

OPPORTUNITIES AND DANGERS OF CAPITALIST CRIMINOLOGY

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“I look upon Philosophy to be one of the most excellent Things in Nature, if used moderately.”

(The Colloquies of Erasmus ([1518] 1878) trans. N. Bailey, Vol 1, The Profane Feast, London: Reeves & Turner, p. 121; this was Erasmus’s most famous work, published while he was at K.U.Leuven).

The boom market in criminology

I have been lucky in my professional life as a criminologist to be surrounded by so many good friends and insightful scholars. Among them are the authors of the fine papers in this volume, whom I thank. I enjoy their company. They typify why I have been so nourished by the community of scholars that is criminology. That is the positive way in which I think of criminology – as a community of interesting people who come together with common research interests on the topic of crime. I do not think of it as a discipline with methods and theories that are distinctive from the rest of the social sciences. Nevertheless, I have found theories I learnt from criminology most useful for understanding business regulation and the prevention of armed conflict.

I will argue here that criminology has been more a force for good than ill in the world. In some ways it deserves the astronomic growth we have seen in our lifetimes. Yet I have deep doubts about its evolution, just as I have about the discipline that gave birth to my abiding interest in criminology – sociology. Doubts about sociology are not the topic of this essay. Yet to understand why criminology has grown so fast in recent decades, while sociology has not, we must see how criminology has been parasitic upon sociology.

One of the greatest things undergraduates can get from a humanities education is what C. Wright Mills called a ‘sociological imagination’ (Mills 1959). A sociological imagination enables students to connect their individual experience to institutions and to their place in history. We learn to re-imagine

our private troubles as public issues shaped within social structures. Note here that the 1970s boom in sociology, in turn, was in part parasitic on the discipline of history (via its appropriation of an historical imagination).

As a first and second year student, I found sociology difficult. In fact, I only scraped through with special permission to move on to second year sociology after an appeal of my grade. It was hard because the reading of classic sociology was so abstract. It became even more abstract with poststructuralist and postmodern critiques of the classics. The criminology courses taught within the sociology curriculum were a more benign environment for acquiring a sociological imagination and an historical imagination than sociological theory classes. Only after those concrete lessons did my sociological imagination motivate deep engagement with the classics and their critiques. I suspect my undergraduate experience was a common one. One of the reasons, then, that criminology has been a force for good is that it has been more successful in cultivating a sociological imagination than sociology itself. In the rich sociological imaginations manifest in this volume, we catch fine glimpses of how and why that promise has been realised by criminologists.

But what was it that attracted generations of young people like me to be (initially) so much more interested in crime than in Marx's transition from feudalism to capitalism to socialism or in Max Weber's protestant ethic and the spirit of capitalism? Ironically, it was capitalism. Markets for the sale of advertising on the mass media motivated journalists to sensationalise crime, to make it salacious, or simply to report it as a ripping yarn. It is these markets that drive the penal populism discussed by Lode Walgrave and Susanne Karstedt in this volume. When certain politicians then grasp the opportunity to harness this penal populism to their political projects, whether we admire or revile these politicians, crime becomes an even more fascinating topic to us. So we vote with our feet in markets for higher education, swelling criminology enrolments. And when we acquire enduring benefits from those classes, like a sociological and historical imagination, or a policy imagination for how to make the world a better place, or a critical imagination, we sometimes move on to higher degrees in criminology.

It seems like a benign story of the evolution of criminology as a major force in the social sciences. But criminology has succumbed to the very capitalist dynamics that gave it birth. First, because penal populism delivered its market power, in the market for higher education enrolments, temptations are rife to sacrifice the development of sociological, policy and critical imaginations on

the altar of the fascinating narrative. Why bother with hard things like statistics and theory when the students are more titillated by a sociology of “nuts, sluts and perverts” (Liazos 1972)? Managerialists motivated by enrolments sadly sometimes find allies among critical theorists when they want to increase market appeal by trimming down statistics requirements, allies among policy criminologists when they trim the teaching of critical criminology. These capitalist market dynamics of dumbing down criminology education are rife.

