

Criminal Justice in the International Arena: A Turn-of-the-Century Review

By Thomas Schiller with Allison Henry-Plotts, Natalia Minassian, and Jennifer Schrock

In July 2000, the National Institute of Justice published a four-volume collection of thematic essays on criminal justice entitled *Criminal Justice 2000*. The purpose of this publication is to "...explore and reflect on current and emerging trends in crime and criminal justice practice, based on scientific findings and analyses."¹

Several of the essays in Criminal Justice 2000 collection are relevant to the international criminal justice arena, and one of them, "Theory, Method, and Data in Comparative Criminology,"² provides the rubric under which the other works in this review are discussed.

Theory, Method, and Data in Comparative Criminology

This essay explores what its authors say is the "renewed interest"³ in comparative criminology. (Comparative criminology is the study of different countries' criminal justice practices, systems, and results.) This interest is due in large part to the decreased distance and increased transparency brought about by the advances made in transportation, electronic communications, and information technology. It is now feasible and often necessary to conduct cross-national, comparative criminological studies. The economic globalization since World War II, abetted by increasingly rapid international transportation and communications, has provided new opportunities for criminal activity. This activity, actual and potential, makes comparative criminology an important tool to study and combat current criminal activities by providing the means for extending criminological theory, assessing criminal justice system performance, and evaluating national criminal justice policy. The authors also note that empirical study can offset or critique, an overenthusiastic embrace of all things global.⁴

The authors survey criminological theory in a comparative, cross-national context, examining both grand and structural theory. Study methodology is also surveyed in the cross-national context, broken down by type of crime (as a dependent variable) and by type of study methodology (meta-national-level comparisons, parallel and case studies).⁵ Sources of cross-national crime data are surveyed, compared, and analyzed.

"Theory, Method, and Data in Comparative Criminology" provides a general framework for examining crime in its new global context. The following works address specific criminological issues, and use particular methodologies in examining them.

The Internationalization of Criminal Justice

A more accurate title for this essay by Richard H. Ward would be "International Crime and the United States." The essay provides an overview of international-related crime in the United States, and describes some of the policies and strategies adopted by the Federal, state and local criminal justice sectors to combat it.⁶ The author uses both anecdotal and statistical information to outline the extent to which much of the crime committed in the United States in some way has an international context.

Ward notes that perceptions of crime inform public attitudes toward crime in the United States, especially crime with an international context. These perceptions may be regional: inhabitants of areas along the Mexican border may link crime to illegal immigration; large urban areas perceive international drug trafficking and the crime that it engenders as the source of their crime problem. Immigrant communities themselves feel preyed upon from within.⁷

What is clear through this presentation is that, perceptions aside, the international component, as described by Ward, appears to play a role in a surprisingly large proportion of criminal activity in

the United States. Organized crime, drug and human trafficking, the sex trade, sweatshop and child labor, and illegal immigration all contribute to this. Ward also notes instances of anti-immigrant backlash, which has led to a number of "hate" crimes committed against both legal and illegal immigrants. Ward also describes cybercrime, and the threat of terrorism in the international context.⁸

The response of law enforcement agencies to the multifaceted threat of international crime must also be multifaceted, from increased minority hiring and sensitivity training for police working in immigrant communities, exchanges with personnel from other countries, interagency task forces concerned with specific types of crime, increased awareness in the court and corrections systems, and bi- and multilateral cooperation and treaty instruments.⁹ In closing, Ward notes that the United States has been effective in training criminal justice personnel from other countries in U.S. procedures and expertise, but has been somewhat backward in seeking specialized knowledge and insights from other countries.¹⁰

On Immigration and Crime

Ramiro Martinez, Jr. and Matthew T. Lee provide a case study on the relationship between immigration and crime.¹¹ As noted above, this issue plays a role in the U.S. public perception of crime in an international context. The authors examine the historical relationship between immigration and crime, and then narrow the focus of their investigation to the Hispanic community, particularly the Cuban community in Florida.

