

Crime on the Agenda

TRANSNATIONAL ORGANIZATIONS 1870-1955

BY

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In 1955, 512 people from 61 countries met at the first *United Nations Congress on the Prevention of Crime and the Treatment of Offenders*. While this large scale congress was the precursor of other UN congresses, held regularly later on, international interest in the field had begun much earlier. From the end of the eighteenth century, crime had been permanently on the agenda both among professionals and in the public.¹ Already from these beginnings, crime was perceived as a universal phenomenon, the exploration and handling of which were relevant for discussion across national and linguistic boundaries. The nineteenth century saw the rise of several differing discourses dealing with criminals, crime and punishment. The so-called classical school of criminal law emphasized a rational and modern legal basis for the penal system. In addition, several medical/biological theories developed, which sought the cause of crime within the criminal, for instance phrenology or the notions of monomania and moral insanity. Crime was furthermore studied as a social phenomenon, either by the use of quantitative approaches, so-called 'moral statistics', or by the study of criminals as a special and potentially dangerous social group.² Finally, the qualitatively and quantitatively most widespread discourse pivoted on prisons, which was the preferred method of punishment.³

1 The concept of 'crime' used here covers all the subjects one today would refer to as criminological and which, according to scholarly tradition, are partially categorized as criminal law. However, criminal investigation, understood as police work, is not covered in the article.

2 See for instance: Richard F. Wetzell: *Inventing the Criminal. A History of German Criminology*, Chapel Hill/London 2000, p. 16ff., or Piers Beirne: *Inventing Criminology. Essays on the Rise of Homo Criminalis*, New York 1993.

3 Lars Hendrik Riemer: *Das Netzwerk der »Gefängnisfreunde« (1830-1872). Karl Josef Anton Mittermaiers Briefwechsel mit europäischen Strafvollzugsexperten*, 2 vol., Frankfurt a. M. 2005, vol. 1, p. 20ff.

These discourses were continuously organized and condensed during the nineteenth century through publications, networks and religiously, philanthropically, socially or scientifically motivated organizations. Congresses constituted another medium for the direct exchange of information and discussion. From the 1830s and on, a congress culture was increasingly developed and formalised, including commissions and boards of governors, previously determined agendas, final resolutions and subsequent publication of the proceedings – often accompanied by a representative and societal supplementary programme. Crime was but one among several issues at the international congresses on statistics, three scientific congresses in Italy (1841-1843), the International Charity Conference in 1857 and a number of other conferences of a more limited national and thematic nature.⁴ It only became the sole subject on the agenda of two international penitentiary congresses in 1846 and 1847.⁵ A new development began in the 1870s through the establishment of a number of large and increasingly stable organizations. This process culminated after World War II as the United Nations finally placed crime on its agenda. These multifarious, transnational organizations will be at the centre of attention in the following.⁶

In terms of theory and methodology, this article relates to current research in global and transnational history, which has experienced a remarkable international growth because of the general debate on the phenomenon of globalisation. Some within this field of research even speak of a *transnational turn* or *transnationalism*,⁷ which for now

4 For instance, the German, English or Danish meetings for jurists, the anthropological societies from the 1860s, *Jahresversammlungen der Schweizerischen Gemeinnützigen Gesellschaft* or the British *National Association for the Promotion of Social Sciences*. Hans-Jürgen Collmann: *Internationale Kriminalstatistik. Geschichtliche Entwicklung und gegenwärtiger Stand*, Stuttgart 1973, p. 12ff.

5 Lars Hendrik Riemer: »Areopag der Wissenschaft« – Die Behandlung gesellschaftlicher Krisen auf Fachtagungen des Vormärz am Beispiel der ersten internationalen Gefängniskongresse, in: Carsten Kretschmann/Henning Pahl/Peter Scholz (eds.): *Wissen in der Krise. Institutionen des Wissens im gesellschaftlichen Wandel*, Berlin 2004, p. 79-99.

