

Comparative Analysis of Crime: The Background of Deviant Behavior

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In Western Industrialized countries the officially registered crime rates have risen for the last fifty years (even though in some countries the crime rates have started to decrease recently). This trend should not be over interpreted, since there are generally high dark figures of crime. However, it can be assumed that there has been an increasing crime problem. Changes in social structures in particular seem to be responsible for this problem. This paper discusses the impact of a changed labor market and job situation including unemployment, poverty, social inequality, and the destabilization of the family. Factors such as trends in consumption and leisure-time activity patterns, and an altered sense of responsibility for child rearing are discussed as well. This changed social landscape results in challenging social problems including a rising crime load and new related problems. Yet, public authorities still stick primarily to traditional measures of sanctioning. This article discusses the appropriateness of punitive reactions and the necessity of more and intense preventive measures.

Análisis comparativo de la delincuencia: Los factores vinculados al comportamiento antisocial. Los países europeos occidentales han sufrido un aumento global de las tasas oficiales de delincuencia en el transcurso de los últimos cincuenta años (y ello pese a que en algunos de estos países puede observarse una reciente disminución de dichas tasas delictivas). Esta tendencia global de carácter ascendente debe ser interpretada con prudencia debido a la existencia de una elevada cifra oscura de criminalidad. Sin embargo, pese a todo, puede asumirse que la criminalidad es un problema social en aumento. El principal factor responsable de este incremento delictivo parece encontrarse en los cambios que se están operando en las propias estructuras sociales de muchos países. Nuestro artículo analiza el impacto que pueden estar teniendo un mercado laboral cambiante en relación con problemas como el desempleo, la pobreza, la desigualdad social y la desestabilización de la institución familiar. También se analizan otros factores tales como las nuevas tendencias en el consumo, en los modelos de ocio y tiempo libre, y en los sistemas de crianza de los hijos. Este nuevo panorama social nos enfrenta a nuevos desafíos entre los que se incluye una creciente criminalidad y otros problemas sociales vinculados. Para luchar contra ellos las autoridades continúan aferradas a las viejas medidas punitivas. Discutiremos también la eventual adecuación de tales reacciones punitivas y la necesidad de más y más intensas medidas preventivas.

Development of violent crimes

Since WWII there has been a more or less marked increase in police-recorded crime rates for West European countries. Considering especially Germany, Albrecht (1997, S. 542) emphasizes: «Globally seen, the history of the Federal Republic of Germany is marked by an almost notoriously increasing crime rate...» (translated by the authors). At the same time, the author warns the public against dramatizing this development -a reaction to which the public tends, often influenced by the media. Eisner (1994, p. 14) calculates the change of police-recorded crime rates in 1950 to

1992 for the following West European countries England and Wales, France, West Germany, Italy, Sweden, and the Netherlands. Over these four decades, he detects a considerable increase in each country's crime rate. At the beginning of the 1990s, the average number of offenses per 100,000 inhabitants was five times higher than in the 1950s. According to Garland (1996, p. 446), there is a «normality of high crime rates in late modern society» and a «new collective experience of crime and insecurity, an experience which is itself structured by the distinctive social, economic and cultural arrangements of late twentieth-century capitalism» (Garland 2000, p. 347).

In a comparison for the years 1960 to 1990 between the above mentioned countries examined by Eisner and the USA, Marshall (1996) found a parallel development of criminality up to the year 1980 with a steeper rise for the United States. Since 1980 the crime rate in the United States has been relatively stable except for some slight ups and downs whereas the crime rate in Europe keeps on rising. Focusing on recent years only, during the period of

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the political transformation in the 1980s and 1990s, the former Eastern-bloc states show a more or less marked increase of overall criminality (see Kury 1997). Changes in crime rates link primarily to this political change and the resulting consequences for the affected societies. This generally accepted connection is furthermore supported by the stagnating or even decreasing crime load for industrialized Western countries such as West Germany or the United States.

The increase in crime rates in the former Eastern-bloc states after the political transformation indicates that social factors cause delinquency and deviant behavior. In addition, different patterns of recording and registering offenses and criminal behavior contributed to varying crime rates. Equally, almost all criminological theories refer to the relation between crime and social conditions (see Durkheim 1961; Lamnek 1979).

In addition to the generally and dramatically rising criminality, there was a growing number of offenses committed with brute force and especially an increase in juvenile delinquency. The media, in particular, report again and again on the rising number of serious crimes. Taking a closer look on homicide rates of different European countries, a marked and continuous drop of serious crimes can be observed in England and Wales, France, Sweden, Belgium, Italy, the Netherlands, and Switzerland from the 19th century onwards to 1960. Afterwards, there was an increase in serious crimes not reaching the starting rate of the 19th century (Eisner 1994). Especially the Netherlands and Belgium are affected by this latest trend whereas Italy and France are less affected. In a long-term trend, these data point to a drop of serious crimes and simultaneously to an increase in these offenses for the last forty years, however.

This is especially true for the former Eastern-bloc states for the time since the social change after the fall of the Berlin Wall. For Poland, for instance, Siemaszko (2000, p. 17) emphasizes that «... crimes of a violent nature are still on the increase – sharply so, unfortunately. In comparison with 1989, the year 1999 saw five times as many robberies, four times as many cases of assault and twice as many instances of bodily harm. The proportion of these crimes in the overall structure is also rising – from nearly 4% of all crimes in police statistics in 1989 to 7% in 1999». Since 1993, the trend for homicide rates, however, has been relatively stable after a marked increase from 1989 to 1993. In figure 1 the crime trend for Poland is delineated including the offenses murder, bodily harm, aggravated assault, burglary, larceny and robbery. The crime rates of the year 1989 are set as 100% in order to observe the proportional increase of the following years. It can be seen that aggravated assault and robbery exhibit the most evident increase. In 1999, the crime load referring to robbery was five times as many as in 1989 with a continuing marked growing trend. The crime load for aggravated assault was more than four times as many as in 1989 hinting at a downward tendency. In comparison to these offenses, the crime load for other offenses did not increase as markedly. The most striking growth of number of offenses could be recorded in the years after the political change leveling out again as of 1993. For some offenses, e.g., murder, there even has been a drop in crime rates. In relation to juvenile delinquency in Poland, Czarnecka-Dzialuk (2000, p. 142f.) notes that the criminal justice statistics «show a steady increase in the number of juvenile delinquents in the past several years. Over a 15 year period the number more than doubled. In 1984 the police registered 25,584 juvenile delinquents, in 1989 29,841, in 1995 68,349, in 1997 58,730. In the period under consideration the juvenile delinquency rate per

100 thousand population in the age group 13-16 rose from 1,242.2 in 1989 to 2,590.7 in 1995 and then decreased to 2,172 in 1997. Moreover, police statistics demonstrate a decrease of approximately 10% in the number of offenses committed by juveniles». Referring to the officially registered crime rates of Poland juvenile delinquency apparently has been falling for the last years. However, media hardly cover such decreasing trends with the same zeal as they report on increasing crime rates. As a rule, such a distorted picture conveyed by the media entails the highly problematic side-effect of a rising public punitivity. The demand for harsher sanctioning may be understandable but hardly helpful. Czarnecka-Dzialuk (2000, p. 143) emphasizes: «Although cases of serious crimes committed by juveniles have perhaps been unduly magnified by the media, there is no doubt that they have included a number of brutal homicides, and offenses committed by juveniles have risen considerably in the 1990s. The number of juveniles involved in the most serious crime – especially that involving collective violence – has also risen. This is of concern to public opinion, which demands radical changes to juvenile responsibility and more severe penalties. It is still not known how regulations regarding juveniles will change. There is no doubt that legislation should not give in to demagogic and often unfounded pressure to sharpen repressive measures».

Due to the trend of a rising juvenile delinquency young people have come under the cross-fire of criticism. In Germany, in addition to the increase in juvenile delinquency itself, the problem of a growing brutality of these crimes has gained more and more attention since the 1990s. Heinz (1996, p. 352), though, emphasizes that there were ups and downs in the development of juvenile delinquency – as in other forms of offenses as well – before, as for the time from 1955 to 1995. There even were times when the extend of juvenile delinquency exceeded the trend of the 1990s. In the late 1950s, for instance, the registered crime rate of juvenile delinquency rose by 18%. In the late 1960s and late 1970s/early 1980s there even was an increase of 29% and 28% respectively. The increase in the late 1980s (4%) and in the early 1990s (9%), yet, was not as pronounced as the previous development. Thus, the rising trend of juvenile delinquency in the late 1980s/early 1990s was relatively small compared to the trend in the 1970s and early 1980s. With respect to the German-German reunification and the emerging social and psychological strain the crime trend in the 1990s was pushed into the centre of public attention. Especially the media presented the subject crime increase as the new «problem» of the time. In the 1970s and 1980s, though, the attentions was still drawn to less media-effective and less impressive data. By the late 1990s, crime and fear of crime have been «promoted» to an extensively discussed issue. Especially juvenile delinquency has been, time and again, taken up and scandalized by the media.

