

## CONCERN FOR CRIME IN THE NETHERLANDS

On the nature and causes of the hardening of policy on crime in  
The Netherlands

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*"The feeling of insecurity, the anxious fear that begs for a reign of terror during every crisis of state authority, was a chronic state of affairs in the Middle Ages (...). And so the closing of the era became the stunning Golden Age of painful justice and judicial cruelty. There was not a second's hesitation as to whether the criminal had earned his just deserts. There was profound satisfaction at the efficacious judicial deeds performed by the sovereign himself. Government rose in bursts, government rose to campaigns of strict justice, at the one time against robbers and criminal elements, at another against witches and warlocks, and at yet others against sodomists." (Huizinga 1947).*

### 1. Introduction

Although The Netherlands has the reputation of being a liberal and tolerant country, there is every reason to re-adjust this image in the context of the fight against crime. It could be said that from the beginning of the 1980s there has been a hardening of attitudes. In that decade, the average prison sentences for many serious crimes were doubled (CBS, 1990). It is planned to expand the number of prison cells from a 1980 total of 3,450 to 12,000 by 1996. When compared to other European countries, The Netherlands still had an extremely low proportion of prisoners per 100,000 inhabitants in 1990. The policy plan entitled *Werkzame detentie* (Working detention - "working" in both senses of the English word = "labour"/"effective") places The

Netherlands half way up the league of European countries.<sup>1</sup> Characteristic of the hardening of attitude is the reinforcement of the instrumental aims of criminal law. The traditional approach is Montesquieu's *Trias Politica*, the separation between the powers of the state and the basis for an equilibrium in criminal law between instrumental aims, the fight against crime and the defence of citizens' rights against the State. However, in the last few years, this equilibrium has tipped out of balance. During the last cabinet the Ministry of Justice laid so great an emphasis on the fight against crime that its efforts directly diminished the protection offered by the law (Foqué & 't Hart, 1990; Glastra van Loon et al., 1994).<sup>2</sup> And only recently a piece of legislation was proposed that would make pre-trial detention easier. It is usual to assume that a person is innocent until a judge states the contrary as the result of a trial. This reason lies behind the Dutch reluctance to imprison suspects awaiting trial. In 1974, the strict conditions for remand were loosened. The proposed legislation departs even further from this reluctance which seems to be inspired by what is regarded as a *vox populi* complaint: that if the police should happen to arrest a junkie, he is out roaming the streets again an hour later. In fact, pre-trial remand detention is steadily assuming the character of brief imprisonment without trial.<sup>3</sup>

<sup>1</sup>C.B.S. = Centraal Bureau voor Statistiek (Central office of Statistics) which collects and publishes statistics relative to Dutch society at regular intervals or when required.

<sup>2</sup>The proportion is to rise from 44.2 to 78 per 100,000 by 1998 (Werkzame Detentie, Lower House, 1993-1994, 229, 10-11, 61).

<sup>3</sup>Illustrative of this is the way in which detective work carried out by the police, prosecution by the public prosecutor, imposition of punishment by the judge and implementation of the sentence in prison are seen as parts of a chain of production where each link works on a single task. Release of suspect because of a shortage of cells is thus seen primarily as an indication of a system that is failing. However in the *Trias Politica* the various 'links' each have a responsibility of their own and are required to keep a check on each other: the public prosecutor, for instance, has the task of testing police behaviour in the light of the law. On the other side of the coin, the police are empowered occasionally to refuse to arrest an individual (see Bunkers,

Attitudes towards the means of combating crime also show a new turn. Election programmes issued by practically all the political parties for the period 1994-1998 contain a repressively-worded paragraph on crime. More police, stricter controls and more prison cells are the theme. How did such a repressive climate come about? The Netherlands in the 1970s is regarded as having been a decade of tolerance, including tolerance towards deviance. And yet, the tolerance was never accepted without controversy. On the contrary, attitudes in the seventies were diametrically opposed. The progressive Cabinet (1973-1977) under premier Joop den Uyl, for instance, declared from the start that the pressure of increasing unrest on the part of the population concerned about dangerous forms of crime was causing the Cabinet concern about the maintenance of such a tolerant attitude towards the punishment of crime. The following passage from the government declaration caused hefty parliamentary debate: "Prevention of criminal behaviour requires our greatest concern. First and foremost, we must see to it that welfare provisions are improved".<sup>4</sup> This was too much for the conservative parties to swallow. They were unable to see how it would be possible to prevent bank raids, hijackings and traffic violations by clearing slums and extending welfare. The conservative remedy was: more visible police surveillance.

A second source of disagreement was public opinion. The conservative attitude was that the population's feelings of unrest had reached an unacceptably high level. The progressive reaction was more tempered: anyone concerned about crime should try reading a different newspaper. In addition, the unrest alluded to in this view had other sources than mere crime. Hence, the alternative solutions to the classic one of "more policemen": "When I say 'surveillance', I'm not just referring to the police but to surveillance by all those doing social and

1994; Kelk, 1994; see also Aalberts, 1994).