6 Short-lasting or smaller organizations that are limited in expanse will not be included in the study; one example is: *Den Nordiske Penitentierforening*, which was established in 1878 and disbanded already in 1882.

A fair number of organizations are dealt with throughout this article. There is an overview of the most important ones on page 416.

7 For the conceptual history of the transnational approach, see: Pierre Yves Saunier: *Transnational*, in: Akira Iriye/Pierre Yves Saunier (eds.): *Palgrave Dictionary of Transnational History*, Basingstoke/New York 2009, p. 1047-1055. He points out that the obtuse and often contradictory definitions, as well as inflation in its use has resulted in the concept becoming almost: »... a social movement of some sort« (p. 1054); see also: Gunilla Budde/Sebastian Conrad/Oliver Janz (eds.): *Transnationale Geschichte. Themen, Tendenzen und Theorien*, Göttingen 2006.

has culminated in the *Palgrave Dictionary of Transnational History*. The starting point of this extensive work, with more than 350 contributors, is a shared conviction that modern world history should be written: »... as a story of transnational connections and circulations, by people, goods, capital, ideas and tastes that are not always confined to any particular country or region of the world, nor are identifiable with states or governments«. ⁸ Even in International Studies, originally so strictly focused on the political relations between states, a corresponding shift of perspective towards the mutual influence of structures, actors and networks is manifest, in addition to the state level. ⁹ This interest in the transnational approach may be explained by its potential for elucidating both the origin and consequences of the current global or transnational civil society ¹⁰ or »world culture«. ¹¹

The title keyword 'organization' covers many shapes and names: associations, societies, foundations, unions, leagues and so forth. Specifically, it refers to the fact that work on the subject of crime took place in distinct structures. As it happens, it is exactly the creation of such alternative structures across and above national borders and nation-states, which is often emphasized in definitions of the transnational. ¹² Depending on subject, period and scientific position, different

8 See <http://www.palgrave.com/products/title.aspx?PID=271294> (retrieved December 28, 2009).

9 Wilfried Loth: Einleitung, in: Wilfried Loth/Jürgen Osterhammel (eds.): *Internationale Geschichte. Themen – Ergebnisse – Aussichten*, Munich 2000, p. VII-XIII, p. XI. See also Eckart Conze/Ulrich Lappenküper/Guido Müller (eds.): *Geschichte der internationalen Beziehungen. Erneuerung und Erweiterung einer historischen Disziplin*, Köln/Weimar/Wien 2004.

10 See Helmut Anheier/Marlies Glasius/Mary Kaldor: *Global Civil Society*, Oxford 2001; Srilatha Batliwala/L. David Brown (Eds.): *Transnational Civil Society. An Introduction*, Bloomfield 2006.

11 Defined as: »...universalistic (transnational, global) level of cultural and organizational formation.« Frank J. Lechner/John Boli: *World Culture. Origins and Consequences*, Malden/Oxford 2005, p. 3. The concept of civil society emphasises: »... non-governmental and non-profit collective action that transcends national boundaries but does not necessarily have global reach«. Thomas Richard Davies: *The Rise and Fall of Transnational Civil Society: The Evolution of International Non-Governmental Organizations since 1839*, Working Paper City University London 2008 (http://www.city.ac.uk/intpol/dps/WorkingPapers/T_Davies%20The%20Rise%20and%20Fall%20of%20Transnational%20Civil%20Society.pdf, retrieved December 28, 2009). Other researchers speak of global governance, world-polity or regimes. See for instance: Margaret P. Karns/Karen A. Mingst: *International Organizations. The Politics and Processes of Global Governance*, London 2004, p. 4ff.; John Boli/George M. Thomas: INGOs and the organization of world culture, in: John Boli/George M. Thomas: *Constructing World Culture. International Nongovernmental Organizations since 1875*, Stanford 1999, p. 15ff.

