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One retrospective of Pacific criminology

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Abstract

On the occasion of receiving the Australian and New Zealand Society of Criminology's Distinguished Criminologist Award, John Braithwaite reflects on his time in the field. He defends a public-critical-professional-policy criminology of a more distinctively Pacific character. He canvasses options for the Australian and New Zealand Society of Criminology to continue long-term leadership towards not only an Asian future, but also a Pacific future that can be a path to distinctive contributions from Southwest Pacific criminology to all the social sciences.

Keywords

Asian future, criminology, Pacific

It is a lovely honour, though I feel something of a phony receiving the Australian and New Zealand Society of Criminology's Distinguished Criminologist Award. One reason is that I can think of a good number of more worthy criminologists. Another is that I do not really consider myself a criminologist, rather as an interdisciplinary social scientist. I do not correct people when they describe me so and on questionnaires tick my nearest discipline as criminology. One of the unusual, I would like to think admirable, things about criminology is that it has been so kind to figures who have stood against the tradition in some way. Consider the fond regard British criminologists have toward Stan Cohen or Scandinavian criminologists to Nils Christie. Perhaps it is something about a society of people who take an interest in deviants.

While I do not think it a great idea for criminology to be a discipline, gatherings of folk who study crime are very important. The ANZ Society of Criminology has been a nurturant community of scholarship and fellowship for me, as for so many of us. Robust contestation of ideas does not seem to get in the way of a spirit of fun and sharing yarns. The *Australian & New Zealand Journal of Criminology* is important because this local community is important. That is why I have submitted more articles to this journal than to any other, including some that I consider among my best (among a crop that include

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many other ordinary publications) and some that I much enjoyed writing and that a northern journal would never have published such as my review essay, 'The Mesomorphs Strike Back' in 1987. Almost three decades ago when I first served on an ANU promotions committee, we sat in judgement on a distinguished physicist who was praised because he submitted his best work to the *Australian Journal of Physics* when he might have placed it in more prestigious northern journals. He felt part of his obligation as a leader of the field was to help strengthen the local journal. I wonder if anyone thinks that way on our university promotions committees today. Our research performance systems of valorising citations over the quality of local conversations within our scholarly communities have made it hard for academics to so think.

Communities through one set of eyes

Since I completed my PhD in 1976 I have managed to attend the majority of peak ANZ research meetings for criminologists. The first ones were organised in the late 1970s under the auspices of ANZAAS Congresses. The Australian and New Zealand Association for the Advancement of Science was a splendid institution of the two young colonies, founded in 1888. The idea was that specialist scientific communities were so small that it would be good to bring all scientists together, including social scientists. It was a wonderfully broadening experience for a young scholar to attend them. When ANZAAS ceased running Congresses in 1997, it almost ceased to exist, though it is currently being reinvigorated with a new mission. The Congresses ended because one by one disciplines became big enough to organise their own annual conferences, eroding ANZAAS attendance. Criminology abandoned ANZAAS around 1981.

At that time David Biles filled the gap with annual Criminology Research Conferences at the Australian Institute of Criminology. Because the AIC was an Australian Government body, of course it was natural that this was an Australian conference. Nevertheless, everyone including the AIC was delighted when ANZ embrace was renewed through the ANZSOC conferences that started at the end of the 1980s. For me personally, the New Zealand connection was important, as I had two inspiring New Zealand educated mentors, Paul Wilson (PhD supervisor) and Brent Fisse (major early co-author).

Like Wilson, Fisse and other distinguished criminologists who rose to prominence in the 1970s such as David Brown, Norval Morris hailed from New Zealand, before he followed in the footsteps of John Barry to become the most internationally influential founding figure of Australian criminology. Morris moved from the University of Melbourne to become Dean of the University of Adelaide Law School. Norval was a kindly, principled man with natural gifts of leadership and engagement as a public intellectual. He spent most of his scholarly life at the University of Chicago Law School, for a considerable period as Dean. A number of the best of the generation of criminologists immediately after Morris moved at a young age to the USA, including Duncan Chappell, Graham Newman and Peter Reuter. By the time they were mature criminologists, all of them, including Morris, toyed with returning to Australia or New Zealand. What had changed was that it was no longer necessary to move on a trajectory from New Zealand to Australia to the North Atlantic to be embraced by a critical mass of criminologists.