<sup>4</sup>Government policy declarations, Den Uyl cabinet; Keesing's Historisch Archief, 08-061973, 272-292.

neighbourhood work for the good of the community".<sup>5</sup> The question of crime management started to gain in political importance from the early 1980s. In the 1981 general election campaign, the VVD party (conservative-liberal) was alone in publishing a separate leaflet on crime. In 1986, the turning point came for both Christian Democratic and Social Democratic parties in their tacit agreement not to use the question of crime in the lead-up to the elections. A broad parliamentary consensus came about, concerning both the seriousness of the problem and the policy to be pursued (Brants, 1986). The most remarkable thing about this change, of course, is that crime came to be highlighted as a social problem in its own right, requiring separate attention.

An important part was played by the interim report of the Commissie Kleine Criminaliteit (National Commission on Petty Crime - 1984) and the resulting governmental policy plan entitled *Samenleving en Criminaliteit* (Society and Crime - 1985). A two-track policy was proposed: a consistently repressive approach to serious crime and the prevention of petty crime. The pivot of the newly-found parliamentary consensus was a belief in prevention, with a background philosophy stating that socio-economic, cultural and technological developments since the 1960s had led to an increase in the opportunities for committing petty crime, while at the same time there had been a decrease in supervision, especially supervision of children by adults. The commission proposed a series of preventive measures known under the heading of Strengthening Social Control. It was seen as vitally important that a sense of responsibility should be instilled into citizens, commercial companies and social institutions. It would be preferable, stated the commission, to implement these measures at local level: crime prevention became linked with the local authorities. There were three central themes: (1) technical measures to decrease the opportunities for committing crime; (2) increasing supervision by public servants, such as tram conductors and wardens in high-rise

<sup>5</sup>Supplementary to this, the minister of education has established a commission for "the pedagogical task in education", which is to present recommendations in 1995 on the theme of morals in education.

dwellings, and (3) strengthening the ties between young people and society.

The moral theme is of a more recent date. The policy plan entitled *Recht in Beweging* (Law in Motion - 1990) contains an appeal to morals which made explicit the break with the sixties and seventies. According to the document, those two decades had been a period of uneven growth. Increased democracy and the acquisition of rights, it was stated, were out of balance to the recognition of duties. The two decades were characterised as a time of wildly exaggerated tolerance. The attitude of the time - acceptance of all kinds of deviant behaviour, as the argument goes - was in fact no more than cloaked indifference and libertarianism. The man in the street has increasingly seen himself as a customer at justice's counter, a consumer of legal rights, while failing to demonstrate any notion of tie with the State and its laws, a system which functions only if citizens attempt to correct each other's deviant behaviour. One of the proposals made at the time was that a start should be made in primary school (children aged from 4 to 12) by giving lessons based on norms and values (*Recht in Beweging*, 1990: 35).<sup>6</sup>

The rhetoric aimed at countering the philosophy of the sixties and seventies can be partially regarded as a settling of accounts with the classic image of welfare work. The 1960s and 1970s were the period of extension and professionalisation of welfare provisions. It would seem that a major element in the more recent pleas for a return to a stricter moral stance is constituted by criticism of the failure of welfare policy and political criticism of the (alleged) hedonism that the welfare

<sup>6</sup>The opinions quoted do not, in fact, do justice to social work in the 1980s. The crossover to new methods and ways of working has long been made. The new attitude can be summarised as: 'get out of the club house into the neighbourhood'. And youth work has most certainly been founded on norms for some time now, which means that the criticism - voiced by Boutellier (1993) and others - that people looked on impotently while the young person did what he or she felt like doing is definitely out of date.

state is accused of encouraging.<sup>7</sup> The human image, which the policy plan is combating, is that of the canny citizen. The process of individualisation is suggested as the main reason behind the increasing dilution of norms. The criticism is reinforced by simultaneous financial cuts in welfare work and urban renewal, and increased budgets being made available for (semi-)judicial prevention. In the end, this has led to attitudes and behaviour originating in the judicial field penetrating the area of welfare work.<sup>8</sup>

The above is a sketch of the broad lines of the hardening of social climate. The question now arises: How was that possible in the first place? There are several possible explanations, all competing against one another. The rest of this article compares a number of the explanations offered. We first examine the extent to which the hardening of attitude can be explained as rational reactions - 'rational' meaning effective policy seen in light of effective policy - rational reactions to developments in the area of crime, or towards public feelings of insecurity. Then we look at the extent to which the situation is a consequence of bureaucratic developments. Finally, we examine the hypothesis on whether we are dealing with an attempt by social elites to set in motion a civilising process.

<sup>7</sup>Figures issued by the police are extremely sensitive to changes in the public's readiness to report crime and to police policy and its effectiveness. Of far greater weight is the way in which crime is registered (Passchier & Berghuis, 1991). In particular, computerisation can be seen as a reason for the rise in police figures. An additional source of data is the figures for deaths: they indicate that the risks of a Dutch citizen being murdered have remained stable (CBS, 1992; see also Van de Eshof & Weimar, 1991).

<sup>8</sup>Police figures on juvenile crime in the Amsterdam, Rotterdam and North Brabant regions show a fall in the number of youngsters arrested, from 15,526 in 1989 and 16,089 in 1990 to 13,174 in 1991 (Van Hulst & Bos, 1993). Recent work has also shown a fall in police figures (adults) for Amsterdam.