12 See for instance: Hartmut Kaelble/Martin Kirsch/Alexander Schmidt-Gernig: Zur Entwicklung transnationaler Öffentlichkeiten und Identitäten im 20. Jahrhundert, in: Hartmut Kaelble/Martin Kirsch/Alexander Schmidt-Gernig (eds.): *Transnationale Öffentlichkeit und Identitäten im 20. Jahrhundert*, Frankfurt/New York 2002, p. 9.

researchers focus on transnational movements,¹³ networks¹⁴ or organizations.¹⁵ The latter often take a pivotal role. Akira Iriye, for one, is convinced that transnational organizations are central actors in the creation of a: »... global community...«, which is defined as: »... transnational networks that are based upon a global consciousness, the idea that there is a wider world over and above separate states and national societies, and that individuals and groups, no matter where they are, share certain interests and concerns in that wider world«. ¹⁶

The contemporary distinction between *International Non-Governmental Organizations* (INGO) and *International Governmental Organizations* (IGO), which arose in connection with the United Nations, is not quite applicable to older organizations that in some cases had a semi-official character and partly contained state elements in the shape of financing and government delegates.¹⁷ Besides the League of Nations and the UN which were based upon international agreements and therefore were

13 The concept of movement is used i. a. by Fuchs in combination with congresses: Eckhardt Fuchs: *Wissenschaft, Kongressbewegung und Weltausstellungen: Zu den Anfängen der Wissenschaftsinternationale von dem Ersten Weltkrieg*, in: *Comparativ* 5-6 (1996), p. 156-177; then, there is a comprehensive research on social movements which emphasises their growing transnational scope as well as overlap with other organizational forms such as non-governmental organizations and networks. Jeff Goodwin/James M. Jasper: *The Social Movement Reader. Cases and Concepts*, 2. ed., Wiley-Blackwell 2009, p. 26; James J. Chriss: *Networks*, in George Ritzer (ed.): *Blackwell Encyclopedia of Sociology*, Blackwell Publishing, Oxford 2007. Blackwell Reference Online, http://www.sociologyencyclopedia.com.ep.fjernadgang.kb.dk/subscriber/tocnode?id=g9781405124331_chunk_g978140512433120_ss1-14 (retrieved December 28, 2009 through the e-services of the Royal Library, Denmark) ; Deborah Barrett/Charles Kurzman: *Globalizing Social Movement Theory: The Case of Eugenics*, in: *Theory and Society* 33, no. 5, (2004), p. 487-527.

14 An example of the considerable literature on the concept of networks is: Robert J. Holton: *Global Networks*, Basingstoke/New York 2008; regarding transnational networks, generally as well as including examples from knowledge- and political networks, see: Berthold Unfried/Jürgen Mittag/Marcel van der Linden: *Transnationale Netzwerke im 20. Jahrhundert. Historische Erkundungen zu Ideen und Praktiken, Individuen und Organisationen*, Leipzig 2008. See also the forthcoming anthology: Davide Rodogno/Bernhard Struck/Jakob Vogel (eds.): *Transnational Networks of Experts and Organizations*.

15 Rightly, Saunier talks about: »...a flourishing cottage industry...«. Pierre-Yves Saunier: *International non-governmental organizations (INGOs)*, in: *Iriye/Saunier*, p. 573-580, p. 574. The concept of organization is here used in line with modern organization theory embracing different forms of associations that are distinguished by a certain degree of formalization, complexity and goal attainment. Jørgen Frode Bakka/Egil Fivelsdal: *Organisationsteori. Struktur, kultur, prosesser*, 4. udgave, Copenhagen 2004, p. 16f.

16 Akira Iriye: *Global Community. The Role of International Organizations in the Making of the Contemporary World*, Berkeley/Los Angeles/London 2002, p. 8. See also Madeleine Herren's recently published book: *Internationale Organisationen seit 1865. Eine Globalgeschichte der internationalen Ordnung*, Darmstadt 2009, p. 6.

17 See Madeleine Herren: *Hintertüren zur Macht. Internationalismus und modernisierungsorientierte Außenpolitik in Belgien, der Schweiz und den USA 1865-1914*, Munich 2000, p. 33.