When considering above mentioned international data, it has to be taken into account that there are limits to interpreting international comparisons of officially registered crime rates, especially when comparing West and East European countries or countries with very different cultural background, respectively. The dark figure of crime may vary considerably between countries. Reports are influenced by patterns of the population to report offenses and if police is inclined to record these offenses (for China, for instance, see Yu and Zhang 1999). As a rule, the dark figure of crime is underestimated – even for serious offenses and even in industrial West European countries (Kury 2001; see also Rueckert 2000).

By means of victim surveys, especially designed studies to estimate the true incidents of criminal activities, unreported offenses can be detected. The International Crime and Victimization Survey (ICVS), which for the first time was carried out in 1989 (van Dijk, Mayhew, & Killias 1990) and for the fourth time in 2000 (van Kesteren, Mayhew, & Nieuwebeerta 2000), offers the opportunity for longitudinal and cross-section comparisons between several countries. These comparisons were facilitated by the fact that the used questionnaires were standardized and thus almost identical with each other and that the methodological approach was pretty much the same as well. This survey recorded victimization of the person questioned or a member of the questioned person's household regarding eleven offenses. Compared to other countries in this study, the prevalence rate (percentage of questioned persons who were victimized once or more often) for Poland for instance, in 1999 is about average, even in comparison with West European countries. In 1999, 23% of the questioned Poles were victimized at least once in one or more of the recorded offenses. The same rate of victimization could be found in Scotland and Denmark. Higher rates of victimizations resulted in England and Wales (26%), the Netherlands (25%), Sweden (25%), and Canada (24%), whereas Northern Ireland (15%), Portugal (15%), Switzerland (18%), Catalonia/Spain (19%), Finland (19%), France (21%), and Belgium (21%) exhibited a lower rate. The United States (21%) and Japan (15%) proved to be less «crime ridden», as well (see van Kesteren et al., 2000, p. 38). Thus, the above mentioned official number of offenses per 100,000 persons in Poland differs strikingly from the dark figure resulting from the ICVS and therefore seems to underestimate the true criminality in this country.

According to this victim survey the crime load of Catalonia/Spain is comparatively low, although Spain seems to exhibit a relatively high crime rate when considering the officially registered crime statistics. In Catalonia/Spain, the general victimization rate referring to the whole of the recorded offenses was 19% for the year 1999 (average of all countries included in the survey: 21.3%). Van Kesteren et al. (2000, p. 41) emphasizes: «The make-up of crime in Catalonia does not mirror the overall picture. There was proportionately much more car-related theft and car vandalism (over 60 % of all crimes). Theft of two-wheelers formed a smaller than average proportion of all crimes, although Catalonia was unusual in having similar rates for both motorcycle and bicycle thefts, whereas elsewhere bicycle thefts predominate. Burglary and contact crime also formed a much smaller proportion of crime than elsewhere». It has to be taken into consideration, though, that the ICVS was conducted in Catalonia only excluding the rest of Spain. A comparison with statements or numbers relying on statistics for the whole of Spain must be handled cautiously. Spain's high crime rate may be explained by the fact that a considerable proportion of the registered crime rate is a result of tourism related crimes with the victimized tourists reporting their victimization.

As above mentioned, patterns of reporting offenses to the police influence the number of registered criminality and, hence, the dark figure as well. On the basis of Poland's low official crime rate the conclusion can be drawn that the number of reported crimes is smaller than in other countries. The contrary is to be expected for Catalonia/Spain. With respect to Poland the expectations could be confirmed by means of the survey data, not so for Spain, though. Van Kesteren et al. (2000, p. 63), in fact, found that in Poland only 38% of committed crimes in one of six categories of of-

fenses were reported to the police; i.e. only about one third of the crime rate for these offenses was officially registered. For the countries included in the ICVS only Portugal (32%), Japan (37%), and Catalonia/Spain (37%) exhibited a lower number of reported crimes. For the other countries questioned in the ICVS this number was clearly higher: Finland 46%, Scotland and France respectively 52%, Switzerland 53%, England and Wales 55%, Belgium 56%, the Netherlands 58%, Northern Ireland and Sweden respectively 59%, and Denmark 60%. Average number of crimes reported to the police over all involved countries was 50%, i.e. only every other experienced offence was reported to the police. This comparison indicates a particularly high dark figure of crime in Poland, but also in Catalonia/Spain, Japan or Portugal. In 1991/1992, a German-German victimization survey including several cities in both the Eastern and the Western part of Germany the rate of reporting offenses in Freiburg, a south-western town of approximately 200,000 inhabitants ranged from 100% for car theft to 5.1% for fraud referring to 14 offenses. The rate of reporting offenses was markedly beyond 50% for the majority of offenses, i.e. less than half of the victims reported their victimization (see Kury, Obergfell-Fuchs, & Wuerger 2000, p. 339ff.).

Regarding Spain, it is striking to find a relatively low rate of reporting offenses, and simultaneously a comparatively high official crime load. The small reporting rate indicates a high dark figure of crime pointing out that the official crime load is still underestimated in spite of the high overall crime load. It has to be taken into account that the police-recorded crime rate depends fundamentally on reporting patterns of tourists being victimized during their vacation in Spain. In order to be able to claim a refund from their insurance company they have to show an official acknowledgement of their victimization. Thus, the high official crime rates and a simultaneously low willingness of the Spanish population to report offenses make sense. Asian countries such as Japan, China, or India are distinguished by their low crime rates, compared to European standards. On the one hand, this may be based on the culture contributing to more formal but especially informal social control. On the other hand, the low crime rate may stem from a low willingness or poor opportunities to officially report an offense to the police. Thus, a high dark figure of crime can be assumed for these countries (see Yu and Zhang 1999).

The most important reason for not reporting a crime in Poland was the conviction, the police are helpless anyway (39%; Catalonia/Spain: 10%; average over all countries: 14%). In Catalonia/Spain the most mentioned reason was «not serious/no loss» referring to the offense (51%; Poland: 46%; average: 42%) and «police wouldn't do anything» (17%; Poland: 31%; average: 11%). Equally important, only 36% of the victims in Poland, who actually reported a crime, were satisfied with how police reacted. Only Portugal with 31% exhibited a lower satisfaction. Apart from the low satisfaction in Poland and Portugal, average satisfaction was 64%. Another reason for the small number of reported crimes in Poland may therefore be the disapproval of the police and their behavior.

In Poland, 36% of those who reported car theft and burglary with entry, respectively approved the reaction of the police. When reporting contact crimes 44% were satisfied with how police reacted. With respect to car theft and burglary this is the second lowest percentage after Portugal (31%). Regarding contact crimes, again Portugal (33%) and Japan (27%) exhibit lower rates of satisfaction.

The Spanish (Catalonians) on the other hand were more satisfied with the reaction of the police: 75% appreciated how police reacted when reporting car theft or burglary with entry with only Switzerland (77%) and Denmark (81%) exhibiting a higher level of satisfaction; when reporting contact crimes again 75% of the Spanish were satisfied with the reaction of the police with only the Finns exceeding slightly (76%). Average satisfaction with how police reacted across all countries was 64% for both car theft and burglary and 61% for contact crimes (see van Kesteren et al. 2000). The low rate of reporting offenses in Poland is apparently influenced by the poor judgment of how police react when reporting a crime. In the former socialist-communist Poland police held sort of a political role which contributed to the unhappiness with the behavior the police displayed. Kury, Obergfell-Fuchs, & Wuerger (1996) found that this factor was of crucial significance for the assessment of the police in the former GDR as well. Unlike these judgments the reaction of the Spanish police is more positive. Yet, in general the reaction of police to reporting a crime is still judged unfavorably in Spain (van Kesteren et al. 2000, p. 74). In Catalonia 74% (ICVS average: 71%) of those questioned found that police are helpful. Only Japan (59%), Poland (52%), and the Netherlands (43%) were still less satisfied with the helpfulness of police. In France and England and Wales, for instance, 73% and 74%, respectively, of those questioned thought the police are helpful. In Catalonia, only 53% of those questioned think that police are doing a very or fairly good job in contrast to an average over all countries of 66%. The only countries in which police were judged equally or even more negatively were Portugal (45%), Japan (53%), Poland (45%), and the Netherlands (52%).

Although the victimization rate in Catalonia/Spain is comparatively low, fear of crime is rather high (van Kesteren et al. 2000). The standard item of how safe one feels walking alone after dark 35% reported feeling a bit or very unsafe. Interestingly enough, this is the highest level of all countries covered in the ICVS: The average number over all countries is 23%. Catalonia/Spain is doing slightly better in the fear of crime when alone at home after dark. With 6% this corresponds exactly to the mean of all countries. In spite of the comparatively high fear of crime when outside and alone at night the Catalonians/Spanish do not seem to be particularly punitive. Only 15.4% of those questioned favor a fine for a young offender committing a TV theft (relapse offender) (average: 10.6%), 6.9% (33.7%) favor a prison sentence, 0.9% (5.7%) a suspended sentence, 2.5% (3.7%) other sentence and with 65.3% (41.3%) two third of the Catalonian/Spanish support Community Service. Those who approved prison sentence suggested a length of imprisonment of – in average - 23 months (19 months as average of all countries).