## 2. Hardening of attitudes as a rational reaction to insecurity

In politics and policies, the change in climate is usually defended as a pragmatic and rational reaction on the part of the government. For various reasons, it is possible to speak here of a rational reaction. It is, first of all, suggested that the hardening is a logical consequence of the increase in the crime rate. Because crime is increasing, both in numbers of crimes committed and in seriousness, the government cannot do much more than react more often and with greater vigour. Secondly, it is stated that the reaction on the part of the judicial authorities is based on scientific insights, especially in Hirschi's (1972) social control theory and theories of opportunity (Clarke, 1992) as a basis for policy (*Commissie Kleine Criminaliteit*, 1984). Thirdly, over the past decade, frequent claims of success have been made, especially at local level. Government policy is clearly having an effect and, therefore, continuation of the policies would seem a rational step (Eysink Smeets, 1992). Fourthly, ministerial policy is presented as being aimed at optimising usefulness. One of the proponents of a pragmatic policy of prevention, Van Dijk (1986), speaks of cost-effectiveness analyses. This striving for maximum effect with minimal means is expressed particularly in the emphasis on efficiency: the 'streamlining' of the 'chain of justice'.

It is questionable whether government policy, more specifically the hardening of attitudes which it includes, can be seen as a rational reaction to increasing crime. Despite the emphasis placed on pragmatism, in practice the alleged rational nature of the policy does not come to the fore. The alleged major increase in crime is either absent or not demonstrable. Victim surveys show that the risks of becoming a victim of crime in The Netherlands have remained reasonably stable since the 1980s. This is the picture given by the general trend in the CBS statistics on victims of crime since the 1980s (CBS, 1993). The studies give a reasonably reliable picture of the development of less serious crimes of which we could become victims. Offender surveys also fail to show any recent growth in petty crime among young people (Junger-Tas, Kruissink & Van der Laan, 1992). The picture offered by the more serious crimes is less clear because

only police statistics are available and they do not provide good indications - though the inferior quality of police statistics is generally denied.<sup>9</sup>

The second piece of rationality proposed, the link between criminology and policy, is equally misleading. The relationship claimed to exist between prevention and social scientific theories is largely illusory. This can be seen at a basic level, such as that of the contents of policy documents, where theories with assumptions that are not only not only incommensurate but sometimes even contradictory - such as Hirschi's social control theory, backlog theories (such as Merton's, 1959) and situational theories (Clarke, 1992, provides an overview) - are set side by side as sources of inspiration. The situation, in practice, then turns out to be different from what is set out in the theory, with the result that prevention projects are perceived to disagree with the theories (Polder & Van Vlaardingen, 1992; Baerveldt, 1993). The educational world generally makes no use of the opportunities prescribed in social control theory. Reinforcing the ties between problem youth and society is thus often seen to consist of information projects - which are not something we might expect to create a stronger tie (Baerveldt, 1992b: see also Bruinsma, 1992).

The third claim to rationality is based on the supposed effectiveness of preventive measures. Here, too, we must voice our doubts. There are few reasons to assume that government policies on crime are effective. This was demonstrated in a meta-evaluation of more than 100 projects: the effectiveness of preventive measures was not even evaluated - or the evaluation was of relatively low quality (Polder & Van Vlaardingen, 1992). The few, somewhat reliable studies give mixed results as to the effectiveness of measures. Any measure of reliability in what they have to say about diversion effects provide a mixture of results. Preventive effects - all of which are short-term - are reported in the context of 'alternative' sentences for petty crimes (Kruissink & Ververs). Short-term successes can also be found in some community neighbourhood prevention programmes. But no success has been

<sup>9</sup>The original information were generously made available by NSS/Marktonderzoek B. V., for which we are very grateful.

achieved in education (see, for instance, Muisaers & Boendermaker, 1990). The Dutch educational system offers few opportunities for preventive measures (Baerveldt, 1990; 1992a). The organisational structures of the Dutch education make it exceptionally difficult for a school to pursue its own pedagogical policy.

As far as the fourth rational component is concerned - optimising usefulness - there is no efficient policy targeted on maximum control using minimum means. The *content* of the policy proposed by *Samenleving en Criminaliteit* (1985) laid a great deal of emphasis on prevention. But financially, the emphasis was on the second - repressive - track: the main thrust was the increase in the number of prison cells. The development of the Dutch detention capacity is in the direction of continual increase, partly because the average duration of detention has lengthened due to the handing down of heavier sentences. Seen from the point of view of prevention, this increase is irrational since longer periods of detention have no effect on crime figures. The government has known this for years: it is even a fact that has led to adjustments being made to the goals of imprisonment.<sup>10</sup> The call for alternatives to prison sentences has been heard for scores of years, but it has failed to lead to more effective and/or cheaper solutions. Alternative sentences are often used as a complement to detention rather than as a substitute for imprisonment (Van Swaaningen & Uit Beijerse, 1993). It is feared that the projected

<sup>10</sup>In The Netherlands the concept of neighbourhood is the most influential notion in urban development (Tromp, 1985). The ideal of the *wijkgemeenschap* (neighbourhood community), in which people with similar backgrounds were collectively responsible for their environment, played a major role in the process of dismantling *verzuijing* in the 1950s, when the neighbourhood replaced the parish (see: Akkerman, 1985; Heiken, 1985). The neighbourhood (neighbourhood centre) constituted the nerve centre of welfare work professionalised during the 1960s. The work, principally constructive, aimed at participation on the part of local residents from the mid-seventies the idea of involving the local people in the management of impoverished dwellings in order to prevent their destruction played an important role (see the various international contributions in Prak & Priemus, 1984). Cohen (1985) named this "community ideal" as one of the driving forces behind the current ideology of crime prevention.

increase in the number of cells will continue, whether such a policy is 'rational' or not (Baerveldt, Aalberts & Kommer, forthcoming).