(are) pure IGOs, the remaining organizations were non-governmental in the sense of being non-profit organizations, established by private individuals and groups on a volunteer and non-salaried basis.¹⁸ Steve Charnowitz states that a dynamic and cyclical relationship and mutual influence existed between states, governmental and non-governmental organizations, determined by government needs on the one hand and the capability and effectiveness of the organizations on the other. However, in his estimation the INGOs were mainly »process-oriented«.¹⁹ Case studies of organizations have on the other hand demonstrated that INGOs were often able to exhibit an: »... extraordinary degree of authority ... despite their lack of resources«.²⁰ Overall, researchers emphasize the INGO's role as a: »... main organizational arena of transnational cultural activity ...«²¹ and not least as a: »...»missing link« between global social construction and lower-level organization, policy, and mobilization«.²² Pierre-Yves Saunier, in a recent article, likewise emphasises the prominent position of INGOs. He refers to the research potential in the subject and calls for studies that: »... go beyond a narrative of moral righteousness, linear development, splendid isolation and millenarist accomplishment ...«,²³ and that contextualize the activities of specific organizations – both in isolation and in interaction with each other.

In addition to obvious areas of research such as global commerce and migration, transnational research has long since begun to include exchange processes from a range of other subjects such as science²⁴, social policy²⁵ or the foreign policy instrumentalization of organizations

18 Boli/Thomas: INGOs, p. 13-49, p. 14. Without relevance for this article are the profit-oriented *transnational corporations* and the various contemporary sub-classifications of non-governmental organizations. See the overview in Karns/Mingst, p. 18.

19 Steve Charnowitz: Two centuries of participation: NGOs and international governance, in: *Michigan Journal of International Law* 184 (1996-1997), pp. 183-286, p. 268f.

20 One example is *International Organization for Standardization (ISO)*, see Thomas A. Loya/John Boli: Standardization in the world polity: Technical rationality over power, in: Boli/Thomas: *Constructing World Culture*, pp. 169-197, p. 192.

21 John Boli/Thomas A. Loya/Teresa Loftin: National Participation in World-Polity Organization, in: Boli/Thomas, *Constructing World Culture*, p. 50.

22 Boli/Thomas, INGOs, p. 2.

23 Saunier, International non-governmental organizations (INGOs), p. 579.

24 See for instance: Christophe Charle/Jürgen Schriewer/Peter Wagner (eds.): *Transnational Intellectual Networks. Forms of Academic Knowledge and the Search for Cultural Identities*, Frankfurt/New York 2004.

25 See the themed editions: Christoph Conrad (ed.): Sozialpolitik transnational, *Geschichte und Gesellschaft* 32 (2006); Actions sociales transnationales, in: *Genèses* 71 (2008:2); see also relevant articles in: Unfried/Mittag/van der Linden.

in individual countries.²⁶ In regard to specific organizations, focus has mainly been directed at those working on humanitarian, social or scientific/technical issues.²⁷ Organizations with crime on the agenda have – except for short mentions²⁸ – hardly received any attention. Perhaps this is because they – in a rather unusual pattern – move across given classifications²⁹ by combining philanthropy/welfare with science as well as with (social) policy. The only comprehensive historical overview, which covers the entire period and includes most of the organizations treated in this article, dates from 1972.³⁰ The few recent articles all have a more limited focus in terms of chronology and subject matter.³¹

A number of studies within the history of ideas have included individuals, concepts and effects of so-called criminological schools of thought, whereas the modes and infrastructure of dissemination of this knowledge and these ideas are often neglected.³² Furthermore, an explicitly national or state-oriented perspective is repeatedly employed in studies on the penal system and on criminal policy.³³ The history of

26 Madeleine Herren/Sacha Zala: *Netzwerk Aussenpolitik. Internationale Kongresse und Organisationen als Instrumente der schweizerischen Aussenpolitik 1914-1950*, Zürich 2002.