The causes of crime

In summary, one can say that there has been a rising crime trend in the former Eastern-bloc states since the political change and in other European countries since the time after WWII with a slight fall in some of these countries, e.g., Germany for the last years. This trend raises the question as to how the increase in criminality may be explained.

Criminality has to be considered as an inevitable part of each society. Of decisive influence on the extend to which a certain society is loaded with the problem crime are first definitions of what is regarded as criminal behavior and second the living conditions

in the society. For the last fifty years, for instance, economic and social changes in industrial countries led to an extended range of behavior defined as criminal. Computer crimes, environmental crimes, credit card fraud or offenses in connection with internet have only been made possible by the technical and economic development of the last years. In addition, the public sensitivity for deviant behavior has risen as well, fundamentally influenced by an increasing sensational and aggressive media coverage. Equally important, the women's movement contributed to bringing offenses and behavior to the public attention that compromise women's and children's rights. As a result, certain issues were brought to the awareness of the general public thus eliciting a more consistent pattern of reporting offenses but also to a more consistent pattern of recording offenses on the part of the police. This is especially true for sexual offenses as for instance child abuse or neglect, molesting or stalking. It was advocated by large groups that this kind of behavior patterns is to be defined as criminal behavior.

In addition, for the last decades there have been further fundamental societal changes contributing to an increasing crime load. Taylor (1999, p. 8ff.) holds following social changes responsible for the increase in both crime rates and the fear of victimization: (1) Job crisis, (2) crisis of material poverty and social inequality, (3) fear of falling and fear of the other, (4) crisis of the nation state, (5) crisis of inclusion and exclusion, (6) crisis in «the culture», (7) crisis of masculinity and the gender order, (8) crisis of the family and parenting, and, (9) the rise of the market society. Passas (2000, p. 21) emphasizes the importance of a neo liberalism developed in the last decades, from which the present social conditions have arisen characterized by «discourses of 'free markets', individualism, and self-help» (Woods 1999). Policies of deregulation, privatization of state assets, and removal of tariffs implemented the doctrine that the state should yield to free enterprise. «Unemployment, inequality, and poverty were no longer explained by structural contradictions or constraints. The problems became individualized and blamed on corrupt administrations or the poor themselves». As a consequence, the disadvantaged and poor were likely to fall by the wayside. Living conditions – especially for the underprivileged - gradually have become harder in some European countries.

Taking a closer look at social trends in (West) Germany for the last decades, factors can be found as well that might shed light on the increase in criminality observed in the mid 1990s (as of the end of the 1990s the crime rate slightly fell again).

a) Job crisis

Due to the «economic miracle» after WWII, the level of unemployment in Germany was very low. In recent years, however, unemployment has been on a steady rise (see figure 2). The former GDR is in particular affected by unemployment. In the socialist-communist GDR unemployment was no problem at all since economic issues were completely controlled by state authorities and each person was assigned a job. Today, young people entering the job market cannot automatically expect to actually get a job requiring particular qualifications. Thus, unemployment has become a mainly East German problem with especially young people being affected. As a result there is keen competition for the few available jobs.

In general, this situation leads to enormous psychological strain. As early as in 1933 Jahoda, Lazarsfeld, and Zeisel in their

famous study «The unemployed of Marienthal» (translated by the authors) found that unemployment causes the breakdown of every day order, perspectives, and social relations which furthermore may lead to considerable feelings of insecurity, deprivation, and apathy.

In addition, the employers more and more put a stark pressure on their employees, since they do not have any problems to find new workers in case of dismissals.

b) Poverty and social inequality

Unemployment may, of course, lead to financial problems and thereby poverty, but also to social isolation. Unemployed people are in danger of sinking into poverty and therefore becoming socially marginal. According to Bohle (1997, p. 124), poverty in Germany, which is fundamentally related to the increasing unemployment figures, arose «to the outstanding subject and social-political issue of the eighties» (translated by the authors) in the last century. «There is a poverty problem of a new type which, with the German-German reunification, has extended quantitatively and qualitatively. ... The reunification creates a landscape of poverty for the whole of Germany, which, in addition, is aggravated by migration movements from abroad» (Bohle 1997, p. 124, translated by the authors).

Differences in regionally specific trends of criminality are therefore related to socio-economic changes (Heitmeyer 1997, p. 23). In an analysis of criminality for Germany, considerably regional contrasts in the crime load of some states could be found, with states exhibiting high unemployment figures and unfavorable income structures demonstrating a clearly higher crime rate (see Kury 1997a, Kury et al. 1996). These results could be confirmed by Friedrichs (1994) as well. Analyses of regional distribution of crime conducted with ICVS data confirmed the same trends that could be found for Germany as well for France and Spain, i.e. there seems to be a connection between regional distribution of crime rates and societal living conditions (see Kury, Obergfell-Fuchs, & Wuerger 1994; Kury et al. 1996).

In Germany, the number of people, also families, living beyond the level of poverty, has been constantly increasing in the last decades (see figure 3). It is striking that this increase in poverty is to be observed in a country, that, at the same time, is one of the world's most affluent nations (Geissler 1992, p. 44). Even the enormous financial strain after the German-German reunification did not impact the nation's reserves and, for the last decades, the German industry has been doing very well. This new «poverty inside prosperity» (Bohle 1997, p. 125, translated by the authors) can be found in other industrial countries such as the United States as well. Thus, it becomes especially obvious for the poor that they are outsiders.

With the increasing poverty in Germany, the gap between the dividing line of poverty and average income simultaneously has become greater and greater. Schott-Winterer (1990) found that those affected by poverty are worse off in several sectors of life. According to Bohle (1997, p. 126) «there is an aggravating inequality in the distribution between groups of lowest-income and groups of highest-income» (translated by the authors). As early as in 1984, Bolte and Hradil (p. 133) estimated that 45% to 70% of private capital is concentrated in only 1% to 2% of private households. The effects of increasing poverty in an industrial country like Germany exhibit an added psychological impact due to the ex-

pectations of the industrialized culture of financial success accompanied with a certain financial standard and a particular consumption behavior. This is especially true for the young generation: Being able to purchase certain brand articles has almost been embraced by the youth as a «leitmotiv». At the same time, the ideology of living in a society with supposed equality of opportunity induces to draw social comparisons. As a consequence, underprivileged are – on the one hand – very likely to experience a reduction in status and – on the other hand – may develop «deviant» ambitions (Runciman 1972, p. 32; see Bohle 1997, p. 129). Here, the media obviously are of significant importance in determining «social standards» of what one ought to «own» or ought to «wear».

Problem groups, that are especially prone to sink into poverty, are foreigners, members of the working class or low-educated people respectively, and single parents. Thus, having these unfavorably social trends in mind, more and more children are not provided for materially and do not get appropriate emotional attention (see Brinkmann 1994, p. 23) diminishing their chances of development considerably (Suenker 1991). As one of the weakest part of society, children are helplessly at the mercy of poverty and deficiencies. According to Peuckert (1997, p. 323) in 1995, there was one unemployed person in one of ten households in Germany. Including the households with children even every seventh household was affected.

Relevant studies proved again and again that unemployment fosters intra-family conflicts and tensions and even violent behavior (Silbereisen and Walper 1989). Bohle (1997, p. 141) dares to look forward and hypothesizes that there will be hardly a change in this trend for Germany but also for other industrial Western countries. «In view of the situation at the labor market, the predicted change in social structures for the next years, the continuing increase in single parents as well as in foreigners, and in the view of the radical changes in the new states it is very likely that the risks of impoverishment and – as a consequence – further social problems will increase» (translated by the authors; see also Hauser and Huebinger 1993, p. 415). To a large extent and at least until today, this prognosis has been right. Without a change in social policy it would come as no surprise if social problems such as rising criminality and increasing brutality had to be accepted.

c) Destabilization of the family

Since Freud's work (1966), there has been no question that family socialization is of crucial importance for a person's future, especially with regard to social and criminal deviant behavior. «Most social scientists now agree on the key role of the family in effective socialization of the young and in the etiology of juvenile delinquency» (Vazsonyi 1996, p. 82). In both psychology and criminology it is generally accepted that experiences and circumstances in early childhood have a great deal of influence on subsequent social behavior. Sherman emphasizes (1998, p. 4-1): «Family risk factors have a major effect on crime». International studies were able to confirm these connections even for completely different cultures (see Zhang and Messner 1995 for China). In her review, Junger-Tas (1992) found that both variables of family structures and – maybe even more important – process variables exert fundamental influence on the children's later criminal conduct.

In his perspective of «social capital» introduced ten years ago, Coleman (1990) discusses in detail interesting and further develop-

ped aspects of parenting and familial conditions and its consequences. This social capital approach «focuses attention not on individual variables, such as personality, but on how the quality, content, and structure of social relationships affect the transmission of resources ('capital') across generations that shape opportunities and life trajectories» (Wright, Cullen, & Miller 2001, p. 1). According to Sampson and Laub (1993, p. 18) it is the factor of social relationships that determines if a «social investment» can be developed. «If these social relations are characterized by interdependence they represent social and psychological resources that individuals can draw on as they move through life transitions that traverse larger trajectories» (p. 18f.). Hagan and McCarthy (1997a) claim an integrative force that this perspective exerts on other approaches drawing the attention on «institutional sources - including work, family, school, neighborhood, and community - that contribute to the explanation of crime and delinquency» (p. 235). Wright et al. (2001, p. 2) emphasize that the family significantly contributes to a person's «social capital». Coleman, too, (1990, p. 590-597) considers the family as one of the most fundamental institutions passing on «social capital» from one generation to the next. He describes three important transfer mechanisms: (i) time and effort which parents «invest» in their children; (ii) affective bonding between parents and children; and (iii) unmistakably defined rules about acceptable and not acceptable behavior.