Regulatory capitalism – more opportunities and dangers

Professional values in criminology could transcend these market dynamics were they not the only intellectual threat to the field. A common error is to think that the period of the rise of criminology as a discipline has been a period of the rise of neoliberalism. I take neoliberalism to be a set of discourses and practices of privatisation and deregulation that increase the sway of markets and hollow out the state. Elsewhere I have argued (building on Jordana and Levi-Faur (2004), Levi-Faur (2004) and Vogel (1996)) that the world we have actually inhabited since the 1970s has not been characterised by neoliberalism, but by regulatory capitalism (Braithwaite 2008: Chapter 1). The dispensation of regulatory capitalism is, yes, the more vibrant markets part of neoliberalism, but coupled with growth in the size and interventionism of the state, a world of regulatory growth rather than deregulation.

Regulatory capitalism describes what has happened in the crime control industry. There has been much privatisation (and responsabilization) – in policing (Shearing and Stenning 1981), prisons (Harding 1997), and in dispute resolution through movements for mediation, restorative justice etc. At the same time state policing budgets and state interventionism, as manifest for example in imprisonment rates, have soared (Christie 1993; Garland 2001).

Regulatory capitalism also describes what has happened in the teaching of criminology. I have already argued that more vibrant market forces in higher education have allowed criminology to prevail over more abstract social science disciplines in competition for students. But universities are not being deregulated. State regulation of universities motivated by the laudable goal of ensuring universities deliver more public value has increased. But so has private regulation by market entrepreneurs of the internet age. They market sales of “Good Universities Guides”, ISI and Google Scholar citation counts, university rankings designed to increase sales of publications like the Times

Higher Education Supplement and the US News and World Report. Regulation by non-business, non-government organizations like professions is another important ingredient of regulatory capitalism. In the regulatory capitalism of Australian higher education, rankist organizations like the Academy of Social Sciences play important roles as servants of the regulatory ambitions of the state. Rankist organizations modelled on colonial traditions of blackballing by English gentlemen's clubs do their own private regulation by gate keeping admission to the upper echelons of the academy. Increasingly it is either difficult or impossible for a promising young criminologist to become a full professor without being admitted to membership of the Academy of Social Sciences. This is only one marker of the external regulation of quality. The aspiring professor must also attend to the external prestige and citation rankings of the places she publishes, for example. In Australia, the policy scientists have also captured the regulatory agenda through a formula that rewards universities (and therefore scholars) in proportion to the research grant funding dollars raised (mainly from the state and business).

The problem is not just the professional criminologists referred to by Ian Loader and Richard Sparks who capture the regulatory agenda through metrics like citation rankings of journals and policy criminologists who do so by valorizing grant dollars. Public criminologists have also captured regulatory metrics by persuading universities to count the times a scholar's name appears in the media. Like the valorizing of grant dollars, this strengthens the arm of criminology in competition with disciplines like philosophy, anthropology and history, as it is so easy for criminologists to get media hits with comments on the latest terrible crime, crime wave, or policy, especially in local media. Critical criminologists have not captured any of the metrics of regulatory capitalism in the academy. They have been too busy being critical and fighting factional wars for that; and so their influence in the criminological academy has waned since its highwater mark in the 1970s.

The regulatory metrics captured by the policy criminologists and public criminologists are inferior to rewarding scholars according to peer review of the distinctiveness and value of their contribution to learning. However, these forms of capture of regulatory capitalism by policy and public criminologists do not pose the deep danger of the capture of private and public regulation by metrics informed by the more entrenched forces of professional criminology. It is with these metrics where the deepest pathologies of regulatory capitalism – regulatory ritualism and gaming the metrics (Braithwaite, Makkai and Braithwaite 2007, Braithwaite 2008) – are given greatest scope. They cause

people to publish in a place with higher prestige or with the right impact factor rather than in the place where the most relevant people will actually engage with the work. Hence, it is much better to publish a piece on crime in Pakistan in a second rate American journal than in the Pakistan Journal of Criminology, even if you are from Pakistan!