27 See for instance: Harald Fischer-Tiné: Global civil society and the forces of empire: The Salvation Army, British imperialism, and the »prehistory« of NGOs (ca. 1880-1920), in: Sebastian Conrad/Dominic Sachsenmaier (ed.): *Competing Visions of World Order. Global Movements, 1880s – 1930s*, New York 2007, p. 29-67.

28 Among studies mentioned so far, only Chamowitz (p.199, p.239) touches upon the penitentiary congresses and the international cooperation on criminal law. For a short and not entirely correct survey on the organizations until 1914, see also: F.S.L. Lyons: *Internationalism in Europe 1815-1914*, Leyden 1963, p. 265f.

29 Many researchers perform a thematic delineation, which however also signals content-related priorities. Irye (p. 3) is for instance focused on organizations concerned with: »... humanitarian relief, cultural exchange, peace and disarmament, development assistance, human rights, and environmentalism.«

30 Benedict S. Alper/Jerry F. Boren: *Crime: International Agenda. Concern and Action in the Prevention of Crime and Treatment of Offenders, 1846-1972*, Lexington/Toronto/London 1972. Alper had a past in the United Nations' Crime Prevention and Criminal Justice branch.

31 These, as well as a number of jubilee publications and other often uncritical historical sketches written by leading personalities within the organizations are given in the relevant footnotes below. Recently, Marques has identified a »Penal International in the Post-War Period« (following World War I, emphasis in the original) based on: »... the various international penal organizations.« Tiago de Oliveira Santos Pires Marques: *Mussolini's Nose. A Transnational History of the Penal Code of Fascism*, ph.d.-dissertation, European University Institute, Florence 2007, p. 76ff., p. 325ff.

32 For instance: Beirne; Ragnar Hauge: *Kriminalitetens årsaker. Utsnitt av kriminologiens historie*, Oslo 2001. Lombroso's ideas still fascinate researchers. See for example Mary Gibson: *Cesare Lombroso and the Origins of Biological Criminology*, Westport/London 2002; David G. Horn: *The Criminal Body. Lombroso and the Anatomy of Deviance*, New York/London 2003.

33 Roddy Nilsson: *En välbyggd maskin, en mardröm för själen. Det svenska fängselsystemet under 1800-tallet*, Lund 1999; Peter Scharff Smith: *Moralske Hospitaler. Det moderne fængselsvæsens gennembrud 1770-1870*, Copenhagen 2003; Martina Henze: *Strafvollzugsreformen im 19. Jahrhundert. Gefängniskundlicher Diskurs und staatliche Praxis in Bayern und Hessen-Darmstadt*, Darmstadt 2003.

criminology in individual countries has lately been the subject of research³⁴ which positively ascribes a decisive role to the (nation)-state.³⁵ A series of newer studies direct their attention to the production and transferral of scientific knowledge³⁶ about crime through epistemic communities,³⁷ networks,³⁸ congresses³⁹ and experts,⁴⁰ as well as to the discourse and praxis in individual countries. Indeed, this often involves highlighting the foreign origin of the ideas involved.⁴¹ Not until recently, though, did anthologies,⁴² as well as a PhD-dissertation,⁴³ employ a transnational perspective.

34 Laurent Mucchielli (ed.): *Histoire de la Criminologie Française*, Paris 1994; Peter Becker: *Verderbnis und Entartung. Geschichte der Kriminologie des 19. Jahrhunderts als Diskurs und Praxis*, Göttingen 2002; Christian Müller: *Verbrechensbekämpfung im Anstaltsstaat. Psychiatrie, Kriminologie und Strafrechtsreform in Deutschland 1871-1933*, Göttingen 2004; Silvana Galassi: *Kriminologie im Deutschen Kaiserreich. Geschichte einer gebrochenen Verwissenschaftlichung*, Stuttgart 2004; Imanuel Baumann: *Dem Verbrechen auf der Spur. Eine Geschichte der Kriminologie und Kriminalpolitik in Deutschland 1880 bis 1980*, Göttingen 2006.

