above all, leading to a partial view of the phenomena, which is quite detrimental to effectiveness.

There are more and more plans for everything, strategies for all types of crime, but less and less of an overall, integrated approach. The effect of hierarchies between crimes is to treat the local level—the street or neighbourhoods—as reserved for what is disdainfully called 'daily' crime. Thus we lose sight of the fact that trafficking in human beings or terrorism have, certainly, an international dimension but are also local problems and that this echelon is in a position to make its contribution to solving the problem. The fact that young men living in our neighbourhoods and communities blow themselves up with a bomb should make us question our communities' capacity to generate a radicalisation of violence.[126] We can apply this questioning to many criminal acts.

102. The storm zone or trouble spot is the result of the objectives of public policies and particularly those of prevention. Barring the limiting of the notion of prevention to an immediate group of acts preventing taking action, the other prevention spheres place 'bets' on individuals and the possibility of their becoming aware of the malice of their behaviour jeopardising social cohesion, in relation to the confidence binding citizens to one another. Can this awareness, the possibility of amendment and of non-reoffending exist without reference to morals and the values on which our societies are founded? The question is often asked by field players; comparing the profits from drug-trafficking and the modest amounts of social aid, the conclusion encourages an ambient pessimism: What can be done? This attitude neglects the people concerned and their conception of morals and dignity. As a social worker from Rio de Janeiro said: 'Must you despise them totally to no longer perceive their humanity, their sensibility, their search for good?' Gangs are motivated by a frantic, mortal quest for respect. Since we can't be respected individually, let's be respected as a group; let's impose this respect by force and violence. In violence, it is necessary to remain reasonable and always look for the Why of this violence. Several causes have been isolated.[127] Thus, going underground (ETA or IRA) leads to isolation and a pressure inferred from the feeling of being tracked, which is formidable as regards violence. The multiple, accumulated humiliations to which sexual or ethnic minorities are subjected can result in extreme actions if the social system offers no compensation; the permanent situation of inequality can find compensation in dealing with collective violence, which is flaunted thanks to the media—such is the case with hooligans. The group in itself is a potential 'incubator' of violence combined with assertions of virility.

---

[126] Frédéric Esposito, *Cities Against Terrorism*, Ed. Forum, 2007

[127] 'Deviance, Crime and Prevention in a Punitive Age', ICCR Open University, June 2009

Fear

103. Fear is omnipresent. Is it the counterpoint to the weakening of our nations? Where does this decline come from? Two factors are mentioned most frequently: the first, and doubtless more important, is the environmental factor. Perceiving that the world could end sooner than we would have imagined fifty years ago shakes up our certitudes. The failure of governments confronted with catastrophes such as the floods in Mumbai or New Orleans revealed a lack of foresight and a state of unpreparedness that make us fear the worst for what we are being promised as a result of climatic warming.

   The second example of this lessening of the state is the governance of the world economy and particularly finance. The state's bailing out of the banks gives the impression that the game can resume again up until the next, more serious crisis. Despite the large differences existing between the development of states and the solidity of their assets, they all appear subject to the same questionings. The shocks represented by terrorism, and the multiplication of conflicts within countries (and no longer *between* countries) heighten the citizens' loss of confidence in their leaders' ability to address their fears. Tim Hope clearly showed that the more the English government talked about security and passed laws, the more the feeling of insecurity continued to climb, with a subsequent decline in the confidence of British citizens in their government's capacities. The International Crime Survey shows a singular inversion in the feeling of confidence in the authorities and the fear felt; it is the countries with average crime rates that have experienced the greatest collapse in confidence.

   But to these fears before world events, other fears, including those of crime, are cynically built up to win people over to shaky policies. Corey Robin[128] showed how fear has always been a political principle of government and always served to mobilise the peoples' energies. But he also shows how much fear characterises not only totalitarian states but also infiltrates our democratic states and that the law and judicial arsenal can be turned round to feed this fear.

104. In what way might we be in a regime of fear? Everyone would be afraid, but one feels fear only if facing a repressive power, dark forces that oppose liberation of one's life forces. Government by crime is more a government of anxiety. We have come out of an era when we fought for convictions, commitments and liberation of the body and mind. Although some of us remained passive, it was obstacles and fear that prevented from acting; to fight meant calling into question one's social future, family and job, taking risks. But the person's convictions have become doubtful, and the agents of social order have disappeared; fear has turned into anxiety. Where there had been presence, there is now absence; where there had been fear of 'tomorrow', there is only anxiety. In France, this change is revealed in the debate on identity.

---

[128] *Fear,the History of a Political Idea*.