In accordance with Coleman (1990), Wright et al. (2001, p. 2) claim that structural family changes may result in parents having less time for their children, «either because they are physically absent (i.e., at work) or psychically absent. ... in families characterized by high social capital, the ultimate aim of investing time and energy into offspring is to create individuals who are socially competent, psychologically adjusted, and behaviorally appropriate». Supporting family interactions lead to a more intensified attachment between the family members. According to Coleman, emotional family bonding is of crucial importance for an effective socialization enhancing or even enabling the transfer of norms from parents to children. The contents of family interaction play an important part as well.

Hagan and McCarthy (1997a; 1997b) found that certain contents of «social capital» may facilitate the development of delinquency as for instance anti-social values, or the integration into social deviant peer groups. It is of utmost importance that parents impart distinct rules about what is important or dangerous. Other criminologists as well point to the parental task «to recognize the antisocial behavior of their youth and to disapprove of the destructive and disruptive actions their children may engage in» (Wright et al. 2001, S. 3; see Patterson & Stouthamer-Loeber 1984; Gottfredson and Hirschi 1990).

In a comparison between the United States and Switzerland regarding crime load and familial patterns of upbringing, Vazsonyi (1996, p. 94) found that the young Americans exhibit a higher extent in delinquency, especially when considering serious offenses like personal violent attacks. However, this difference is only significant for the male population, not for the females though. Simultaneously, parents of both countries demonstrate different patterns of raising children: «- Swiss youths were monitored more closely by parents and had closer affective relationships with both their mothers and fathers. - Swiss youths reported substantially higher levels of self-control. - Developmental processes between nations were strikingly similar. - Finally, and perhaps most impor-

tantly, differences in family socialization processes were able to explain cross-national differences in male delinquency».

In summing up Coleman's approach Wright et al. (2001) emphasize «that parental investments in time and effort, the affective bonds they create and maintain, and the prosocial guidance they offer, alter the likelihood that the well-supported youth will engage in delinquency or acquire antisocial peers. Thus, for Coleman, the effects of family social capital are general and cumulative; i.e., family social capital affects most facets of child development, with youth who have been heavily invested in accruing comparatively greater benefits over their life course »(see a. Parcel and Menaghan 1994).

With the results of their own study Wright et al. (2001, p. 7) substantiated Coleman's approach. They found «that the protective pathways that emanate from family capital are particularly strong and that, in turn, youth who are invested in are more likely to have internalized beliefs against delinquent involvement, do better in school, and are less likely to acquire delinquent friends. Clearly, this process involves issues of control, such as attachment to family, and social learning, such as the internalization of pro-social norms». It is possible to differentiate between delinquent and non-delinquent youth by means of the far-reaching effects of familial «social capital». The assumption that «social capital» may accumulate can be supported by the results of Wright et al. «As such, the analyses found that (1) family capital produces other forms of social capital; (2) family capital reduces delinquency over a six-year period; and (3) family capital exerts effects across a range of outcomes associated with pro-social adult development» (p. 7). Even if individuals with a high degree of «social capital» exhibit deviant behavior, «it appears that past levels of social capital protect and mitigate against the potentially severe consequences associated with delinquency. ... Under this reasoning, social capital may be an important consideration in understanding turning points away from crime and delinquency» (p. 8).

For the last decades, an increasing erosion of private life-style has been established. Taylor (1999, p. 42ff.), as above mentioned, ascertains a «Crisis of the family and parenting». In accordance with the author, towards the end of the 1960s and in the 1970s, the traditional family was criticized as an institution of oppression by the women's movement and the anti-psychiatry (p. 44). Referring to the new social trends by then, in the 1980s, especially again in the United States, the discussion about the «dual-career family» and the «single-parent family», mostly a «single-mother family», had arisen (p. 45). In the United States, the extent of women being in charge of a family without the presence of a husband rose from 9.4% in 1950 to 15.4% in 1983 (p. 46). In 1991, there were between 2.3% (Italy) and 10.1% (United Kingdom) single mothers aged 20 to 39 years living in the countries of the European Community. With a percentage of 7.7%, Germany exhibited the second-highest number (p. 47). In countries which still embrace a traditional, partly influenced by the church, attitude towards family, the proportion of single mothers is relatively small (Italy 2.3%, Greece 2.4%, Spain 2.9%) compared to the United Kingdom, Germany, and furthermore Belgium (7.1%) or France (6.6%).

The crisis of the family is also evident in an increase in divorce. «The increase in divorce in Britain, for example (a sevenfold increase between 1962 and 1992; Utting, Bright and Henricson 1993) was a significantly higher rate of increase than in most European societies (and was measured in 1993 at 2.9 per 100,000 pe-

ople in 1992 compared to a European Union average of 1.6)» (Taylor 1999, p. 47).

According to Peuckert (1997, p. 294), the crisis of marriage and family is indicated by: 1. Drop in number of births and marriages and increase in divorces; 2. «Decline in normative commitments of middle-class family patterns»; 3. Increasing «pluralization and individualization of life styles» (translated by the authors).

In the former Federal Republic of Germany (FRG) the number of marriages per 1,000 inhabitants continuously fell from 8.3 in 1965 to 6.6 in 1990 down to 5.7 in 1995 for the reunified Germany (see figure 4). Interestingly enough, these numbers hardly changed in the former GDR during the period from 1965 to 1989, the year of the social and political upheaval: In 1965, the number of marriages per 1,000 inhabitants was 7.6, increased until 1980 to 8.0 and, in 1989, reached 7.9 (West Germany: 6.4). With the opening of the borders and the «modernization thrust» East Germany caught up with the West German trend, in fact, even exceeded: As early as in 1991, the number of marriages per 1,000 inhabitants fell to 3.2 (West Germany 6.3) and, until 1995, increased to only 3.5. Today, the number of marriages in the Eastern part of Germany is clearly beyond the number for West Germany. It is apparently so that the aftereffects of the German-German reunification still serve to undermine the people's sense of security with the result that young couples postpone their decision to marry.

There has also been a drop in the number of births per 1,000 inhabitants (see figure 5). Since 1960 there has been a marked drop of births for West Germany. This decrease, which can be also observed in the Eastern part of Germany, is very likely a result of the increasing general circulation of the pill. After this decisive invention there has been again a slight increase in the number of births in the former GDR since the 1980s. The only upward trend in West Germany was to be observed in the late 1980s turning into a steady drop in number of births with the German-German reunification, though. The trend of the birth rate again makes the social and psychological extent of the German-German reunification and the entailing feeling of insecurity clear: There was a fifty percent drop of number of births in the year of the social upheaval, and only since 1994, there has been an upward trend again. But also in other West European Industrial countries there has been a falling birth rate for the last thirty years. This indicates a general change of values and attitudes (see Spiegel 2001, p. 108f.). In Spain, for example, there was a dramatic drop of about 50% between 1970 and 2000. France, Italy, United Kingdom, and Sweden as well exhibit a falling birth rate which is not as impressing as in Spain, though. The falling number of births has the additional impact that a considerable proportion of children grow up as a single child. As a result, they lack the necessary opportunities to practice social skills with children of the same age.

This historical event did not seem to affect the number of divorces in the same pronounced way (see figure 6). In 1965, in the former FRG 39.2 of 10,000 marriages were divorced in contrast to 60.9 in the GDR. Afterwards, there was an increase in this number from 50.9 in 1970 in the former FRG (GDR: 63.9) to 61.3 (106.6) in 1980 up to 82.8 (Eastern Germany: 22.6) in 1991. Thus, there was a relatively constant increase in the number of divorces in West Germany. The clearly visible turning-point in 1978 is connected with an altered statute of divorce. In the former GDR there were even higher frequencies which can be attributed in part to the missing religious commitments and, hence, the lower hurdle to get divorced. After the reunification, the number of divorces fell con-

siderably for the time being, only to increase continuously again afterwards (see Peuckert 1997, p. 296). The fall in the number of divorces immediately after the social transformation may be traced back to fundamentally new problems which made heavy demands on the citizens and pushed marriage difficulties into the background. In addition, former GDR-citizens were not familiar with the new «West German» legal requirements. This trend comes as no surprise, considering the fundamentally disadvantaged living conditions in East Germany: Enormous social breaks and resulting feelings of insecurity are accompanied with a lower average income and a higher unemployment figure compared to West German conditions. According to Peuckert (1997, p. 322), the considerable changes in East Germany having taken place since the German-German reunification «can be interpreted as a fundamental social crisis and as a strategy of *coping with transitional problems*» (translated by the authors; see also Zapf and Mau 1993). Peuckert (1997, p. 302) emphasizes «that the 'idealized' mutual demands of (marriage) partners for a self-determined life-style (which are more pronounced in women than in men) increased and, simultaneously, the sense of duty for certain values fell» (translated by the authors) and holds this trend responsible for current instability of intimate relationships. He establishes three critical domains in which men and women may come into conflict with each other (p. 308ff.): (i) experiences of inequality in domestic issues; (ii) lack of equality of opportunities; and (iii) choices for women between career and family.