Rationality would not seem to be the appropriate word to use with reference to the government's response. And yet, this would seem to contradict the 'practical image' that The Netherlands has. Which is why it is useful to examine an area of policy where The Netherlands has par excellence, the image of a country that knows what it is doing: How to deal with drugs.

Traditionally, the Dutch drugs policy was rejected by other countries of the West, led by the US. The main source of this policy - described as too tolerant (Atteveld, 1988) - was the revised version of the *Opiumwet* (Dangerous Drug Act) of 1976. Up to that date the country had pursued a non-differentiated policy, with maximum sentences of four years for both possession of and dealing in drugs. The core of the new legislation was the distinction made between dealing in and possession, for personal use, of soft drugs regarded as relatively safe, such as hash and marijuana, and hard drugs, such as heroin and cocaine. From 1976 onwards, the possession, use and the dealing in soft drugs was tolerated, while the maximum sentence for dealing in hard drugs rose to a twelve-year prison sentence. At the same time, users of the products were regarded as more sick than criminal. This placed the problem of the use of drugs fairly and squarely in the lap of the Ministry of Health rather than Justice: the latter was given the task of tracking down the dealers. The distinction made between hard and soft drugs represented an attempt to prevent the users of soft drugs graduating to hard drugs.

Paradoxically enough, however, the Ministry of Justice declared an all-out war on drugs during the last cabinet, just at a time when Dutch policy (distinction between soft and hard drugs and the approach from the health care angle) was beginning to receive international recognition. In both Rotterdam and Amsterdam, the new policy of 'cleaning-up' the city centre led to a weakening of the authorities' grip on the problem. Drug dealing - and the nuisance caused by drug users - simply spread out over the city.

### 3. Hardening of attitude as a rational reaction to unrest regarding security

115

The previous paragraphs have shown that the hardening of the judicial atmosphere cannot be explained as a rational reaction to a rise in crime, i.e. the risk of becoming a victim of crime. But it is possible to speak of a rational reaction to *feelings* of insecurity or, in a somewhat wider sense, citizens feeling unrest regarding an (assumed) rise in crime rates. In principle, this covers two aspects. First of all, it must be a reaction which in one way or another can be qualified as rational. The reasoning is that stricter measures against crime should decrease the feelings of unrest. Secondly, it must be a reaction which implies that the increase in unrest precedes the hardening of attitude.

There is something to be said for the above scenario. First of all, it would appear that the population is indeed disquieted. Periodic polls have been taken since 1975, to ask the general public how safe they feel, and this would seem to show a definite rise in feelings of disquiet.

We would first like to deal with the question of what we should understand by feelings of insecurity. It may perhaps cause some surprise when it is realised that objective social insecurity (the risk of falling victim to a crime) on the one hand, and disquiet on the other, are placed so prominently one against the other. This can be justified by reference to the empirical studies that have been performed. Feelings and disquiet appear to develop separately from the reality of insecurity. As already stated in the previous paragraph, during the last decade the chances of becoming a victim of crime have remained stable. Research carried out by the SCP (Sociaal en Cultureel Planbureau - social and cultural planning office), however, shows that something like 85% of the Dutch population believes that crime rates are increasing (SCP, 1992). Evidently, the experience of crime does not follow the (much more subtle) actual situation.

The distinction between feelings of insecurity and more 'political' types of disquiet regarding insecurity is also important. Fiselier (1978), for instance, drew a distinction between the fear of falling victim to crime and disquiet at crime as a social problem. Studies carried out,

both in Germany (Stephan, 1976) and in The Netherlands (Nuijten-Edelbroek, 1982), show that people say they have less fear of crime in their own immediate environment, but that they feel disquiet about crime on a city and national level (taken from: Van der Vijver, 1993; p. 89). An important factor is that the surveys ask one-sided questions about insecurity. Raes (1994) remarks that as well as scoring high on an insecurity scale, Dutch and Flemish people also score high on a satisfaction index. According to the European Values Study, 90% of the Dutch population feel happy and are contented with their life, their job, their health, their financial situation and their housing.

Keeping the above, subtle distinctions in mind, we can now examine the extent to which the government has reacted in a rational fashion. As far as the hardening of the judicial climate is concerned, the response cannot be qualified as rational. A 'hard' reaction assumes that unrest is rooted in (serious) crime. In practice, however, it would seem that the portmanteau term 'insecurity' covers a wide range of feelings. Justice researcher Eijken states the following: "Studies carried out on local populations have shown time and time again that people are not so much concerned about crime as about problems of neglect and nuisance - which, of course, can lead to crime or be its consequence. The public shows a particular desire for the problem of dog excrement to be tackled. Cars driven too fast are also mentioned as a major cause of nuisance" (Eijken, 1992; 10). Similar findings also emerge from the study entitled *Veiligheid en Politie* (Security and the Police): the public is more concerned with traffic accidents and serious illnesses than with burglaries (Van der Vijver, 1993; 96).