The most urgent political question has become that of belonging and exclusion, no longer one of equality or the dividing up of power. It is a matter of knowing on which side of the boundary I am, knowing who is on the same side and the others regarding the boundaries that divide our mental, political space and policy. In the post-cold-war world, the most significant differences between individuals are not ideological, political or economic but cultural. Yet, given that individuals are not sure of what they are, they need to know it in relation to others and what one is not. Anxiety as to boundaries pushes states to step up efforts to protect them. Policy tries to respond to this need for identity by defining the individual in relation to the nation or to other forms of cultural grouping, including religion. Withdrawal into the family, community or village is experienced as a return to basics or one's roots, a return to a past when positive identity values existed and civil society knew only dialogues and conversations between people concerned with an immediate good.[129]

Faced with what can be analysed as a numbness or dullness, some liberals, dissatisfied with the effects of the triumph of capitalism and the market, and with the era of consumption, wanted to give new life to a combatant liberalism. It is necessary to bring back fear, the sole irrefutable argument for any policy aimed at preventing it. The notions of good and right are the object of endless controversies; fear and terror put an end to all contestation. It is easier to diagnose illness than health; 'we are defending our honour and protecting our health. Illness and humiliation imply an offensive attitude. It is easier to identify offensive situations than defensive situations, for the former are based on an obvious contrast between the aggressor and the aggressed, whereas in the latter, there is not always an identifiable aggressor.'[130] Solidarity with victims of cruelty is sought, less out of reflection or philosophical argument than in the capacity of the imagination to view persons who are totally foreign as brothers in suffering. 'Are you suffering?' becomes the question brought by policy that transforms victims into a herald of compassion and constantly renascent action of the 'Never again'. 'In the 20th century, the idea of human universality is based less on hope than on fear; less on an optimistic faith in Man's aptitude for good over the fear aroused by his aptitude for evil; less on a vision of Man as a player of his history than a being who remains a wolf for his fellow creatures. The steps that led to this new internationalism are called Armenia, Verdun, the Russian front, Auschwitz, Vietnam, Cambodia, Lebanon,

---

[129] The World Bank defines civil society as 'the web of associations, social norms and practices that comprise activities of a society as separate from its state and market institutions. A "healthy", powerful civil society requires institutions with strong intellectual, material and organisational bases, reflecting social diversity. It also requires an open, constructive interaction between the civil society organisations (CSOs) and the state and market sectors. Civil society includes religious organisations, foundations, guilds, professional associations, labour unions, academic institutions, media, pressure groups and political parties.' Glossary of key terms in social analysis. http://web.worldbank.org

[130] Avishai Margalit, *The Decent Society*, Cambridge, Harvard University Press, 1996, p. 5 quoted by Corey Robin.

Rwanda and Bosnia. Men, women and children, civilians or soldiers: this century of total wars has made victims of us all.'[131]

105. The victim is the cornerstone of our discourses on security; it is also the one that structures our prevention policies and the discourse of politicians. But this is not only the person as victim who is invoked but also his identity; our identities as children, women and men are victims of attacks of annihilation by threat of the Other. The Other has become the great figure of menace and anxiety. Our politicians endeavour to respond to it under the eye of the media, which report the pain of the loss of identity of one towards the whole human community. The 'Rumsfeld' system of constant fear-creation has its ideological roots in this hardline liberalism. Is it surprising that a large number of security and prevention policies advance the threat to our values from organised crime, in the same way that terrorism threatens our democratic values?

Might the common denominator of our governments be the anxiety born of crime? Might anxiety have become the centrality of our public policies? Might crime and insecurity have priority over the other areas of public policies, social issues and freedoms? Our citizenship would no longer only be the product of a history that instituted civil citizenship but then political and finally social. 'Government by crime'[132] would be the birth of another citizenship as yet unspeakable, a citizenship that would accept the prospering of that intercontinental archipelago of places of detention.

THE BLACK HOLE

106. The Black Hole is quite obviously prison. Imprisonment remains the cornerstone for settling conflicts in our societies and is developing to such a degree that one may wonder whether the British Home Secretary has not won. Might prison have a usefulness for stamping out crime? If so, what purpose would prevention serve?

Let us quote the imprisonment figures of only the countries seated round the table of the International Centre for the Prevention of Crime. Between 1992 and 2008, the growth rates of their prison populations were between 30 and 85%. Not one of the countries examined saw any decrease; only Hungary, with a high incarceration rate had no increase.[133] Nearly 650,000 people are released from American prisons every year; approximately as many from local prisons. According to figures from the Bureau of Justice Statistics, nearly 50% reoffend within three years. The United States spends more than $50 billion a year for its prison system. The general feeling is that, beyond the figures, everyone feels that it is not working and that the road taken is the source of perils.

---

[131] Michael Ignatieff, *The Warrior's Honor: Ethnic War and the Modern Conscience*, New York, H. Holt, 1997

[132] J. Simon, *Governing Through Crime,* Oxford, Oxford University Press, 2007

[133] King's College London, http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief

107. The story in Finland offers reason to hope. That country has succeeded in achieving a continual decline in its prison population whereas it had been one of the highest in Europe in the 1980s (120); its current rate is 67. The priority was set by defining 'the clogging of prisons as a problem that had to be settled and can be.'[134] This awareness led to conducting a 'reductionist' policy for twenty years, via three large types of reform aimed at reshaping 'the structure of the penal system and substitution solutions in determining the sentence'; changing 'the penal value and level of punishments in certain categories of offence'; and modifying 'the execution of prison sentences and the regime of conditional release'. 'The most decisive element underlying all these changes is probably the common political will to reduce the incarceration rate', 'shared by civil servants, judges and prison authorities, and—equally important—by politicians, at least to the degree that they did not oppose proposals for reform that the functionaries of the justice ministry were setting up.'