The increasing number of divorced marriages also results in an increasing number of single-parents. Thus, for the last decades, more and more children have been raised in incomplete families, entailing certain problems and hazards on the affected children, which may contribute to subsequent social deviance. Especially those single-parent combinations are vulnerable in which parental skills are limited or problems of the single-parent herself/himself distract from upbringing or lead to a «criminogenic» style of parenting.

d) Further factors influencing crime rates

As above mentioned, there are further social changes contributing to a rising crime rate but also to an increase in the fear of victimization. Referring to the United States, Taylor (1999, p. 18) emphasizes that the number of households with both parents working has been increasing for the last decades, evolving from a growing pressure to maintain a certain standard of living. «These accelerated and overworked households are burdened with a range of problems in respect of daily domestic management, particularly - if and when they have children - in respect of child-care, everyday domestic management, and stress». For many, home has been replaced by the workplace with regard to the time-wise demands (Hochschild 1990). As a result of both parents working and thus not being at home, children are less monitored and supervised. At the same time, the social structure of neighborhoods has changed. Contacts are reduced, the families live in a socially more and more impoverished network affecting the social control of the succeeding generation in a way that the young are less influenced by the parent generation but are completely let alone and are increasingly socialized in their peer group. As a result of the reduced family influence, social deviant behavior may not be noticed and thus not be «corrected» appropriately. Often, full-time working parents are exhausted after work and, as a consequence, either are too tired to

devote their time the offspring or want to pursue their interests in order to find relaxation. Hence, the integration of children into their family is not strong enough anymore, density and intensity of one's feeling of attachment to the family subside. As a result, the possibilities of influencing the children vanish (see Wright et al. 2001; Coleman 1990). If parents are less deeply involved in taking care of their children bonding between parents and children is very likely to abate. Hawkins (1999, p. 445) gives following protective factors, which may prevent from developing delinquent behavior: 1. Individual characteristics such as high intelligence, balanced temperament, or pro-social orientation; 2. «bonding positive relationships with family members, teachers, or other adults; 3. healthy beliefs and clear standards including clear expectations in family, school, or neighborhood that criminal behavior is not acceptable; 4. opportunities for pro-social involvement in family, school, and community, 5. reinforcement for pro-social involvement in family, school and community»; and 6. skills. Being an integrated part of the family plays a critical role in the development of protective factors such as mentioned above. Garhammer (1994, p. 192ff.) describes the time pressure of 1,545 full-time employees in West Germany. The most affected areas of life were: children, one's interests, friends, relaxation, and partner. Lack of time does not inevitably mean dissatisfaction. Even flexible work hours do not reduce the feeling of time pressure, which, hence, seems to be «self-made». After all, having no time aids to one's prestige and is associated with the successful manager.

In addition, there has been a considerable change in leisure activities. When considering this trend, media, TV in particular, are of overriding importance. On the one hand, TV takes up most of the time that, in past times, was spend on family activities. On the other hand, TV exerts substantial influence on the contents of leisure activities establishing norms on what ought to be done. Life seems to be limited to mere time management, a phenomenon that, for a long time, has spread to leisure time, consequently leading to «leisure stress» (Luedtke 1997, p. 385). Opaschowski (1995, p. 65), for instance, came to the result that, in 1991, i.e. after the German-German reunification, West Germany had a very sophisticated leisure and consumption system conveying a higher stress in terms of time. Compared with that, the East German population exhibited more contemplative activities related to the family and private communication (exception: telephone calls).

Since parents gradually withdraw from the procedure of upbringing, this task has eventually been transferred to schools. In the worst case, children even live completely unassisted. Some decades ago parental methods of upbringing were frequently criticized leaving the parents behind with a feeling of insecurity. It was emphasized that the new generation must find its own way. At times, this demand even cumulated in harsh criticism of the influence of the school. Nowadays, there is a reverse trend and a «right for education» is claimed. By now, both parents and schools are reminded of their duties and tasks of upbringing and education. With regard to criticism of religious education ethics lessons are frequently demanded for as an alternative to convey social standards and values. Holtappels and Hornberg (1997, p. 328) claim «anomic tendencies in the socialization field school» (translated by the authors). For the last years, the situation of German and other European schools has been changed mostly by an increasing inflow of foreigners. Only a minority of these foreign students has a command of the language of the country. In addition, they frequently have a completely different social and cultural

background. The collision of children and young people with a partially totally divergent history of socialization entails conflicts, with which the schools can hardly cope. Besides, on the part of the school, complaints are being voiced that the parents withdraw from the process of upbringing and impose this responsibility on the school. For the children, spaces of being oneself arose but also unmet needs of being supervised and guided. As a consequence, children join gangs and subgroups where they hope to be secure. A lot depends on which group the youths meet. Several German studies dealing with social deviance and violence at schools found that these problems stay within limits and mainly concentrate on so called «problem schools». Although these trends seem to be clearly defined and reduced to some students at some schools there are suggestions of further difficulties deserving closer consideration. Schools point out that students who are responsible for these problems have already existing socialization deficiencies that are likely to spread, extend, and strengthen at school (see Schwind, Roitsch, Ahlborn & Gielen 1995; Schwind, Baumann, et al. 1990).

Contributing to this is the lost influence of local clubs and religious organizations whereas, in the past, these institutions were fundamentally involved in the social integration of young people. Nowadays, they are considered outdated and boring. For the last years, both the catholic and the protestant church have recorded a constantly large drop in membership, with the drop in membership in the protestant church - due to the lower psychological pressure - being approximately twice as high as in the catholic church (see Barz 1997, p. 420). Catholics are given a stricter and less independent education, their attitudes are domestic-traditional, they elect mostly conservative parties, and are underrepresented in elites (see Koecher 1993). The religions' retreat left a vacuum of conveying a meaning of life. This vacuum was - sometimes aggressively - occupied by new «religious» groups as, for instance, sects and youth religions (Barz 1997, p. 433ff.) which can be interpreted as only temporarily used «reception pools for adolescents and adults with great emotional, familial, or social strain» (Barz 1997, p. 462; translated by the authors).

Discussion

Delinquency is to a great extent influenced by a nation's social conditions. This could be proved time and again by the differences in crime rates when comparing East and West European countries (It should be noted though that different patterns of controlling and registering offenses contribute to varying crime rates). Even studies covering the dark figure of criminality, as for instance the International Crime and Victimization Survey (ICVS), support this finding (van Kesteren et al. 2000, p. 38). The information that in Catalonia/Spain only 19% of the questioned persons were victimized in the year of the registration and in England and Wales 26% may be in part a result of methodological differences, e.g., the willingness to report offenses. In spite of this artifact, these numbers give us some information about the real crime rate of a country. Since crime rates depend on social conditions, the conclusion can be drawn that there are fewer criminogenic factors in the Catalonia/Spain than in England and Wales. It can be assumed that the social structures in Catalonia are still more firmly established than in England and Wales. In addition, the church may have a greater deal of influence and the differences in income may not be as important and obvious as in England and Wales, to mention just a

few. As could be proved for Germany, France, and Spain, social inequalities are of crucial importance both internationally for comparisons of crime rates between countries and nationally for the crime load of a single country (see Kury 1995; Kury et al. 1996).

Thus criminality obviously depends a great deal on the living conditions in a country. This is where measures that are supposed to reduce crime rates have to start: in changing the living conditions (see Sherman, Gottfredson, MacKenzie, Eck, Reuter, & Bushway 1998). As early as 1905, Liszt, a famous teacher of criminal law, emphasized that the best criminal policy is a good social policy.

Albrecht (1997, p. 542) claims that the subject criminality is deliberately pushed forward into the focus of public attention and, indeed, is time and again discussed intensively. According to the author, it has to be taken into account, though, that «forcing general attention to the social issue 'crime', has the intended effect of distracting from other difficulties and of untying criminality from the complex cluster of interrelated social problems, since it might be too difficult to solve these social problems or, for reasons of interests or values, it is considered as too big a venture (i.e. poverty, psychological impoverishment, structural and ethnic discrimination)» (translated by the authors).

Yet, contemporary policy approaches to crime control still stick to the classical reaction towards delinquent behavior which is imposing sanctions; although empirical studies hardly support the general deterrent effect of punishment. The only offenses for which a connection between subjective risk appraisal of being arrested and the frequency of criminal behavior could be found, were minor offenses such as shop-lifting, actual bodily harm, or driving without license. Differences in the frequency of other delinquent behavior could not be explained by risk appraisal (see Schumann, Berlitz, Guth, Kaulitzki 1987, p. 162; Doelling 1984, p. 262; Schoech 1988, p. 234). Fundamentally more influence exerted: First, the individual commitment to norms and to the sensed moral code of the norms judged by the extent of a certain action's reprehensible nature; second, the informal reaction in the closer social environment, i.e. idols, behavior patterns, and expected sanctions respectively that are accepted in the milieu in which one is living. And again, there is a link to conditions of socialization, the passing on of norms and values, the individual integration in a milieu and its accepted norms and rules, but also the influence of the closest social environment on one's social behavior.