For more than two decades now, the brain drain has reversed decisively, hugely. Among the great criminologists who have moved from the North Atlantic to Australia and New Zealand in this period are Borge Bakken, Harry Blagg, David Bradley, Simon Bronitt, Julian Buchanan, Kit Carson, Janet Chan, Bill Clifford, Kathleen Daly, Sinclair Dinnen, David Dixon, Benoit Dupont, Jenny Fleming, Dot Goulding, Peter Grabosky, Neil Gunningham, Richard Harding, Mark Israel, Paul Mazzerole, Alison Morris, Brenda Morrison, Stephen Mugford, Justin O'Brien, Pat O'Malley, Ken Polk, John Pratt, Jerry Ratcliffe, Clifford Shearing, Brian Steels, Philip Stenning, Heather Strang, Alison Wakefield, Jennifer Wood and Alison Young. What a list of stellar criminologists this is. And I have doubtless forgotten many. Some came for only a few years; most settled for good or for long periods. This list also includes a number who became distinguished Presidents of ANZSOC and four editors who contributed greatly to improve this journal. In this new era of excellence arriving from the North, there has been much less movement of our brightest and best to the North than we saw in the 1960s and 1970s. For both New Zealand and Australia, the net brain drain has been exceedingly positive.

Regional integration

In the late 20th century I had some conversations with friends in which I floated the abolition of ANZSOC in favour of an Asian and Pacific Association. None warmed to the thought. History has passed this thought by in two ways. First, there is no longer a shortage of ANZ critical mass. Second, the Asian Criminological Society (ACS) was established in 2008 to take the lead in nurturing criminology across the region. The American Society of Criminology (ASC) has been supportive of ACS, as have senior ANZSOC members. Yet we need the simple gesture for regional building of scholarly community of more attendance of senior ANZSOC figures at ACS conferences. Linkage of ANZ criminology to Asia continues to have the weaknesses that made me think the Asia Pacific Society kite was worth flying. There is no long list of distinguished Asian and Pacific criminologists who have emigrated long term to our universities to put alongside the list of North Atlantic imports or even to rival the list of temporary imports from South Africa, such as Monique Marks, George Pavlich, Mark Israel and Clifford Shearing. There are Raymond Choo, Yai-Yin Wan and Janet Chan that I can think of. Yet we probably should count Janet as the first of a number of brilliant products of University of Toronto criminology who emigrated to Australia and New Zealand.

It will help to establish a strong linkage between ANZSOC and ACS. Still I continue to wonder where the Southwest Pacific will fit in. Mark Findlay has a unique place as an ANZSOC member who has also been a leader of criminology in Asia and at the University of the South Pacific. Yet the leading examples of Polynesian, Melanesian and Aboriginal and Torres Strait Islander criminologists have been New Zealand Maori, with smaller numbers of Australian Aboriginal incumbents in academic posts who are contributors to the criminological conversation in our universities. Even then, indigenous criminologists in academic posts such as Juan Tauri are rarer than non-criminologist indigenous scholars who have been influential commentators on the criminal justice system such as Moana Jackson, Mick Brown, Larissa Behrendt, Megan Davis or Mick Dodson. Indigenous doctorates in criminology have been rare in comparison to

cases of indigenous commentators on crime who have doctorates such as Behrendt and Davis. Scholars in Australian universities who have completed path-breaking criminological work on the Pacific such as Sinclair Dinnen and Miranda Forsyth are also not strongly integrated into ANZSOC, perhaps because ANZSOC is so culturally ANZ, with limited numbers of panels on criminology in the Pacific throughout the history of ANZSOC conferences.