The execution of prison sentences has changed considerably in numerous countries; the sentence fits more closely into a reintegration process of the person in the community. Thus, it would be interesting to cross figures concerning prisoners in semi-freedom. The sentencing system has also improved, and prevention of reoffending has become an integral part of prevention policies. Behind the figures, there is a reality that is difficult to render. These are all motivations and reasons for resisting the prison temptation.

108. The other story is yet to be written. It will take place in Asia, a terra incognita as regards prevention. Over the same period under consideration (1992-2008), China remained singularly stable, and India maintained a very low incarceration rate (currently 33). So what is going on? What are they doing? Do the values on which those societies are based provide an explanation? Are they then engaging in prevention?

What is increasingly bringing us together and what makes sense in the globalisation process is the sharing of the idea that our development must not mortgage the development of future generations. Since the Brundtland Report[135], we should take into account this generational tie of 'progress', should that notion still be credible. The actions set in motion are shedding light on the appearance of common 'world' property, the profound nature of which is to not be entirely submissive to the rules of the market for general interest ensures their continuity and their being added in an intergenerational passage. Like water, air and public health, security belongs to this domain. The fields of action concerned are the economy, ecology and social issues, and a certain number of principles of action are born, the best-known being the principle of precaution, its interest being to

---

[134] Tapio Lappi-Seppälä, *Regulating thePrison Population—Experience from a Long-Term Policy in Finland*, Ottawa Conference, 2000

[135] Report of the Prime Minister of Norway, 1987

introduce scientific knowledge into decision-making policy. The other principle is to involve civil society in elaborating decision-making.

109. All social, economic and industrial policies are being reviewed by the standard of durability. This concept is the result of pessimistic observations made on the long- and even medium-term future of our planet and the running of our societies. The awareness that measures having immediate positive effects can have totally negative long-term effects is a novelty for decision-making policy. The responses we currently have for violence and crime have not come under this re-examination that is, however, crucial. Thus, the recourse to imprisonment, satisfying in a short term, generates an increase of social risks in the long term. It is time to place security amongst the long-term stakes and revise our propositions in view of our current deadlocks and failures, of the embedding of insecurity in the mental and institutional landscape. Security must become enduring; the reform of institutions and new measures to be taken must resolutely be inscribed in a positively stable future.

110. How can we know if the measures and policies implemented are going in the direction of sustainable development? Every branch of sustainable development is subjected to this exercise for which indicators backed up by figures are not enough to characterise its success. Thus the UK can boast about its good results backed up by the drop in criminal acts, but with a dizzying rise in the number of prisoners and the lengthening of sentences. Prison not creating any more miracles for reintegration than in France, one may think that the future of the population momentarily imprisoned is going to weigh heavy on the social development of English cities. Hence the necessity of having a qualitative approach to durable security. Thus, it is also important to know how well people are received in a police station, for we now know the quantitative importance of the absence of complaints lodged in our cities.

111. What might be the virtuous circle of security? Acting for the short term necessarily means repressing, forbidding, sanctioning and arresting. Acting for the long term means foreseeing whilst acting on the causes producing harmful behaviours. The repercussions are obviously different in public opinion, but do they really believe that they can win citizen confidence in the state with the short term alone? Logic would have it that one represses at the same time as preventing. That means that repression, by its intensity or definitive character, does not shut the door to the choice of a durable prevention solution. There is a particular repression and a general prevention to implement. The public policy that is beginning to come into being owing to climatic warming illustrates this double aspect: acts of repression in an attempt to reverse a trend that is accelerating—that of global warning—and a multisectorial prevention policy. No one is calling this choice into question so why not apply this outline to insecurity? We deplore the politicians' lack of courage; as easy as it is to feel compassion or pity for the

victim of physical or mental handicaps, so is the discourse pitiless for the criminal offender. In his last book[136], American President Barack Obama opens a door of hope when he confesses to having frequented the world of drugs in his youth; few politicians, except when constrained or forced, show us their hidden face and above all share lessons of life that they have drawn from it. The impact of Obama the man on the cultural approach to crime is still to come.

Prevention falls within the logic of sustainable development, not only through the domain of social action but also through the methodologies of knowledge of insecurity, which we have raised in this travel warrant/waybill. When one sees the geo-spatial consequences of international conventions on drugs or the scope of the status given victims of trafficking in human beings, one easily realises the necessity of thinking the future when we adopt our reduction of insecurity policies.

Prevention is a pillar of sustainable development. It would be a new approach helping to free our minds from the shackles of suffering and prison. It should be the object of our next travel route.

---

[136] Barack Obama, *Dreams from My Father*, 2005

Content

Other content of the congress

Contributions from partners of the Annual International Forum

Programme of the 3rd Annual International Forum

Authors