A decade ago, Heinz (1990, p. 30ff.) ascertained – in the context of the discussion about diversion – that leniency in criminal law pays off. Several international studies concluded that milder sanctions are as effective as harsh punishment, but are less intrusive and more humane. In addition, the negative side effects of harsh sanctions do not occur in the more lenient measures. Heinz (2000, p. 152) remarks pointedly: «A criminal policy imposing more, harsher, and longer sanctions, causes rather damage than benefit; it is a catastrophe recipe because of following the wrong principle 'more of the same'» (translated by the authors).

When considering crime prevention outdated reaction patterns should be abandoned, which do not gain persuasiveness by the fact that they have been applied for centuries. As mentioned before, by pursuing primarily the practice of sanctioning in order to change behavior both huge sums are wasted and a fresh burden is put to individuals coming from mostly disadvantaged, disturbed circumstances, anyway. What they would need more urgently, however, is something else: Help and guidance for changes of behavior

patterns and real chances for equal rights (see Rose and Clear 1998). Present research on sanctioning proves that «a greater severity of criminal law cannot be justified, neither when considering the positive prevention nor the negative general deterrence, since there is no prove that crime rates would fall or consciousness for or commitment to norms would increase» (Heinz 2000, p. 147; translated by the authors). An exception to this conclusion may, at best, be rationally acting offenders appraising their risks in a matter-of-fact way such as offenders of organized or political crimes, and environmental or economic crimes respectively, especially white-collar crime.

There are hardly any institutions of the state intervening as cruelly as the judiciary system is doing. And this without empirically proving the claimed positive effect for the society. As a matter of fact, judicial authorities should feel obliged to give evidence of the efficiency and advantage of their procedure. In the field of medicine it would be lethal to ignore latest research results. Bleeding was thought to cure even severe illness. Specific research then showed that this procedure was not at all generally helpful, but – on the contrary – people sometimes died of bleeding. The vast progress in knowledge in medicine was only to be reached by systematically conveyed empirical research. The same principle should be transferred to criminal law and its sanctioning patterns: More empirical research should be done and authorities should be willing to implement these research results by not sticking to outdated traditional measures, when empirical research substantiates the success of alternative ways of sanctioning or crime control.

What we need are brave politicians willing to implement rational criminal policy programs even against a majority of the (uninformed) public. In 1997, the Finnish Delegation to the Parliamentary Assembly of the Council of Europe declared that there is no evidence for the deterrent effect of death penalty. It stated furthermore that politicians rely too easily on public opinion polls when supporting death penalty. In such an important issue, though, not too much weight ought to be attached to public opinion polls for the following reasons (p. 10): «First, there are issues on which a politician must be brave enough to lead the way, take bold steps and reject a populist approach ... Second, public opinion should be a guide only when it is informed, based on facts and open public debate ... Third, in many cases the assumption that a huge majority of the public supports the death penalty is just that: an assumption».

As Schoech (1996, p. 326) puts it, «errors of holier-than-thou over-zealousness» (translated by the authors), as partly pursued in the USA, should be rejected. Instead, we should learn our lessons from the negative effects of this kind of criminal policy (see Downes 2001). In relation to the «mass incarcerations» in the United States, Stern (1996) even speaks of «a sin against the future». According to Roxin (1999, p. 151), criminal law «will become milder than it is today ... In addition to punishment it will have to make use of more sophisticated and flexible elements of social-political control, which are coupled to punishable offenses but exhibit a character that is only similar to punishment» (translated by the authors). Heinz (2000, p. 175) emphasizes that the last century was characterized «by an increasing reduction of criminal policy to a policy of criminal law». According to the author, a change of course is therefore unavoidable, «however, in a different direction than populism would call for: Towards more prevention ... fate and conditions of life are to be influenced positively. Criminal law, however, is a negative reaction» (translated by the authors). It is

«extremely harmful, to pursue the method 'These things must be stopped at the outset!' Criminal law neither can act as a stopgap for social policy, integration policy and child and youth policy nor can replace it». An improved social policy which would lead to the effect that broad sections of the population are better off may equally lead to a changed attitude towards underprivileged and social deviant members of the population. «It is a truism that our up-bringsings, past experiences, material circumstances, and immediate environments shape the way we see and understand the world»

(Tonry 2001, p. 170). Furthermore, social policy should face the challenge of changing those structures that foster social deviant or delinquent behavior and make efforts for a new integration policy, an updated educational policy, an appropriate policy relating to the family and childcare. Prison sentence is, at least in countries in which death penalty was abolished, not only the most serious infringement on somebody's life, but also apparently the most expensive and only reduced effective measure additionally marked with the most undesirable side effects.

References

- Albrecht, G. (1997). Anomie oder Hysterie - oder beides? Die bundesrepublikanische Gesellschaft und ihre Kriminalitätsentwicklung [Anomy or hystery - or both? The society in the Federal Republic of Germany and development of crime]. In: Heitmeyer, W. (Ed.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft. Vol. 1* (pp. 506-554). Frankfurt a.M.: Suhrkamp.
- Barz, H. (1997). Dramatisierung oder Suspendierung der Sinnfrage? Anomietendenzen im Bereich Religion/Kirche. In: Heitmeyer, W. (Ed.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft. Vol. 1* (pp. 414-470). Frankfurt a.M.: Suhrkamp.
- Böhle, H.H. (1997). Armut trotz Wohlstand [Poverty despite prosperity]. In: W. Heitmeyer (Ed.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft. Vol. 1* (pp. 118-155). Frankfurt a.M.: Suhrkamp.
- Bolte, K.M., & Hradil, S. (1984). *Soziale Ungleichheit in der Bundesrepublik* [Social inequality in the Federal Republic]. (5th ed.) Opladen: Leske & Budrich.
- Brinkmann, W. (1994). Reiches Land und arme Kinder. Zur Armutsproblematik und ihren Folgen fuer die Kinder in Deutschland [Rich country, poor children. On the poverty problem and the consequences for the children in Germany]. In: P. Kuerner, R. Barth (Eds.), *Die vergessenen Kinder. Vernachlaessigung und Armut in Deutschland* (pp. 21-30). Koeln: PapyRossa-Verlag.
- Coleman, J.S. (1990). *Foundations of social theory*. Cambridge, MA: Harvard University Press.
- Czarnecka-Dzialuk, B. (2000). Juvenile Delinquency. In: A. Siemaszko, (Ed.), *Crime and law enforcement in Poland on the threshold of the 21st century* (pp. 137-143). Warsaw: Oficyna Naukowa.
- Dijk, J.J.M. van, Mayhew, P., Killias, M. (1990). *Experiences of crime across the world*. Deventer: Kluwer-Verlag.
- Doelling, D. (1984). Zur Bedeutung des Strafrechts fuer das Legalverhalten von Jugendlichen und Heranwachsenden [On the significance of criminal law for the legal behavior of adolescents]. In: Deutsche Vereinigung fuer Jugendgerichte und Jugendgerichtshilfen — DVJJ (Ed.), *Jugendgerichtsverfahren und Kriminalpraevention* (pp. 259-272). Muenchen: Selbstverlag.
- Downes, D. (2001). The macho penal economy: Mass incarceration in the United States a European perspective. *Punishment & Society*, 3, 61-80.
- Durkheim, E. (1961). *Die Regeln der soziologischen Methode* [The rules of the sociological methode]. Neuwied: Luchterhand.
- Eisner, M. (1994). The effects of economic structures and phases of development on crime. Council of Europe (Ed.), *Eleventh criminological colloquium: Crime and economy, Nov. 1994* (pp. 13-51). Strasbourg.
- Finnish Delegation to the Parliamentry Assembly of the Council of Europe (1997). *Organized crime, illegal immigration, the rights and obligations of minorities and capital punishment*. Helsinki: Summary of statements of the Seminar.
- Freud, S. (1966). *Gesammelte Werke* [Collected works] (4th Ed.). Frankfurt/M.: Fischer.
- Friedrichs, J. (1994). *Anomietendenzen und soziale Integration - Schleswig-Holstein im Vergleich* [Anomic tendencies and social integration - Schleswig-Holstein in comparison]. Gutachten fuer die Staatskanzlei Schleswig-Holsteins. Kiel.
- Garhammer, M. (1994). *Balanceakt Zeit* [Balancing Time]. Berlin: Ed. Sigma.
- Garland, D. (1996). The limits of the sovereign state. Strategies of crime control in contemporary society. *The British Journal of Criminology*, 36, 445-471.
- Garland, D. (2000). The culture of high crime societies. Some preconditions of recent 'Law and order' policies. *The British Journal of Criminology*, 40, 347-375.
- Geissler, R. (1992). *Die Sozialstruktur Deutschlands. Ein Studienbuch zur Entwicklung im geteilten und vereinten Deutschland* [The social structure in Germany. A books of studies on the development in the divided and reunified Germany]. Opladen: Westdeutscher Verlag.
- Gottfredson, M.R., & Hirschi, T. (1990). *A general theory of crime*. California: Stanford University Press.
- Hagan, J., & McCarthy, B. (1997a). *Mean streets: Youth crime and homelessness*. New York, NY: Cambridge University Press.
- Hagan, J., & McCarthy, B. (1997b). Anomie, social capital, and street criminology. In: N. Passas, R. Agnew (Eds.), *The future of anomie theory*. Boston, MA: Northeastern University Press, 124-141.
- Hauser, R., & Huebinger, W. (1993). *Arme unter uns. Teil 1: Ergebnisse und Konsequenzen der Caritas-Armutsuntersuchung* (2. Aufl.) [The poor among us. Part I: Results and consequences of the Caritas-Study on poverty]. Freiburg.
- Hawkins, J.D. (1999). Preventing crime and violence through communities that care. *European Journal on Criminal Policy and Research*, 7, 443-458.
- Heinz, W. (1990). Mehrfach Auffaellige - Mehrfach Betroffene. Erlebnisweisen und Reaktionsformen [Multiple social deviant persons - multiple affected persons. Experiences and reactions]. In: Deutsche Vereinigung fuer Jugendgerichte und Jugendgerichtshilfen — DVJJ (Ed.), *Mehrfach Auffaellige - Mehrfach Betroffene. Erlebnisweisen und Reaktionsformen* (pp. 30-73). Bonn: Forum Verlag Godesberg.
- Heinz, W. (1996). Anstieg der Jugendkriminalität? Die Grenzen des Jugendstrafrechts, die Möglichkeiten der Prävention [Increase in juvenile delinquency? Limitations of the juvenile penal system, possibilities of prevention]. *DVJJ-Journal*, 154, 344-360.
- Heinz, W. (2000). Kriminalpolitik an der Wende zum 21. Jahrhundert: Taugt die Kriminalpolitik des ausgehenden 20. Jahrhunderts fuer das 21. Jahrhundert? [Criminal policy at the turn of the twenty-first century: Is the criminal policy of the end of the twentieth century of use?] *Bewahrungshilfe*, 47, 131-157.
- Heitmeyer, W. (1997). Einleitung: Auf dem Weg in eine desintegrierte Gesellschaft [Introduction: Setting off towards a disintegrated society]. In: W. Heitmeyer, (Ed.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft. Vol. 1* (pp. 9-26). Frankfurt a.M.: Suhrkamp.
- Hochschild, A. (1990). *The second shift: Working parents and the revolution at home*. London: Piatkus.
- Holtappels, H.G., & Hornberg, S. (1997). Schulische Desorganisation und Devianz [Desorganized schools and deviance]. In: W. Heitmeyer (Hrsg.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft. Vol. 1* (pp. 328-367). Frankfurt a.M.: Suhrkamp.