Naturally, market forces are shaped by the largest market for criminology, the United States. So professional metrics are hegemonically American (and Anglophone). Even within the US, metrics sustain the hegemony of capture by the professional criminology mainstream of the two most cited journals, *Criminology* and the *Journal of Quantitative Criminology*. In an American criminology or criminal justice program, you serve the competitive interests of your department poorly by being an interdisciplinary scholar who publishes in places other than criminology journals. This is a dead hand on the intellectual vitality of American criminology. In the very nation where market forces in education powered the greatest flowering of criminology, those same market forces have created metrics of regulatory capitalism that are profoundly destructive of intellectual innovation. Criminology was much more intellectually vibrant when it was in the process of emancipating itself from the disciplines of its former masters in sociology, psychology and law than today as an emancipated new discipline. As my mentor, Gil Geis, a former President of the American Society of Criminology put it: “Criminology [the journal] publishes increasingly statistically sophisticated articles on increasingly unimportant questions”. Or as Bart Pattyn put it in his contribution to this volume, modern scholars “know precisely more and more about less and less.”

If the same regulatory capitalism that fuelled the flowering of criminology is turning the garden barren, can we escape? Yes, the new rise of criminology in the 60 per cent of the world that is Asia cannot be fuelled by Anglophone regulatory metrics; Asia has a different philosophical heritage that puts reintegrative ideas on a more equal footing with punitive ones,¹ and has the potential to reinvigorate criminology in the course of this century. With the recent formation of the Asian Criminological Society, the ferment of ideas and the ascending excellence of Asian criminology is inspiring. Also inspiring is the quietly effective role Chinese criminologists have played in the dramatic reduction in resort to capital punishment in a China that until very recently

¹ Susanne Karstedt's Figures show 3 of the 4 largest Asian nations – India, Indonesia and Japan – count among 3 of the 4 nations with the lowest imprisonment rates in the world. China has a middling imprisonment rate.

the best way to be productively effective in advancing some collective project, such as that of a research group. Clifford would say to friends that a good leader does not so much set down rules and guidelines, nor give detailed advice on what to do in a given situation; rather they cultivate shared sensibilities between them and those they would lead. Members of the team would then know what to do by enacting that acquired sensibility. In this spirit, Pattyn argues that Durkheim, like Aristotle, sees ethos as giving meaning, purpose and respect to group members who are able to make sense of it and enact it.

He sees modern justice systems as losing contact with the ethos of their communities. When they become no more than a set of rules and procedures, justice systems can no longer deliver reconciliation or reintegrative shaming. Yet procedural justice and rights are crucial protections against the potential tyrannies of an ethos. Pattyn generously sees the republican theory of criminal justice developed with Philip Pettit (Braithwaite and Pettit 1990) as an alternative justice ethos that takes seriously those crucial procedural and rights protections of the currently dominant liberal justice ethos. Yet it also involves the cultivation of a sensibility of sharing responsibility for the continuous improvement and protection of liberties. This project is about cultivating “Active responsibility” in communities, through restorative justice conferences, among other means, as opposed to a justice system that simply holds people passively responsible for what they have done in the past (Bovens 1998; Braithwaite and Roche 2000) or “earned redemption” (Bazemore 1999). Republicanism is an ethos of checks and balances against the dangers of ethos.

Pattyn’s most important contribution is to argue that republican dominion, or freedom as non-domination (Pettit 1997), in itself cannot inspire. Nor can liberalism. When people suffer a grievance that leads them to respond with tactics of domination, they must be inspired with a concrete political program that can resolve that grievance. We can see restorative justice and other institutions of deliberative democracy as methods for discovering what those practical remedies are that might fit an extant ethos, and therefore inspire change. Restorative justice has an abstract political theory, but it also has a practical method for helping people, in concrete and local ways, to resolve their grievances.

Some people find a sense of value in their lives by campaigning for regulatory reforms to tackle climate change. Others do so by helping a victim of crime in their family to understand what they can do to feel safe again. Respect for dominion “only makes sense when you are simultaneously convinced of the

existence of positive projects to which you devote your life” (Pattyn). Hence, for Pattyn the great republican projects, of the likes of Jefferson, inspired because republican freedom enabled the pursuit of more substantive (often spiritual and local community building) goals. This localism of objectives that charts practical solutions to peoples’ problems which can inspire is why republican institutions are less invented in states like the United States and Germany, more in local communities like Virginia and Rhode Island (Pattyn’s essay), Lubeck (Karstedt’s), Florence, Bruges and Leuven.