Unrest would seem to have multiple causes, and what is noticeable is that most citizens find it hard to live with neglect of their immediate environment.<sup>11</sup> It is precisely in this sort of situation that a judicial

<sup>11</sup>In this context it is perhaps not entirely coincidental that the evaluation of social renewal and the evaluation of judicial neighbourhood crime prevention overlap in only one local authority: in Dordrecht, where the operation is in the hands of the councillor responsible for urban renewal (see Van Dijk, Van Soomerem e.a., 1993). A second example of how the combination of a broad governmental approach to the fight against crime combines with departmental self-interest was highlighted by Kruisink

approach is scarcely appropriate. The citizen is making a symbolic rather than an instrumental appeal to the law, according to Van der Vijver (1993, 173 sqq.). The policy followed under the regime of the Ministry of Home Affairs, as put forward in the report on Integral Security (1993), goes a long way to answering the above objections. The policy suggested mapping the security situation per neighbourhood using a monitoring system, use also being made of information on the quality of public parks, the state of the houses, etc. In some cases, especially in neighbourhoods where there is no active residents' group or where terror prevails, it would seem obvious that an oppressive policy is required (Huiskens, 1993). But it is more often than not a question of gearing the schedules of street sweeping with the schedules of household waste collection, of creating dog toilets or fixing any loose paving stones in an area frequented by elderly people.

We posed a second question: To what extent is it possible to speak of a reaction to an increase in insecurity? The annual studies of feelings of insecurity made by the CBS (1993) indicate that they remained stable in the decade from 1980 to 1990. There was, therefore, no rise in the feelings of insecurity prior to the start of the campaign of prevention (1985), nor prior to the inception of the hardening of attitude, which began mainly at the end of the 1980s. Wider periodic investigation of the period from 1981 to 1993, as carried out by NSS/market research, confirms the picture.<sup>12</sup> Factors measured included the interest shown by the general public in the problem of insecurity and the extent to which they were concerned. The quarterly reveal that the various indicators shift substantially. No clear trend emerges for the period 1980-1990. Then, however, we see a clear rising trend for all indicators (fig. 1). Unrest rose, therefore, after the hardening of attitude had taken place, and not prior to it. For these

(1994), who noted that within the context of measurement of effects, the police produces output (data) precisely in areas where the local authority applies tools other than police activity.

<sup>12</sup>See Boutellier (1991). For a general impression of England and the U.S., see Cohen (1985).

reasons, it cannot be said that the hardening of political attitudes towards crime is a reaction to the growth of unrest.

#### 4. Hardening of attitude as a consequence of bureaucratic developments

The about-turn (hardening of attitude) in the way crime control was regarded cannot be considered a rational reaction of politics and government to social insecurity. It can only be partly seen as a reaction to feelings on the subject. This raises the interesting question of whether the about-turn was a result of bureaucratic developments. Two of the latter could offer an explanation: problems in the judicial system and the competition between government services. The judicial system certainly had major problems which were of definite influence on policy. Hoogerwerff & Bruinsma (1988) state, for instance: "Judicial aims after the 1970s were ever more coloured by efforts to limit the government's financial burdens. This shift in emphasis is expressed in the instruments of policy". Within the judiciary, motives connected with crime prevention also came into being. These were formulated by the Procurators-General in their 1981 annual report as follows:

"In the area of judicial suppression of petty crime, the welfare state would seem to have reached the limits of its capacity. (...) The question arises as to whether exaggerated expectations of criminal law in that area were not entertained in the past and whether the rubbish/bin function which criminal law was called on to fulfil in practice, was not all too easily accepted. Criminal law and its applications are only two of the many instruments available for limiting undesirable behaviour and, in many cases, are far from being the most apt. More than in the past, we need to examine each category of crime in order to determine what role criminal law has in that particular category once the necessary measures have been carried out in the area of the citizen's own responsibility, of the implementation of the civil authorities' tasks and of technical measures". (Procurators-General Annual Report for 1981; 1982, 42).

The preventive activities undertaken from 1984 onwards can be regarded as measures designed to lower costs and to relieve the burden on the judicial apparatus. However, this hardly explains the hardening of the climate: a repressive climate is an ideal way of raising costs. A second approach is based on the competition between various government sectors. This could, indeed, have caused the about-turn to occur: The Ministry of Justice attempts to maintain itself by pushing its own speciality to the fore - the judicial reaction to crime. Competition could arise because the prevention campaigns attracted many new actors after the mid-eighties. The intention was most emphatically to spread more widely the burden of crime prevention by making an appeal (budget-based) to other (government) organisations. An operation of this kind requires a director - and the Ministry of Justice created a separate 'Directorate of Crime Prevention' in 1989. The policy was continued by the Lubbers-Kok Cabinet under the term 'netwerkvorming' (formation of networks: See, for example, Rook, 1992). The central role played by the Ministry of Justice was, however, contested from the start. Fijnaut, Uijt Beijerse & Moerland (1992; see also Fijnaut, 1991), for instance, point to competitive struggles between the Ministries of Home Affairs and Justice.