So I would like to fly my old 20th-century kite in a way that connects to the 21st-century realities of regional criminology. Could we have an ongoing conversation between the leaderships of ANZSOC and ACS during the next decade on the question of nurturing scholarship on crime in the Southwest Pacific? Before Mark Findlay became a key Pacific player, David Biles and Bill Clifford worked at the AIC to build criminology in Papua New Guinea. Duncan Chappell in his time at the AIC put some work into linkages with Indonesia, including West Papua. One might have expected a lot to have been built on these early foundations by 2012. Not enough has. This is not a matter of grand initiatives but gradual building of interchange. My proposal would be for a dialogue between the new generations of ANZSOC and ACS leaders, perhaps in a few years once ACS is more consolidated, about whether ACS is open to embrace the countries of the South Pacific as part of 'Asia' or whether ANZSOC might consider becoming more than just an ANZ body to include the Pacific. If ANZSOC did become a more pan-Pacific society one day, an interesting question is whether Hawaii would become part of its community. My restorative justice colleagues in Hawaii tell me that they feel cut off from the mainland USA. They sense a lack of mainland interest in learning from Polynesian justice traditions. A more Pacifically-oriented ANZSOC would also be an alternative community of scholarly engagement for them to turn to.

When I think of research of colleagues such as Miranda Forsyth (2009) on the integration of customary law and formal criminal law in Vanuatu, Matthew Allen (forthcoming) in the prisons and villages of the Solomon Islands, Sinclair Dinnen (2001) on Raskol gang surrenders in Papua New Guinea, and his work with Andrew Goldsmith and Abby McLeod on policing in Melanesia (Goldsmith and Dinnen, 2007; McLeod and Dinnen, 2007), Kate Henne's (forthcoming) work on anti-doping enforcement, discrimination against Pacific athletes in rugby league and other sports and connecting these athletes to their cultural roots, I am convinced of the vision of ANZ universities being vital conduits between the wisdom and experience of Pacific justice institutions and global circuits of learning. We need to teach more Pacific law and Pacific criminology and to graduate more Pacific PhDs who will become future leaders of the study of crime in Pacific countries and Pacific universities. But of course we cannot teach more if we do not learn more about the Pacific.

Our location on the fringe of Asia puts us in a good position to study business crime, crime in cyberspace, in that part of the globe where business and the internet are booming in some of the most potentially destabilising ways. Our location on the Pacific rim gives us a different kind of position and a special responsibility in the social sciences to learn from the region of the world with the greatest linguistic and cultural diversity on the globe, the place where many of the smallest and most different cultures from the West are to be found. Almost 1000 of the world's languages and one-sixth of the world's ethnicities are to be found on the island of New Guinea alone. To travel from Australia and New Zealand to the highlands of West Papua is cheap.

When we do, we go on the one hand to a place wracked by violence associated with very modern impacts of mining and internal colonialism; on the other hand it is to travel to a place of rich surviving indigenous justice traditions in one of the last places of the world to experience contact with the West. Sadly, Mark Finnane's (2012) survey of the pre-history and early history of Australian criminology concludes that there was no distinctive Australian criminology, just a pale shadow of northern criminologies, not even much Aboriginal criminology until the 1970s.

Shifting spheres of influence

Starting from Anita Muhl's 1939 University of Melbourne lectures published as *The ABC of Criminology* (Muhl, 1941), and even earlier with the work of the Criminology Society of Victoria (1895), the Criminological Society of South Australia and the Howard Societies for Penal Reform (Finnane, 2012: 159), Australian criminology began with a heavy emphasis on corrections. The first scholars writing in Australia who became globally celebrated in our field, Gordon Hawkins (1976) and Norval Morris (1974) particularly built that reputation with research on prisons, though they did write on other things. Richard Harding (1997), David Biles with David McDonald and others (Biles and McDonald, 1992) and David Brown with George Zdenkowski and others (Zdenkowski and Brown, 1982) were other key leaders who consolidated that focus and excellence early on and John Pratt (2007) and Janet Chan (1992) continue to do so in distinctively influential fashions. Greg Newbold earned a PhD while in a New Zealand prison that led to his becoming a global leader of convict criminology.