Conceived this way, republican criminology and restorative justice actually seem less vulnerable to concerns about “evangelical” criminology than professional, policy or critical criminology fundamentalisms. Certainly, wide debate within a community about a shared ethos and an ethos of regulating the dangers of ethos will empower some to take an “evangelical” stand for say protecting victim rights. But it is not the deliberative, checked and balanced, evidence-based republican project that is evangelical. It is the concrete projects that some will be empowered to take up that sometimes will be dangerously evangelical, and therefore in need of critical scrutiny and concrete procedural checks.

Consumerism and the clinical

Lode Walgrave’s paper shows why wide dialogue to discover a shared ethos of a community is so difficult in contemporary capitalism. We live in a world where politics has been marketized. This has had profound effects on criminology. Walgrave finds that citizens have declining trust in and insecurity about government. Decreasingly, they vote for the political program they think will be best for the nation; increasingly, they opt for the politician who will best serve their individual self-interest at the lowest price. Consumerist criminology he contends is more at the heart of this than is recognised by political scientists. Social institutions, including institutions of justice, are consumed. Walgrave has the interesting hypothesis that “perception of more and less safety is probably the nucleus of infection which gradually contaminates the overall quality of social life, civic commitments and democracy”. Putnam’s documented decline in social capital can be understood in terms of this rampant insecurity. A big part of this problem is that insecurity is marketed by actors who are selling a solution to it – law and order politicians, the police, the private security industry, even some criminologists and authors of murder mysteries, most of all the media.

Republican freedom as non-domination, like liberalism, in such structural conditions conduces to a world in which citizens exploit their rights to maximise their market advantages, hence Karstedt and Farrall's (2007) pathologies of everyday crimes of the middle classes. One of the things that feeds these pathologies is the increasing arrogance of the criminality of the masters of the universe within the bonus culture and the financial engineering culture that spread from Wall Street. Walgrave points out that globalization has put financiers in such a strong position that political leaders must be their servants if they want to survive, just as they must be servants of the opinion polls that reveal what political favours swinging voters most wish to consume. Political integrity is corrupted by capitalism from above and below (and from the middle). Yet the fact that fear of corporate crime that causes financial crashes is as much part of the insecurity discussed in Walgrave's paper as street crime reveals something of the contradictions that a republican criminology concerned with inequality and freedom from fear can prise open.

Tom Daems, in his contribution to this volume, goes beyond the challenges of a culture of control and a culture of consumerism to confront the culture of the clinical. He sees restorative justice as risking entrenchment of a clinical culture. Daems points to danger in the human condition of being a victim becoming primarily a clinical condition. Much restorative justice evaluation does oscillate between a consumerist logic (of measuring how satisfied victims and others are) and a therapeutic logic of how helped victims are, how much better they feel. Daems worries that a victim-oriented "therapeutization" of restorative justice might be incompatible with core values of the tradition such as active participation and reciprocal communication.

Post-Traumatic Stress symptoms are certainly of concern to we restorative justice scholars who see importance in Angel's (2005) finding that victims in cases randomly assigned to restorative justice have fewer symptoms. We should also see importance in investigating whether restorative justice increases post-traumatic growth in comparison to traditional criminal processes. When the restorative justice community acquires a balanced concern with both, then Daems' fears about a "therapeutization" of restorative justice might recede. Post-traumatic growth may be precisely about empowerment and participation, and therefore hardly at odds with restorative values. Traumatic victimization, like all setbacks, supplies an opportunity to grow. The imperative to transcend trauma triggers an opportunity for wider transcendence – of demands for enhanced control of others, of an existence of individualistic consumerism - in favour of civic engagement that can grow citizens into more caring,

meaningful collective lives. We can be inspired by the extraordinary lives of survivors of war trauma like Sister Lorraine Garasu of Bougainville, who often spoke in our interviews of her peacebuilding leadership in the same frame as her personal recovery from trauma (Braithwaite *et al.* 2010).