By way of an example we would like to examine the role of the various ministries in community management. Community management has a long history, starting with urban renewal. This approach means a predominance of the notion of maintenance or improvement of the physical environment. Later, partly because of efforts at encouraging resident participation, a social dimension was added. An influential definition states the following: "Community management is the whole corpus of activities required for maintaining and/or adjusting the quality of a neighbourhood, both in the social and town-planning senses of the terms". This definition combines a number of different aims: the interests and social problem definitions of residents are combined with management of the physical environment. From 1983 onwards, a third approach was added to the combination. At that time, in addition to the Ministry of Housing (urban renewal) and the Ministry of Welfare (social work), the Ministry of Home Affairs offered to local authorities (as part of a policy on minorities)



budgets for experimenting with disadvantaged neighbourhoods. The idea was that there had appeared to be a number of neighbourhoods where problems were accumulating. High unemployment, combined with lack of building maintenance and a large turnover of inhabitants, were leading to increasing poverty and, eventually, to ghetto formation and ethnic tensions. Within the framework of this policy a community-targeted approach (improvement of the climate of life in the neighbourhoods) was distinguished from an approach targeted on 'problem categories', in which employment (and therefore a fourth Ministry) took centre stage. From 1990 onwards, the policy was continued under the title 'social renewal'. Here again, the core of the policy was constituted by a combination of employment measures and the solution of specific problems of a particular neighbourhood. In some cases, a separate organisation was established, one which functioned as employer for the various activities, a type of organisation known as 'buurtontwikkelingsmaatschappij' (community development corporation) (Brugman & Winkels, 1992; Schrijen, van Diemen & Voskamp, 1994). However, a specific aspect of social renewal was that its policy philosophy was targeted on breaking down the lines of separation between local authority services, which often looked no further than their departmental responsibilities.

Interference on the part of the Ministry of Justice in the community dates from the mid-eighties. This involved, on the one hand, physical measures taken in conjunction with the Ministry of Housing: improvements to street lighting in unsafe areas, removal of undergrowth and suchlike. On the other hand, a temporary subsidy arrangement made it possible to appoint wardens in problem housing complexes, and joint experiments with housing corporations were carried out in selective granting of housing. Community management was listed as one of the three spearheads of the Ministry of Justice's preventive policy on crime, where the approach is - much more than in neighbourhood management and social renewal - crime prevention. Thus, in the course of its history, neighbourhood renewal became a vehicle for a wide variety of aims, not all of which would seem to be easy bedfellows. The most recent neighbourhood-targeted task allotted to the community management tree is the integral security policy

(1993) mentioned in the previous paragraph, where the choice is made to combat insecurity by applying an integral policy pursued via the local authorities (though now final responsibility lies with the lord mayor).

Competition between departments consists of attempts to extend one's own departmental budget (or at least to maintain its current level). But differences of opinion as regards content can also arise, neatly summarised by Fijnaut, Uijt: Beijerse & Moerland (1992; 48) in the question: "Social control versus social disadvantage?" Arguments indicating problems with crime (or the dominant solution: social control and setting of standards) would, however, seem to have a head start in the current climate. A sobering comment (1994; 13) was that made by Glastra van Loon, member of the Upper House for the progressive liberal D'66 party: "Any minister wishing to put pressure on his colleagues in the council of ministers with an appeal to public opinion is better off doing so by raising the flag of crime prevention than by making a plea for extending the capacity of the judicial authorities". And indeed, it would seem sensible advice, since any request for an extension of judicial capacity would probably cause one's fellow-ministers to express the opinion that this is an internal problem: the minister must solve the problem within the constraints of his or her own budget. What applies to the minister also applied - and still does - to the lower ranks. Extension of means and portfolios first requires a problem: crime has become the problem. The problem of crime has to be made to appear sufficiently serious. The growing emphasis on social (in)security reinforces the idea - contradicted by the facts - that insecurity is on the increase. The next step would then seem logical: Stricter measures are required. This would lead to the remarkable picture of a movement being set in motion to function as an alternative to criminal law and ending up by hardening attitudes to crime and strengthening the position of punishment.

## 5. Hardening of attitudes as an attempt to civilise

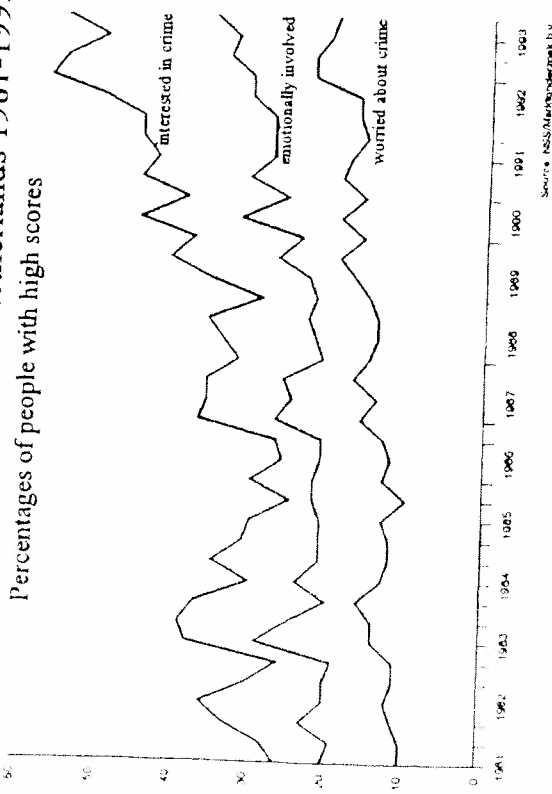
The competition between national and local institutions has been partly