Today, it is hard to single out any area as of special strength in Australia and New Zealand. Police research including private policing, juvenile justice including special strengths in feminist work on young women, developmental criminology, restorative justice, crime in cyberspace, critical criminologies, corporate crime, crimes against humanity have all been strong, for example. The Dunedin Longitudinal Study has been a global flagship of psychological and biological criminology. Feminist criminology is a good example of a field that has been one of great strength, and facilitated by the leadership of scholars like Christine Alder and Kathy Daly who, in different ways, moved between North and South. I would say comparative criminology has not been so strong, though one of our greatest criminologists, Peter Grabosky (1977), came to us because he was comparing violence in Sydney to that of a number of other cities scattered across the globe with Ted Gurr. Comparativism for most Australian and New Zealand criminologists, however, has been about comparing Australia or New Zealand to the United States or England. It has not even been greatly interested in comparing Australia to New Zealand! That manifests a degree of colonial cringe as well as blindness to the greater richness of the sea of diversity in which we swim with our neighbours. Much stronger has been boundary-crossing criminology as we see in the work of Sharon Pickering (2010) and others on immigration, and globalisation in the work of scholars such as Mark Findlay (2008).

The interesting case of corporate crime

I don't know how many times Marshall Clinard said to me in the 1980s and 1990s, 'Why is it that of the 10 best scholars in the world on corporate crime, five of them are

Australians?' Brent Fisse was very high on his list, so he might have said Australians or New Zealanders. Ralph Nader once said something similar in the 1980s. Probably he would not say it today and Marshall Clinard would not were he still alive. This is because scholars like Fisse, Andrew Hopkins (who came from a criminological background, working at the AIC, a student of Albert Cohen), Peter Grabosky, and others later like the Melbourne node of Richard Johnstone, Kit Carson, Fiona Haines, Arie Freiberg, Ken Polk and Rob White (now Hobart) mostly moved from a more criminological frame for studying occupational health and safety, tax and environmental protection to a more pluralised regulatory framework in which criminal enforcement was just one of a number of arrows in a regulator's quiver. This is so much so that many readers will have been puzzled by the inclusion of Justin O'Brien (a scholar of financial regulatory enforcement) and Neil Gunningham on the list of great criminologists who have come to Australia from Ireland and England in their cases. Gunningham actually did his higher degree training in the leading criminology programme at Sheffield before moving to the ANU Law School. His *Smart Regulation* with Peter Grabosky (Gunningham and Grabosky, 1998) is something of a highwater mark of a regulatory mix approach to regulatory enforcement scholarship, where criminal law is just one tool in the mix.

I was part of that move as well, so I am by no means an objective observer of the shift. For me, nevertheless, it is a good example of the maxim that good criminology often decentres criminology. The work of the Australian and New Zealand scholars of crimes of occupational health and safety, environment, finance, antitrust, consumer protection, pharmaceuticals, corporate bribery, securities markets and corporate tax evasion has caused major paradigm shifts in these domains of scholarship and is very highly cited. Some criminologists such as Frank Pearce and Steve Tombs (1998) have been critical of it because it decentres criminal enforcement too much. I do not want to take sides on that debate here.

The important point I do want to make is that doing good social science is a better objective than doing good criminology because sometimes thinking too much like a criminologist can cause us to do bad social science. Criminology becomes a break on good analysis when members of the discipline feel that criminal justice institutions are the important things to study in pursuit of objectives that range from reducing rape to reducing environmental destruction. Like regulatory scholars, feminist and developmental criminologists have helped soften the focus on criminal justice institutions by focusing on the family as an institution, for example. So while there is some counterproductive disciplinary myopia in criminology, it is not as bad as the statist myopias of many political scientists or the myopic emphasis on rational choice and markets as global explanations among most economists. Criminology also has its epistemological dogmatists, but most of us are pluralists, embracing ethnographic methods, historical methods, quantitative survey research, randomised controlled trials and analyses of crime statistics as all contributing valuable insights when used thoughtfully as apt tools for answering particular questions.

It is interesting to look back on a professional life during which I have more continuously worked on corporate crime than any other topic and see vividly all the virtues and vices that Loader and Sparks (2010) help us to see in different kinds of criminologies. Professional criminology can give us rigorous theory and empirical methods; policy

science can help solve big problems of humankind; public criminology can make scholars more democratically valuable as they engage in public dialogue with non-experts; critical criminology interrogates the foundations of the other three discourses (and its own – it is reflexively critical) and helps us see the world through new lenses. At the same time, professional criminology can be so excessively committed to its discipline that it games markets and regulatory mechanisms in ways that debase the broader collegiality and excellence of universities (for example, by Americanising their research and publishing in US journals that deliver high citation counts). Policy criminology is very often servile to states that shamelessly exploit penal populism, shun thinking outside the box, demanding research that is ‘realistic’ rather than profound. Public criminologists can be embarrassing in the way they speculate on sensational cases about which the evidence is yet to be sifted. And critical criminologists can be nihilistic, unworldly, cliquish, unwilling to see the virtues of the other three traditions.