Criminology doing its bit in bringing universities to the rescue

In an era when political integrity is almost universally sacrificed on the altar of a much more deeply capitalist culture than the world has ever seen before, one institution that can come into its own is the university. We have seen this great role many times throughout history. We saw it in massive movements against Western imperialism in all of the good universities of the US, Australia, New Zealand and France during the Vietnam War. We saw it with People Power that overthrew the Marcos dictatorship in the Philippines in 1986, in Poland, then right across the communist world during the 1980s to China in 1989. In the late 1990s we saw it in the student movement that played a crucial role in the overthrow of President Suharto. We see it today in West Papua with inspiring university-led resistance to Indonesian oppression. I have found it hard in returning from fieldwork in Indonesia to inspire my Australian students with stories of Indonesian students who massed in front of their university to prevent it from being burnt to the ground again (in Ambon) after it had just been rebuilt, actually standing in front of the tanks as they fired at the university buildings to destroy them. What is interesting to me is that both those Indonesian students and the military commanders ordering the tanks to fire understood so clearly the transformative significance of the ferment of ideas in universities.

Western universities in recent decades have become careerist places where inmates keep their heads down and seek to get ahead in the education market. We have seen that this is because universities are more ensnared today both by markets and by the regulatory steering of markets. It is no easy matter to break through this. Yet I am proud to say that criminology departments have often done that against the current. The exemplary role of university leaders in engaging with the social movement for restorative justice is an example, as is the role of academic criminologists in supporting unpopular prisoner rights movements, campaigns to reduce the use of imprisonment, campaigns to reduce capital punishment in China, campaigns against torture.

Universities should be places of free political ferment, places that argue about how normative theory should connect to explanatory theory,² as exemplified in the Pattyn and Walgrave contributions. My hypothesis is that when normative theory sparks explanatory theory, explanatory theory explains better; and when explanatory theory sparks normative theory, political theory makes more contextual sense and more meaningfully connects to the ethos of a people (Braithwaite and Pettit 2000). Yes universities should be places where a great deal of evangelism goes on. Those who warn against evangelism of course make important points about its dangers, but they must be careful that their prescriptions against evangelism can be even more dangerous for the health of universities. Universities should have Islamic student associations actively promoting jihad. What an indictment it is that in our universities today, students do this furtively, are cowed against doing so in open university forums. Universities are the best places to put this kind of evangelism out in the open because universities are the institutions best equipped for vigorous contestation of ideas. The upshot is that young Islamic students can come to believe in violent jihad without being exposed to the analyses of the best Islamic scholars who reason violence is a corruption of jihad. At the same time, non-Muslim inmates of our universities never learn from passing by the Islamist's loudhailer that for most Muslims jihad is a positive force in their lives in the same way that grace is in the spiritual lives of Christians.

How honoured I am to have received this honorary doctorate from the Katholieke Universiteit Leuven, where the reformation saw the scholarly evangelism of Erasmus help build one of the greatest universities of the sixteenth century, and helped teach Catholicism that there were important things to learn from the critiques of the Protestants. Leuven thus ultimately helped lay the foundations for a Europe where Catholics and Protestants would live in peace. My personal deep affection for Leuven as a university community of the 20th and 21st centuries arose because it was at the centre of laying new intellectual foundations for world peace, non-violence and non-domination through evidence-based restorative justice.

² Explanatory theories are defined here as ordered sets of propositions about the way the world is. Normative theories are ordered sets of propositions about the way the world ought to be.

Community and equality

In her chapter Susanne Karstedt takes up a theme shared with Walgrave and Pattyn when she invokes Herbert Mead's contention that laws should supply a vision of justice, capture the ethos and the imaginations of people, before they can govern. Karstedt also exemplifies the kind of sociological imagination that can be nourished by criminological research that is the starting point of this essay. She shows, cross-nationally, that the more individual autonomy is valued, the more egalitarian values are adopted, the better are prison conditions. Karstedt concludes that this is heartening news for the kind of republicanism Lode Walgrave (2008), Philip Pettit (1997), President Zapatero of Spain (Marti and Pettit 2010) and I have advanced. It is not quite so heartening, in my view, for the closely related kind of civic republicanism advanced by Cass Sunstein (1988), President Obama's "Regulation Czar", which prioritizes political equality but not economic equality.