responsible for a process that has led to a hardening of the judicial climate. The principal arguments used have been that emphasis on the seriousness of the crime problem has had the side-effect of creating the need for more oppressive measures. However, this does not cover the whole picture. For instance, it remains unclear why crime and security have become such a good sales pitch. Let us, therefore, examine the extent to which we can speak of an attempt to civilise. By 'attempt to civilise' we mean a campaign designed to change the attitudes and behaviour of part of the population, i.e. raise it to a 'higher cultural level' (De Swaan, 1989). We can speak of an attempt to civilise if the following conditions are fulfilled. There must be: (1) a campaign with actors (mostly elites) who initiate the campaign and drum up support for it from others; (2) a consensus among the actors regarding the presence, nature and causes of a social problem; (3) a sector of the population where the problem can be situated; (4) a solution to the problem, and finally, (5) the campaign must have a moral content. The hardening of attitudes we have seen fulfills all these criteria.

First of all, we can indeed speak of a campaign started by elites. On 23rd June 1983 the European Council of Ministers agreed on the following recommendation: (The council) "recommends that the governments of member states promote the participation of the public in drawing up and implementation of a crime policy aimed at prevention of crime, the use of alternatives to custodial sentences and the provision of assistance to victims" (Recommendation R(83) 7, 1983, Strasbourg, Council of Europe). This clearly shows that it was felt necessary to convince the public that this was a good cause. In The Netherlands the intention was translated by the Roethof Commission (1984), and in later policy planning, into a motto stating that society itself must take responsibility. Subsequently, it was further translated into governmental procedures which distributed responsibilities to other bodies. In *Samenleving en Criminaliteit* (1985, 77), we read: "This document has repeatedly emphasised that the necessary reduction in widespread petty crime is a task which not only falls under the responsibility of central government but also requires effort on the part of local government, social institutions and the individual citizen". Secondly, there exists a consensus regarding the nature and causes of

'the problem': crime and the preceding moral decline. The consensus is well expressed in the introduction to a motion put by Mr. Nijpels (member of parliament for the VVD) in 1984. It points out that "statistical data and scientific studies demonstrate growing unrest among the general public regarding the rise in crime", which means "a threat that the citizen's confidence in the government and its function as protector of his person, of his goods and of collective interests, could be undermined". He goes on to suggest that "the citizen's perceptions of norms and social control is threatened with further weakening". And then considers that "because of the nature and extent of today's crime, not only a wide range of immaterial damage but also extensive material harm is being done to the individual citizen and the community". This sketch of the problem, widely supported in parliament, was given shortly before the Roethof Commission's interim report and bears a remarkable resemblance to the Commission's recommendations. The Commission justified its recommendations with a sketch of the developments that had taken place in society since the 1960s: "It is commonly accepted that Dutch post-war society has been subjected to major processes of change. From being a closed society, based on *verzorging*, it has developed into a pluriform, richly coloured society within which every pattern of behaviour and every form of personal conviction should, in principle, be able to find a place" (*Commissie Kleine Criminaliteit*, 1984, 1). The Commission believed that urbanising processes, the breakdown of pillarisation and the changes in attitudes to authority which came in with the sixties, were leading to anonymity. The developments encouraged "the erosion of the social midfield, of the social ties existing between government and citizens". And the process of "decay" of functional supervision of potential lawbreakers (e.g. shop assistants, bus conductors, doormen, janitors) was going even further under the pressure to become efficient. The idea that social control has disappeared is given a prominent place. The translation of this development into nostalgic feelings towards the fifties, a decade easy to oversee and still in the grip of pillarisation, constitutes the basis for the briefly outlined emphasis on morality, which came to be part of official government policy from 1987 onwards. The longing for the good old days can be heard from the

### Public unrest about crime in the Netherlands 1981-1993



125

mouths of both Christian Democrats and Social Democrats, though with the difference being that the former refer to the role of the family and the latter to the importance of the classic working-class neighbourhood.

Thirdly, there are categories of society that can be clearly delineated as the source of the problem: it concerns mainly youth. In itself, this is nothing new. Since the Second World War, youth have been alternately praised and damned. During the 1950s there was concern about criminogenic families and problematic upbringing, especially with reference to 'the plague of youth running wild'. The remedy proposed was 'a policy aimed at re-education, implemented by private - mostly confessional - welfare organisations' (Schuijt, 1994; see also Akkerman & Stuurman, 1985; Galesloot & Schrevel, 1987; Dercksen & Verplanke, 1987). During the 1960s, the picture slowly altered. The authoritative Catholic monthly, *Dix*, for instance, wrote in 1966: "There is a wider agenda hidden under the provocative behaviour of young people, which has to do with the development underwhich our society is undergoing. Automation, urbanisation, welfare, more leisure time - these all confront us with questions whose significance we as yet scarcely suspect" (quoted in Van der Lans, 1980; 467). People were able to show understanding for the deviant behaviour of youth. But from the end of the seventies this more positive situation gradually reversed until, from the 1980s, attitude to youth was mainly negative (Kapteyn, 1985). The first experiments with crime prevention also date from that period. They consisted mainly of policies targeted on vandalism, which was also typified as 'senseless' destruction. The culprits everyone had in mind were, of course, the youth.