- Jahoda, M., Lazarsfeld, P.F., Zeisel, H. (1933). *Die Arbeitslosen von Marienthal* [The unemployed of Marienthal]. Allensbach: Verlag fuer Demoskopie.
- Junger-Tas, J. (1992). Changes in the family and their impact on delinquency. *European Journal of Criminal Policy and Research*, 1, 27-51.
- Kesteren, J. van, Mayhew, P., Nieuwebeerta, P. (2000). *Criminal victimisation in seventeen industrialised countries. Key findings from the 2000 International Crime Victims Survey*. The Hague.
- Koecher, R. (1993). Praegungen, konfessionelle [Characterization, denominational]. In: S.R. Dundee, (Hrsg.), *Woerterbuch der Religionspsychologie* (pp. 212-218). Guetersloh: Guetersloher Verlags-Haus Mohn.
- Kury, H. (1995). The regional distribution of crime. Results from different European countries. *The Hokkaido Law Journal*, 31, 125-162.
- Kury, H. (1997). Crime development in the East and the West — a comparison. In: E. Raska, J. Saar (Eds.), *Crime and Criminology at the end of the century. IX. Baltic Criminological Seminar, 1996 Mai 22-25* (pp. 187-251). Tallinn.
- Kury, H. (1997a). Zur Regionalverteilung der Kriminalitaet [On regional differences of criminality]. In: H. Kury (Ed.), *Konzepte Kommunaler Kriminalpraevention* (pp. 166-217). Freiburg: Edition iuscrim.
- Kury, H. (2001). Das Dunkelfeld der Kriminalitaet. Oder: Selektionsmechanismen und andere Verfaelschungsstrukturen [The dark field of criminality. Or: Mechanisms of selection and other structures of falsification]. *Kriminalistik*, 55, 74-84.
- Kury, H., Oberfell-Fuchs, J., & Wuerger, M. (1994). La distribución regional del delito: Alemania, España y Francia [The regional distribution of crime: Germany, Spain, and France]. *Revista de Derecho Penal y Criminología*, 4, 397-489.
- Kury, H., Oberfell-Fuchs, J., & Wuerger, M. (1996). The regional distribution of crime. Results from different countries. *Studies on crime and crime prevention*, 5, 5-29.
- Kury, H., Oberfell-Fuchs, J., Wuerger, M. (2000). Gemeinde und Kriminalitaet. Eine Untersuchung in Ost- und Westdeutschland [Community and criminality. A study in East and West Germany]. Freiburg: edition iuscrim.
- Lamnek, S. (1979). *Theorien abweichenden Verhaltens* [Theories of deviant behavior]. München: Fink.
- Liszt, F. von (1905). Die Kriminalitaet der Jugendlichen [Juvenile delinquency]. In: Liszt, F. von: *Strafrechtliche Aufsätze und Vortraege* (Vol. 2) (pp. 331-376). Berlin: de Gruyter.
- Luedtke, H. (1997). Entgrenzung und Kontrollverlust in Freizeit und Konsum [Unlimiting and loss of control in leisure and consumption]. In: W. Heitmeyer (Hrsg.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft* (Vol. 1) (pp. 368-413). Frankfurt a.M.: Suhrkamp.
- Marshall, I.H. (1996). How exceptional is the United States? Crime trends in Europe and the US. *European Journal on Criminal Policy and Research*, 4(2), 7-35.
- Opaschowski, H.W. (1995). *Freizeitökonomie: Marketing von Erlebniswelten* [Economy of leisure time: Marketing of events]. Opladen: Leske & Budrich.
- Passas, N. (2000). Global anomie, dysnomie, and economic crime: Hidden consequences of neoliberalism and globalization in Russia and around the world. *Sozial Justice*, 27, 16-44.
- Patterson, G.R., & Stouthamer-Loeber, M. (1984). The correlation of family management practices and delinquency. *Child Development*, 55, 1299-1307.
- Peuckert, R. (1997). Die Destabilisierung der Familie [Destabilization of the family]. In: W. Heitmeyer (Ed.), *Was treibt die Gesellschaft auseinander? Bundesrepublik Deutschland: Auf dem Weg von der Konsens- zur Konfliktgesellschaft*. (Vol. 1) (pp. 287-327). Frankfurt a.M.: Suhrkamp.
- Rose, D.R., & Clear, T.R. (1998). Incarceration, social capital, and crime: Implications for social disorganization theory. *Criminology*, 36, 441-479.
- Roxin, C. (1999). Hat das Strafrecht eine Zukunft? [Does the criminal law have a future?]. In: K.H. Goessel (Ed.), *Gedaechtnisschrift fuer H. Zipf* (pp. 135-151). Heidelberg: Mueller.
- Rueckert, S. (2000). *Tote haben keine Lobby. Die Dunkelziffer der verurteilten Morde* [The dead don't have a lobby. The dark figure of covered murders]. Hamburg: Hoffmann & Campe.
- Runciman, W.G. (1972). *Relative deprivation and social justice*. Harmondsworth, Middlesex: Penguin Books.
- Sampson, R.J., Laub, J.H. (1993). *Crime in the making pathways and turning points through life*. Boston, MA: Harvard University Press.
- Schoech, H. (1988). Goettinger Generalpraeventionsforschung [Research on general deterrence in Goettingen]. In: G. Kaiser, H. Kury, H.-J. Albrecht (Eds.), *Kriminologische Forschung in den 80er Jahren. Projektberichte aus der Bundesrepublik Deutschland* (pp. 227-246). Freiburg: Edition iuscrim.
- Schoech, H. (1996). Rechtswirklichkeit und Effizienz strafrechtlicher Sanktionen [Legal reality and the efficiency of criminal punishment]. In: J.-M. Jehle (Ed.), *Kriminalpraevention und Straffjustiz* (pp. 291-328). Wiesbaden: Kriminologische Zentralstelle.
- Schott-Winterer, A. (1990). Wohlfahrtsdefizite und Unterversorgung [Welfare deficits and lack in supply]. In: D. Doering, W. Hanesch, E.U. Huster, (Eds.), *Armut im Wohlstand* (pp. 56-78). Frankfurt a.M.: Suhrkamp.
- Schumann, K.F., Berlitz, C., Guth, H.-W., & Kaulitzki, R. (1987). *Jugendkriminalitaet und die Grenzen der Generalpraevention* [Juvenile delinquency and the limits of general deterrence]. Neuwied: Luchterhand.
- Schwind, H.-D., Roitsch, K., Ahlborn, W., & Gielen, B. (1995). *Gewalt in der Schule - am Beispiel von Bochum* [School violence - the example Bochum]. Mainz: Weißer Ring.
- Schwind, H.-D., Baumann, J., Loesel, F., Remscheidt, H., Eckert, R., Kerner, H.-J., Stuemper, A., Wassermann, R., Otto, H., Rudolf, W., Berckhauer, F., Steinhilper, M., Kube, E., Steffen, W. (Eds.) (1990). *Ursachen, Praevention und Kontrolle von Gewalt* [Causes, prevention, and control of crime]. Berlin: Duncker & Humblot.
- Sherman, L.W., Gottfredson, D., MacKenzie, D., Eck, J., Reuter, P. Bushway S. (1998). *Preventing crime: What works, what doesn't, what's promising. A report to the United States Congress*. Washington D.C.
- Sherman, L.W. (1998). Family-based crime prevention. In: L.W. Sherman, D. Gottfredson, D. MacKenzie, J. Eck, P. Reuter, S. Bushway, *Preventing crime: What works, what doesn't, what's promising. A report to the United States Congress* (Chapter 4). Washington D.C.
- Siemaszko, A. (Ed.) (2000). *Crime and Law Enforcement in Poland on the threshold of the 21st century*. Warszawa: Oficyna Naukowa.
- Siemaszko, A. (2000). Crime and criminal policy in Poland: A look back and into the future. In: A. Siemaszko (Ed.), *Crime and Law enforcement in Poland on the threshold of the 21st century* (pp. 15-25). Warsaw: Oficyna Naukowa.
- Silbereisen, R.K., & Walper, S. (1989). Arbeitslosigkeit und Familie [Unemployment and family]. In: R. Nave-Herz, M. Marckfeld, (Eds.), *Handbuch der Familien- und Jugendforschung. Vol. 1: Familienforschung* (pp. 525-557). Neuwied, Frankfurt: Luchterhand.
- Der Spiegel (2001). Wie zeugungsfähig ist Vater Staat? In Europa sinken die Geburtsraten, aber mit unterschiedlichem Tempo [How procreative is father state? Birth rates in Europe fall but at a different pace]. No. 15, 108-109.
- Stern, V. (1996). Mass incarceration: 'a sin against the future?' *European Journal on Criminal Policy and Research*, 4(3), 7-25.
- Suenker, H. (1991). Kinder und Armut [Children and poverty]. *Neue Praxis*, 21, 316-324.
- Taylor, I. (1999). *Crime in context. A critical criminology of market societies*. Cambridge: Polity Press.
- Tonry, M. (2001). Unthought thoughts: The influence of changing sensibilities on penal policies. *Punishment & Society*, 3, 167-182.
- Utting, D., Bright, J., Henricson, C. (1993). *Crime and the family: Improving child-rearing and preventing delinquency*. London, Family Policy Studies Centre. Paper No. 16.
- Vazsonyi, A.T. (1996). Family socialization and delinquency in the United States and Switzerland. *European Journal on Criminal Policy and Research*, 4(2), 81-100.
- Woods, N. (1999). Order, globalization, and inequality in world politics. In: N. Woods, A. Hurrell (Eds.), *Inequality, globalization, and world politics* (pp. 8-35). Oxford: Oxford University Press.
- Wright, J.P., Cullen, F.T., & Miller, J.T. (2001). Family social capital and delinquent involvement. *Journal of Criminal Justice*, 29, 1-9.
- Yu, O., & Zhang, L. (1999). The under-recording of crime by police in China. A case study. *Policing: An International Journal of Police Strategies & Management*, 22, 252-263.
- Zapf, W., & Mau, W. (1993). Eine demographische Revolution in Ostdeutschland [A demographic revolution in East Germany]? *ISJ*, 10, 1-5.
- Zhang, L., & Messner, S.F. (1995). Family deviance and delinquency. *Criminology*, 33, 359-387.