35 David Garland: *Of Crimes and Criminals: The Development of Criminology in Britain*, in: Mike Maguire/Rod Morgan/Robert Reiner (eds.): *The Oxford Handbook of Criminology*, 3. edition, Oxford/New York 2002, p. 7-50, p. 23f.

36 Lutz Raphael has coined the German term »Verwissenschaftlichung«. Lutz Raphael: »Die Verwissenschaftlichung des Sozialen als methodische und konzeptionelle Herausforderung für eine Sozialgeschichte des 20. Jahrhunderts«, *Geschichte und Gesellschaft* (1996) 22, p. 165-193.

37 Leonard/Randeraad examine the congresses on the penal system, statistics, hygiene, welfare and social sciences as a common social policy arena and in this regard speak of an »'epistemic community' avant la lettre«. Chris Leonard/Nico Randeraad: *The Transnationalisation of Social reform, 1840-1880*. Paper presented at the workshop: »Transnational Relations of Experts, Elites and Organizations in the long 19th Century«, University of St. Andrews, 5-6 September 2008.

38 In regard to networks of prison experts see: Riemer, bind 1, p. 9ff.

39 Fuchs: *Wissenschaft*; Chris Leonards: *Ter bestrijding van armoede, misdaad, oorlog en immoraliteit. Europese congrescultuur in de negentiende en vroege twintigste eeuw vanuit filantropisch perspectief*, in: Vibeke Kingma/Marco H.D. van Leeuwen (eds.): *Filantropie in Nederland. Voorbeelden uit de periode 1770-2020*, Amsterdam 2007, p. 49-61.

40 For the fundamentals of the definition and role of experts, see Alexander Kästner/Sylvia Kesper-Biermann (eds.): *Experten und Expertenwissen in der Straffjustiz von der Frühen Neuzeit bis zur Moderne*, Leipzig 2008; Désirée Schaub/Sabine Freitag (eds.): *Verbrecher im Visier der Experten. Kriminalpolitik zwischen Wissenschaft und Praxis im 19. und frühen 20. Jahrhundert*, Stuttgart 2007.

41 Christian Borch: *Kriminalitet og magt. Kriminalitetsopfattelser i det 20. århundrede*, Copenhagen 2005; Espen Schaanning: *Menneskelaboratoriet. Botsfengsels historie*, Oslo 2007.

42 Sylvia Kesper Biermann/Petra Overath (eds.): *Die Internationalisierung von Strafrechtswissenschaft und Kriminalpolitik (1870-1939). Deutschland im Vergleich*, Berlin, p. 3-16, p. 4; Jens Jäger: *Verwaltung durch Verfolgung: Internationales Verbrechen und internationale Polizeikooperation 1880-1933*, Konstanz 2006; Peter Becker/Richard Wetzell: *Criminals and their Scientists. The History of Criminology in International Perspective*, Cambridge 2006. The book contains the – for now – few contributions that break with the Eurocentric perspective by taking up criminology in Japan and Argentina.

43 Marques presents the history of Italy's penal code of 1930 as: »...a transnational history of the penal code of fascism«.

From this point of departure, the aim of the present article is to present a study on the long-term development among the most important transnational organizations that have crime on their agenda. It will be argued that these organizations were closely related because of shared subject-matter and overlapping and coinciding personnel and organization. Hence, they constituted the antecedent structure necessary for the rise of a novel, transnational, interdisciplinary and highly utilitarian field of knowledge. Following the Second World War, the field became increasingly institutionalized at the state level under the name of criminology.⁴⁴ Everything considered, analysis of the transnational level is important for understanding any individual country's criminology, its criminal and social policy and the interaction between the national and international developments in the field.⁴⁵

The study focuses upon the content, structure, *modus operandi* and mutual relations of the organizations. It will unfold in three chronological sequences: 1) the time before World War I; 2) the interwar period; and 3) the first decade following World War II, until the United Nations had established itself in the field. Starting from the goals set by the organizations and their actual activities, the article identifies focal issues, continuities, disruptions and innovations – for instance in regard to the initially mentioned main discourses on crime. Following this, various organizational and methodological approaches, membership and leadership structures and not least mutual contacts and power relations are explicated. The organizations are depicted as independent units that nevertheless are controlled by leading actors, be they individuals, (professional) groups or state authorities. The informal and formal mutual networks of these actors are then described. Furthermore, the transnational reach and boundaries of the organizations is analysed for each period, taking into account the severe political conflicts of the time. In conclusion, an evaluation of the relevant organizations is carried out, spanning the whole timeframe.