The evidence compiled by the authors suggests that in spite of posited societal, social, and economic disadvantages that should lead to a higher crime rate, the rate of crime committed by immigrants nationwide does not exceed that of the indigenous population.¹² Even the aftermath of the Mariel boat lift from Cuba in 1980 did not result in a long-term increase in crime committed by Cuban immigrants in Florida.¹³

Martinez and Lee discuss the historical perception linking increases in immigration to increases in crime. They demonstrate that this perception is still alive and well in the United States—contrary to the data they collected that shows the opposite. Their conclusions are more academic than policy-oriented: future studies in this area should not concentrate on microcosms of immigrant groups that are prone to criminal activity; scholars studying the issue should do so with the perception that immigrant communities make a positive contribution to U.S. society; and that the United States native population could benefit from a better understanding of the relationship between immigration and crime.¹⁴

Conclusions

The publications discussed above are a selection of new thinking in the field of criminology. They are concerned with the ramifications of the globalization of crime that has been part of the globalization of the economy and the "shrinking" of the world through advances in transportation, telecommunications, and information technology.

It should also be noted that a political revolution played a significant role in the globalization of crime. The collapse of the Soviet Union and its satellite regimes opened up a veritable Pandora's box of institutionalized corruption, highly organized criminal gangs, and an impoverished population that is vulnerable to victimization and exploitation (not to mention the blandishments of an "easy" life of crime in states where the rule of law is ineffective and paid employment is sketchy). Combined with a freedom from repression and a freedom to travel, it could be argued that criminals and from this region and their organizations gave a much-regretted "shot in the arm" to crime around the world.

In light of the situation at the turn of the century, it is appropriate to reexamine the importance and applicability of comparative criminology to study the effects of crime across national boundaries and to likewise compare perceptions and responses across national boundaries. Howard, Newman, and Pridemore set up a conceptual framework for this type of study.

Richard Ward provides a description of how international crime affects the United States, and provides a prescription that calls for more interaction between U.S. law enforcement officials and policy makers with their counterparts in other countries: comparative criminological studies would be used to evaluate these efforts.

Martinez and Lee use the case study of crime rates in the Florida and Texas Hispanic immigrant communities compared with overall crime rates in those regions to reinforce a body of academic study that claims—contrary to public perceptions—that immigration does not increase crime.

Who should make use of these studies provides interesting food for thought. The authors of *Theory, Method, and Data in Comparative Criminology* provide a rubric for other academics to construct studies; this rubric also gives policy makers a guide for analyzing and classifying future studies. Ward's piece is a good "snapshot" of the situation in the United States, and seems aimed at policy makers. Martinez and Lee are addressing an academic audience. One would want to turn academics loose on Ward, while doing the same with public policy makers for Martinez and Lee. The results could be instructive.

¹ J. Samuels, "From the Director," *Criminal Justice 2000*, Vols. 1-4 (Washington, D.C.: 2000), p. iii.

² G. Howard, G. Newman, and W. Pridemore, "Theory, Method, and Data in Comparative Criminology," *Criminal Justice 2000: Measurement and Analysis of Crime and Justice*, Vol. 4 (Washington, D.C.: 2000), pp. 139-211.

³ Howard, Newman, and Pridemore, p. 141.

⁴ Howard, Newman, and Pridemore, p. 147.

⁵ Howard, Newman, and Pridemore, pp. 148-72.

⁶ R. Ward, "The Internationalization of Criminal Justice," *Criminal Justice 2000: Boundary Changes in Criminal Justice Organizations*, Vol. 2 (Washington, D.C.: 2000), pp. 267-321.

⁷ Ward, p. 268.

⁸ Ward, pp. 274-85.

⁹ Ward pp. 285-89, 301-7

¹⁰ Ward, p. 311.

¹¹ R. Martinez, Jr., M. Lee, "On Immigration and Crime," *Criminal Justice 2000: The Nature of Crime: Continuity and Change*, Vol. 1 (Washington, D.C.: 2000), pp. 485-524.

¹² Martinez and Lee, pp. 498-501.

¹³ Martinez and Lee, pp. 500.

¹⁴ Martinez and Lee, pp. 515-16.