At the same time, Karstedt's data throws down a challenge to the kind of republican criminology my colleagues and I have advanced. This challenge is also addressed in the writing of Pavlich (2001) and Walgrave (2008) on the dangers of certain kinds of communitarianism. Republican criminology has been Durkheimian in the sense of valorizing strong communities for enabling social control to work effectively and decently. It also valorizes republican checks and balances against abuses of collectivism. Karstedt's data shows that collectivism in national values is associated with worse prison conditions. How should we think about such results? It is early days with this cross-national values tradition of sociological criminology. Karstedt is a pioneer of it. So it is perhaps too early to rush to judgement on the challenge it poses to my kind of criminology. Yet here are my preliminary intuitions, shaped by reflecting on Karstedt's work over a number of years, and much influenced by earlier contributions such as Karstedt (2006).

The first thing I note is the paradox that the small scale societies from which I have learnt most about restorative justice, certain Melanesian and Polynesian societies with vibrant restorative traditions, are also societies with ferocious punitive traditions, warlike histories, with head hunting and cannibalism of enemies not uncommon. These societies vary greatly, but often use forms of indigenous justice that satisfy Western definitions of restorative justice for crime that occurs inside the village. This can work well in securing a low crime local society without prisons or much punishment, as I first concluded in 1969 when I lived in a village on Bougainville. Yet the strong collectivist identity of

these societies can conduce to a contempt of the out-group, disrespect of them, and in times of tension, formidable willingness to humiliate and punish them.

I also learnt this in my experience of rugby league clubs as a young man. The more collective passion you have for the club, the more affection and forgiveness you experience toward your club mates, and the more venom and violence you are capable of directing at players from other clubs. Collectivism conduces to peace inside, violence outside. At the same time, I noticed how malleable these identities were. Changes of institutional frame were instantaneous when one was selected with players from those other hated clubs in a representative team. Within a more encompassing social structure, collective fellow-feeling with former enemies was quickly and palpably experienced. In Melanesia and Indonesia (Henley 2004), colonialism was often welcomed because it had the same effect. When church and colonial authorities insisted that more encompassing Christian and national identities trump traditional blood feuds between “tribes”, there was often overnight embrace of former enemies and relief that the more encompassing structures of colonialism could adjudicate disputes that previously could only be settled by war. Resistance to the pacification of ancient enmities was frequently brief and weak.

In a completely different strand of Karstedt’s work, we see this with reconciliation in post-World War II Europe (Karstedt 2004, 2009, 2010). Vindictive enemies did not take long to be reconciled warmly as allies. So my first hypothesis would be, yes, strongly collectivist values of an in-group conduce to punitiveness toward an out-group (as in these Karstedt data). But in-group boundaries can be readily expanded to embrace former out-groups. Then the former out-groups enjoy lower punitiveness than they would were they embraced by new comrades with a less strongly collectivist identity.

The problem is that late modern European legal traditions (common and civil law), that have utterly globalized in the last two centuries, conquering almost all the world’s Buddhist, Islamic and animist legal systems (Wood 1997), persistently treat criminals as an out-group to be warehoused away from the in-group. Societies vary in where out-group boundaries are defined. So Japan is a society with strongly collectivist values and a willingness to treat most criminals who are dealt with by local police comparatively reintegratively. Yet when Japanese detectives take over from local police offenders who are not showing remorse, or when people are sent to prison, Japanese justice is highly stigmatizing (Miyazawa 1992; Braithwaite 2002: 18, 27), and includes

recourse to capital punishment. That, I hypothesise, delivers Japan both a low crime rate and a low imprisonment rate, but with some deep problems in its justice system in terms of republican freedom. Still, for all its limits, this is one path to more republican justice – expanding the boundaries of the in-group of citizens who are seen as good people who occasionally err in doing bad things, and narrowing the boundaries of the out-group of bad people who are stigmatized. Diversion programs that reduce the number of offenders incarcerated are simple manifestations of this approach.