Fourthly, there is a consensus as far as 'the solution' is concerned, which emerges almost directly from the consensus regarding the 'cause'. Where social control has disappeared, it must be put back in place. The Christian Democrats translate this into propagating the idea of the importance of an upbringing that instills norms, while the Social Democrats place emphasis on improving the situation in working class neighbourhoods (Bunkers, 1993). As already pointed out, these elements have been given an important role in the policies of prevention.

Fifthly, the campaign has been given a strong moral tone. In the

*Actieplan veel voorkomende criminaliteit* (Action Plan for Crimes Frequently Committed - 1987, 8), we see mention of the role of norms and values: "(...) that the supervision regarded as essential for the prevention of petty crime, supervision of young people by parents, neighbours, teachers or others can only be exercised appropriately when it is based on strong normative convictions. The policy of prevention proposed by the Cabinet is therefore certainly not neutral as far as norms are concerned. The confirmation of norms by punishment meted out for crimes committed should be rooted in a clear readiness in all sectors of the population to follow the legally established standards and to help in maintaining them". Everything and everyone must be mobilised, brandishing the weapon of their own morals. In *Recht in Beweging* (1990, 34), further mention is made of the subject, and the use of morality is even made into a moral question in itself: "Just as the citizen's primary responsibility to provide for his own needs is not removed by the welfare state, so also the justice system does not absolve citizens from their duty to do their utmost to preserve law and order by maintaining norms in their own immediate environment".

We can conclude that an important part of the about-turn in the climate of law and order lies in a campaign started by the government and intended to convince local authorities, social institutions and organisations - and, in the final analysis, the general public - of the importance of the question of crime. The paradox of the more repressive judicial climate in The Netherlands is that the campaign was originally intended to promote a softer approach.

## 6. Conclusion

This contribution has provided an outline of crime prevention policy in The Netherlands, with particular reference to the process of the hardening of the climate as it took shape in the 1980s. The hardening of attitude can be characterised as a process of instrumentalisation of the aims of criminal justice and a more repressive political atmosphere. The process came into being via the implementation of the policy plans *Samenleving en Criminaliteit* and *Recht in Beweging* and has its roots in the 1984 reconciliations of political opinions in the 1970s.

That period is painted as one in which prominence was given to the acquisition of rights, to the detriment of the recognition of duties. Steadily growing emphasis was placed on norms and standards as a part of the policy of crime prevention.

We then asked the question of how the hardening process could be explained. First we examined the extent to which the changes could be regarded as a rational reaction to a rise in the crime rate. There is no question of this, simply because the threat posed to the citizen has been relatively stable since 1980. Furthermore, it became apparent that those pushing for policies of prevention have not been able to substantiate their claims for a policy based on scientific theory. In practice, the implementation is of prevention projects that are, for the most part, far removed from 'the theory'. Finally, there appears to have been scarcely any demonstrable successes, and the interpretation of successful measures remains an extremely difficult task.

Secondly, we examined the extent to which the hardening of attitude is a rational reaction on the part of the government to growing unrest in the general public. This would not seem to be the case, since the unrest started to grow after the inception of the national crime prevention campaign. It would seem that the campaigns have been partially to blame for any unrest rather than to have come about as a reaction to prior unrest.

Thirdly, we searched for an explanation in bureaucratic developments. There was a reason - internal to the system - to promote crime prevention, namely that of reducing the burden on criminal justice. But this ought to have had the opposite effect of making a hardening of attitude illogical. In the field of crime prevention, there was a struggle between the ministries and between numerous lower echelon entities to seize a part of the crime prevention action. It looks as though this could have been fertile ground in which a hardening of attitude could flourish. Obviously, there would have to be indications of growing problems requiring more extensive - and often more repressive - solutions.

Fourthly, we asked whether it was possible to see the hardening of attitudes as an attempt at a civilising process. It is possible to speak of such a process for the following reasons: It can be said that there has

been a campaign, launched by elites - mainly eminent politicians, ministers and bureaucrats. There was a parliamentary consensus on the nature and cause of 'the problem'. Clearly defined categories of people can be indicated as harbouring the problem, especially (racial minority) youth. Consensus was found regarding 'the solution', namely a reinforcing of supervision, particularly social control. And finally, the campaign has had a strong moral tone, calling on citizens to police themselves.

What can we expect in the future? Because the campaign is an effort to civilise, and in view of the history of campaigns of this type, we can expect the whole thing to get out of hand, even out of the hands of its initiators. And that would seem to be what is happening. A growing number of matters are being regarded as crime problems. More and more social sectors - neighbourhood organisations, education, youth welfare work - are irresistibly being drawn into 'crime'. The process of 'grow and devour' has started and, at this the moment, is unstoppable.

And yet there are already indications of a return to other notions. For instance, the recent development of integral security policy is a clear attempt at a more rational reaction to feelings of insecurity and unrest. Within the policy of integral security, crime is seen as but one of the many causes and a repressive reaction as being one of the many ways of reacting. The integral security policy of the Ministry of Home Affairs, therefore, has the potential to take power if and when the judicial approach no longer occupies centre stage. This would make it possible to break through the top-down character of the attempt to civilise. In many places, the individual citizens themselves are promoting activities, subsidised or not, designed to make their environment more secure. Perhaps such initiatives will break through the paternalistic armour of the campaign to civilise.

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