Conclusion

Criminology is booming here at our Auckland host universities for the 2012 ANZSOC Conference and broadly across New Zealand and Australia in student enrolments and in funding through other sources, at least compared to its impoverished early decades. Our conversations have improved, partly because they engage more non-criminologists than they used to. The dogmatism of some, theoretically and methodologically, is at bay thanks to the pluralism of the many. Our journal has improved. So has the *British Journal of Criminology*, the European journals, many US journals and now the Asian journals. I fear some of the highest impact US journals have not. Bigness is a danger to criminology. As it becomes more internally obsessed (and more nationally so) it asks narrower questions, using a narrower set of methodologies about a narrow set of institutions. It can become a cross-cultural wasteland. This adds to the pile up of theoretical dead wood. In this context, even being a critical criminologist might suggest that you are not a very critical scholar at all because criminology is such a narrow thing to be critical about.

In Australia and New Zealand, criminology is not so big that it is at risk of becoming pathologically inward looking. That is not to deny some broadening elements we have lost, for example in not having young criminologists attending annual ANZAAS Congresses. ANZ criminologists do move from peering through the policy lens, the critical, professional and public social science lenses as we travel across the pages of our journal and the panels of our conferences. And they tend to resist their confinement to any of those boxes.

So I think we could/should become bigger by embracing more Pacific colleagues and more Pacific topics into our comparative consciousness. Just as Norval Morris headed off long ago from Melbourne (and New Zealand) to bring a different and virtuous sensibility that was criminological (and historical and philosophical) to northern legal scholarship, so another Melbourne immigrant (from Poland) Bronislaw Malinowski (1920) headed from Melbourne to remote Aboriginal Australia and to the Trobriand Islands a century ago to conduct work that was foundational for the new discipline of anthropology, with the publication of *Argonauts of the Western Pacific* (Malinowski, 1922). Sometimes Malinowski is referred to as the father of social anthropology, though

so many of the great anthropologists of the Pacific rim in the early 20th century were women – Margaret Mead, Ruth Benedict and Beatrice Blackwood, for example. Malinowski also coined the term ‘participatory observation’ to describe his fieldwork, a sensibility that continues to influence the ethnographic style of criminology that is so widespread in our scholarly community. My hope for the future of ANZSOC is connected to those regional roots, connected to a Western Pacific contribution to crafting more theoretically rich and theoretically plural social science theory and praxis.

It is a good thing that criminologists are more humble than perhaps economists or philosophers in their ambitions to reshape and dominate social science. I never met a criminologist who thought their discipline the queen of the social sciences! Yet I do think we should be more ambitious about research on crime contributing in a larger way to transforming the social sciences into something of wider scope, richer nuance and deeper rigour than its current dispensation. That was what I was attempting in my recent contribution to this journal on how criminological insight on violence might reframe the way we think about the prevention of war. Northern market economies might learn from Western Pacific gift economies (Mauss, 1990) in the process of Pacific criminologists becoming more ambitious about their special niche in the invigoration of the social sciences. Exchange with New Zealand and Pacific colleagues has been for me a Kula ring¹ that has delivered many gifts from so many mothers and fathers of the study of crime in the Western Pacific and from so many indigenous philosophers of profound *mana*. This economy of ideas has broadened us and I trust the many gifts it has bestowed upon me and us will deepen our gratitude to our Pacific ring.

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Note

1. The Kula Ring (Malinowski, 1920, 1922) linked in reciprocity and life-long personal relationships the peoples of 18 Pacific islands. While it is about enhancing the social prestige of those who give and receive, it is also about cultivating the virtue of modesty among givers and receivers who downplay their gifts and their deservedness to receive gifts. Those who give away the largest gifts most frequently, as opposed to those who accumulate most wealth, secure the highest regional status.

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