Restorative justice supplies a second path. It hands over criminals substantially to the care and adjudication of their in-group. And it works hard at finding or constructing an in-group for offenders who do not seem to have one. Moreover, restorative justice as a democratic praxis has a wider agenda of educating all citizens through the restorative justice experience to be more open to the benefits of rejecting stigmatization of out-groups. The experience of participating in a restorative justice conference does not always have that effect,³ but it often does in comparison to the alternatives (Braithwaite 2002: 45-168). A social movement politics that succeeds in institutionalising restorative justice for dispute resolution among schoolchildren has some potential to help children learn to become reintegrative toward former enemies.

A third path is the one suggested by Bart Pattyn of a republican ethos of reproaching the excesses of ethos, a collective ethos of curbing the abuses of collectivism. It is a project of a transformative ethos, a justice system that supplies a different Meadian vision and inspiration for justice.

Conclusion

There are criminological floaters who are willing to get their hands dirty, sparkers! There are players who play dirty, as Walgrave puts it. There are evangelists like Erasmus who are trenchant critics of their own tradition. There are evangelists for science, evangelists against value-driven enquiry, who are closed-minded on the evidence for the devastating effect this has had on the quality of intellectual life in Western universities since the 1970s. As Walgrave argues, there are good and bad versions of all of the criminological

³ Nor do all versions of restorative justice even have these ambitions; for example, see Walgrave (2008) on how minimalist restorative justice options do not aspire to the republican ambitions under consideration here.

styles discussed in this volume. The sum of the encounters among them is always more valuable than the combination of what they could contribute separately. The genius of the university as an institution is that it makes collaboration across silos easier than it is for lawyers to collaborate with non-lawyers within an institution such as a court, economists with non-economists in a finance ministry, scientists with moral philosophers in a military nuclear research facility.

If universities have special competence in sparking transformative projects, they must be deeply engaged with the great value debates of politics and justice systems. Regulatory capitalism has created a golden era of sorts for criminology. This will turn to dross if market growth is the discipline's primary motivation; it will turn to dung if criminology continues to look inwards in relentless pursuit of performance metrics.

The path criminology can take is to show the whole university system a better way that is engaged collaboratively with other disciplines (and in dialogue with the democracy). It can help break the chains that regulatory capitalism has placed around universities. More vibrant markets for education deliver many good things (empowerment of students, more Eastern students on Western campuses) and so can regulation in sensible modalities like peer review. No field is better placed than criminology to reap the positive legacies of regulatory capitalism while transcending its pathologies, precisely because criminology is a boom discipline of regulatory capitalism.

For the moment, criminology is too comfortable with itself to see the potential to leave a great intellectual legacy. It is too much a creature of capitalism to turn around and bite it the way capitalism needs to be bitten. Universities have had bite at all of the critical junctures of modern history. Sadly criminology is more than ever a lap-dog of the capitalism and of the state that fattens it. Corporate crime scholarship has not grown in the way research on crimes of the poor has grown. Yet criminology could help solve some aspects of capitalism's deepest problems, like financial crises, that economics has failed to solve. Then it might capture a revered place in the history of science.

Criminology is unlikely to show the world how to create societies with low levels of predation and violence unless it is connected to a civil society politics of institutional transformation to end humiliation of out-groups and to progressively reduce inequality. That is the path to solving the problem of societies that suffer one kind of crime because certain classes exploit, other

kinds because other classes are exploited (Braithwaite 1991). Arguing for “crime science” because nothing can be done about structural inequalities will not do. Criminology is unlikely to play its part in redeeming our failing universities without championing values of political freedom, political engagement, ferment, fearless exposure of the crimes of capitalism and evidence-based ways of fixing them. Societies that fix them will enjoy greater security, greater economic development and greater equality, avoiding the fate of Iceland. And the intellectual communities that help fix the crimes of capitalism will not suffer the busts that follow the booms of capitalism itself. For the moment, though, criminology is to capitalism what the spies of the inquisition were to Catholicism. Thankfully, Leuven is one place that might spawn criminology’s Erasmus among its students.

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