

## Summaries

*Justitiële verkenningen* (Judicial explorations) is published eight times a year by the Research and Documentation Centre of the Dutch Ministry of Justice in cooperation with Boom Juridische uitgevers. Each issue focuses on a central theme related to judicial policy. The section Summaries contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (nr. 2, 2010) is *A historical perspective on current judicial matters*.

### **The predecessors of modern criminology in Belgium and the Netherlands**

*C. Fijnaut*

The prehistory of criminology doesn't get all that much attention in the Low Countries. In the Dutch case many criminologists e.g. see the publication of Bongers' work in 1905 on crime and economic conditions as the real starting point of criminology. This narrow historical view overlooks the fact that, before the French Revolution, notably the ideas of Beccaria on crime and punishment sparked a rather fierce discussion in the Netherlands – this in contrast to the Austrian/Belgian provinces. Beccaria's views also inspired Calkoen to write the first comprehensive treatise on the prevention and repression of crime in 1778. Later, after 1830, two major figures in the prehistory of modern criminology stepped forward in the new independent state of Belgium. Quetelet was the first one in history to apply modern statistics in order to assess the nature, extent and development of crime problems. He became one of the founding fathers of criminal statistics. Dupcétiaux developed into an enlightened and brilliant defender of the Pennsylvania penitentiary system and completely rebuilt the Belgian system according to this model. Both men also had a notable impact on the discussion how to deal with crime and in particular on the construction of new prisons in the Netherlands. After the birth of modern criminology in 1876 – thanks to Lombroso – the writings of Quetelet were an important source of knowledge for Bongers and the Belgian criminologist Denis. Lombroso, however, equally had important followers in both countries: Aletrino in the Netherlands and Héger in Belgium. It is a pity that the (pre-)history of criminology in the Low Countries is not

part of the contemporary international image of the history of criminology. Time has come to fill up this important gap in the historical analysis of criminology.

### **The historical relationship between the frequency and tolerance of violence**

*P. Spierenburg*

This article examines the historically inverse relationship between the incidence of interpersonal violence and the level of tolerance for the occurrence of violence. The Middle Ages witnessed high homicide rates, but people accepted violent conflicts as belonging to daily life. Homicide rates declined during the early modern period which resulted in a relatively peaceful nineteenth century. Precisely in this century new concerns and fears are visible over youth gangs and street robbery, which in reality were rarely lethal. The inverse relationship persisted until the mid-twentieth century, but then disappeared. While the 1950s and 1960s had low homicide rates and low concern, thereafter both homicide rates and public concern increased. The paper ends with a preliminary explanation for the historical trends observed.

### **'The knitting of stockings shall now be carried on vigorously'; female vagabonds and beggars in the State labour penitentiary in Leiden 1886-1907**

*M. Weevers and C.C.J.H. Bijleveld*

This article is based on research in the archives of the Rijkswerkinrichting in Leiden, the Netherlands, which served as a penitentiary for female vagabonds and beggars between 1886 and 1907. At an average 48 years of age, women were old; about four in ten were confined more than once. Contrary to males in similar institutions, females were almost exclusively from the lower echelons of society, and very few had ever been married. While material conditions in confinement compared positively to the living conditions before confinement, mortality was high. Women, like female detainees these days, mostly performed menial work that offers little prospect for successful reintegration. Most had probably led rough lives, with alcohol abuse, poverty and familial strife. The confinement of these women probably served more as a temporary respite than as a solution for these women's problems.

### **The Brabant smugglers; a border history full of heroism and self-interest**

*P. Spapens*

Considerable differences in tax and excise levels since the Belgium independence in 1830 gave rise to large scale smuggling between the Dutch border province Noord-Brabant en Belgium. The smuggling history can be divided in six periods. Salt was the most important contraband in the last quarter of the nineteenth century. During the First World War a lot of food was smuggled from the Netherlands to Belgium. During the crisis years in the 1930s unemployed people used to supplement their scarce income through smuggling. Belgian tobacco was the most important contraband during the Second World War. After the war ten thousands of Dutch occasional smugglers illegally fetched consumer and luxury goods in Belgium. In the 1950s and 1960s millions of kilo's of Dutch butter were smuggled to Belgium. The smuggling business gradually came into the hands of professional criminal gangs. In the second half of the 1960s the smugglers switched to the illegal distilling of alcohol. Many years later these would evolve into labs for the production of chemical drugs.

### **The police-citizen relation in a historical perspective; mutual dependence and tacit contracts**

*M. De Koster*

This article explores police-citizens relations in the nineteenth and early-twentieth centuries and attempts to demonstrate that these were not as unequivocal as is commonly assumed. While historians approach the modern police as an instrument of coercive state control imposed 'from above' onto a passive population, current policy debates tend to assume that police-citizen relations were friendly and that cops learned from citizens, leading to well-informed and neighbourhood-sensitive policing. The author argues that police-citizen relations were not friendly, but all about the negotiation of 'tacit contracts' between both parties, that allowed the police to carry out their duties within the boundaries of public tolerance, and the public to take all sorts of small conflicts and demands for aid and assistance to the police. This explains why police intervention was never merely repressive: in order to preserve these precious 'contracts', the police operated selectively, acting only against certain groups and offences, and watching particular city areas.

### **Radicals and ‘the powers that be’ in the Netherlands**

*J.A. Moors*

This article presents a short historical introduction of the Dutch radical movement in the 1840s. What kind of people were these radical-democrats? Where did they come from? And what did they want? Moreover, this case study shows how government framed these radicals, and what actions were taken against them. It becomes clear, that from a historical perspective the continuity and similarities between the 1840s and the present are at least as remarkable as the differences.

### **An accumulation of misunderstandings; the Den Uyl cabinet and the Surinam immigration**

*J.M.M. van Amersfoort*

In 1973 a new Dutch cabinet was formed. One of the central points of its programme was to revise the relations with the former Dutch colonies in the West Indies to be able to stop the immigration from Suriname. This immigration was seen by this government as a serious threat to Dutch society. In reality the migration was modest in numbers and consisted for a good deal of middle class people. In 1967 there were 13.000 Surinamese in the Netherlands. But the immigration had gained momentum and in 1972 there were 51.000. The cabinet launched a vigorous campaign to change the relations with Suriname and close the border for immigrants. The outcome of this policy was that there were 110.000 Surinamese in the Netherlands in 1975 and the immigration caused indeed problems that were unknown before. In this article the reasons for the complete failure of the anti-immigration policy are analysed.