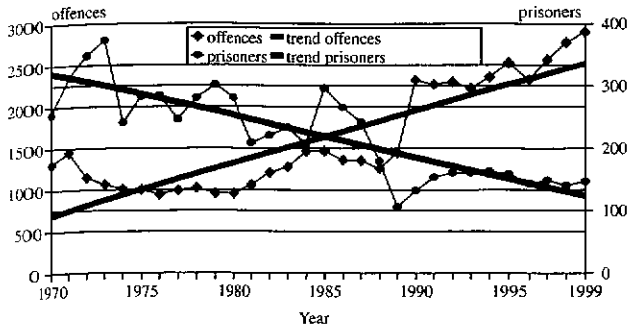
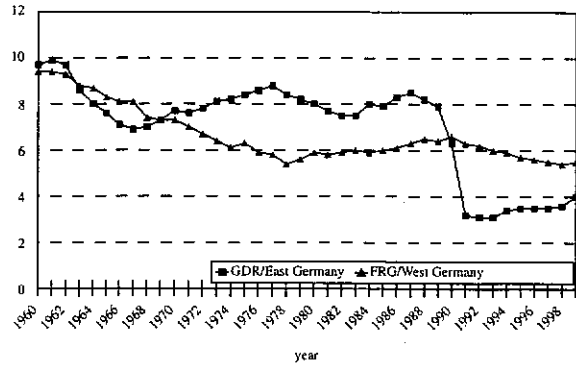
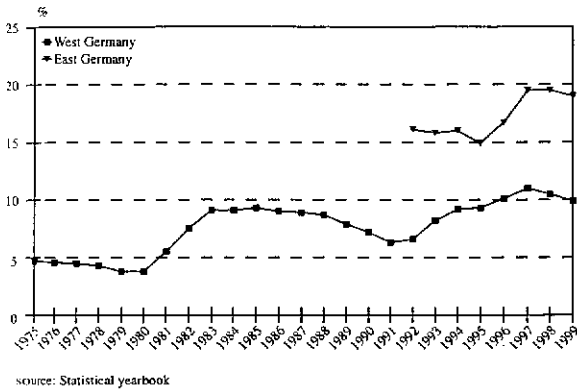


Fig. 1. Offenses and number of prisoners in Poland 1970-1999. (per 100.000 inhabitants). (Siemaszko et al. 2000)



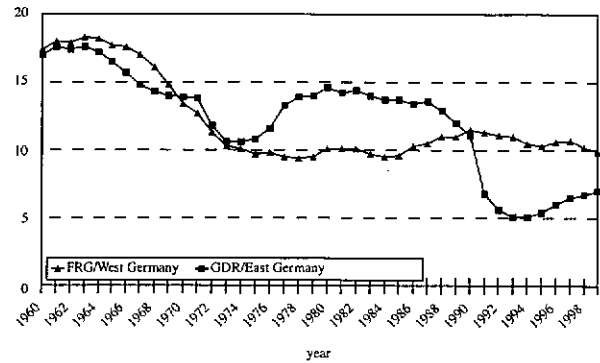
*Source: Statistical Yearbooks GDR/FRG

Fig. 4. Number of marriages in Germany 1960-1999*. (per 1.000 inhabitants)



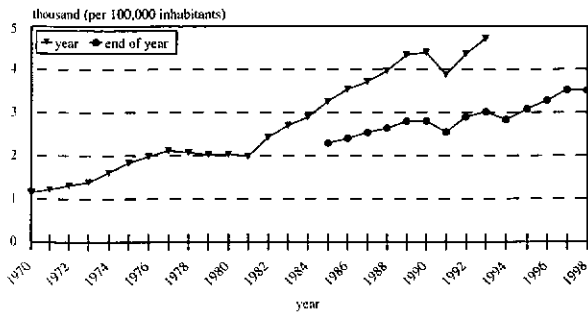
source: Statistical yearbook

Fig. 2. Unemployment rate in Germany 1975-2001*



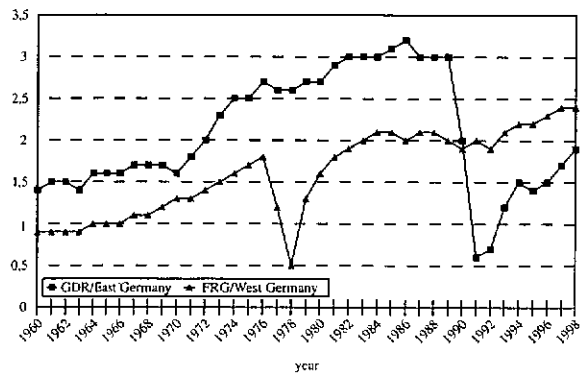
*sources: Statistical yearbooks FRG/GDR

Fig. 5. Number of births in Germany 1960-1999*. (per 1.000 inhabitants)



* source: Statistical yearbooks FRG; As of 1991 for the East and West Germany;

Fig. 3. Welfare recipients in Germany 1970-1998*. (aid to means of maintenance)



*source: statistical yearbooks FRG/GDR as of 01.07.77; First EheRG 14.06.76 (FRG)

Fig. 6. Number of divorces 1960-1998*. (per 1.000 inhabitants)