44 There are a number of parallels and relations with the long established – at least on the European continent – field of criminal law. There is presently a need for a conceptual historical analysis of criminology performed in a comparative, international perspective. Both the transnational organizations and the different countries used many concepts and terms far into the post-war era, such as criminal sciences and penology.

45 This is also among the goals of my postdoc project on criminology in Denmark 1880-1960, financed by the Danish Council for Independent Research (FKK), which this article derives from. The tension: »... between the national form and the transnational, if not universal orientation to which scholarly practice is simultaneously committed,« has already been thematized for other disciplines. Christophe Charle/Jürgen Schriewer/Peter Wagner: Editors' Preface, in: Charle/Schriewer/Wagner, p. 9-14, p. 12.

1870-1914: The Heyday of Internationalization

The time between 1870 and World War I is characterized partly by the continuing rise of nationalism and partly by the institutionalization of existing and increasing transnational contacts in areas such as science, technology and culture, furthered by new developments in communication and travel and by the economic growth of the time.⁴⁶ This was especially the case for the prison reformers who during the first major part of the century had created an expansive discourse based upon a privately organized network, publication of literature and not least international congresses.

Thus, a privately motivated, stable, international penitentiary congress movement came about on this basis from 1870 and onwards.⁴⁷ The aim was criminal policy, specifically to create an international organization at the government level, which was to work for a: »...true and solid penitentiary reform«. ⁴⁸ Likewise, the founders wished to create an *International Penitentiary Commission* (IPC) made up exclusively of official delegates from the countries who chose to participate and financed the movement. The IPC was therefore one of the: »... quasi- or semi-official organizations«⁴⁹ of the period. However, the IPC did not have any executive power to carry out its resolutions in practice at the state level – its function was first and foremost of an advisory nature. In terms of organization the penitentiary congress movement – not unlike other movements of the time – was: »... moulded over the general framework of parliamentary regimes, with a distinction between a legislative branch (assembly) and an executive branch (council/committee) topped by a collegial leadership (board)«. ⁵⁰ It was therefore made up of the congresses themselves, as well as the commission and a bureau, which in turn consisted of a few select commission members. The bureau revolved round the secretary, which held the actual centre of power and control of the IPC.

46 Iriye, p. 12f.; Leonards, p. 51f.

47 Martina Henze: »Important forums [...] among an increasingly international penological community«: Die internationalen Gefängniskongresse 1872-1935, in: Kesper-Biermann/Overath, p. 60-84; Martina Henze: Netzwerk, Kongressbewegung, Stiftung: Zur Wissenschaftsgeschichte der internationalen Gefängniskunde 1827 bis 1951, in: Schauz/Freitag, p. 55-77.

48 Stated by the driving force behind the congresses, Enoch C. Wines, quoted from Negley J. Teeters: *Deliberations of the International Penal and Penitentiary Congresses. Questions and Answers 1872-1935*, Philadelphia 1949, p. 14.

49 Herren, *Hintertüren*, p. 33. Charnowitz, p. 199, uses the expression: »semi-public«.

50 Saunier, *International non-governmental organizations (INGOs)*, p. 575.

The aims of the congress movement were to be attained by the commission collecting: »... documents and information on how to prevent and combat crime, as well as on prison systems, with a view to enlightening the governments about general measures to prevent and combat criminal offences, while at the same time seeking to correct offenders«. ⁵¹ The commission's main assignment was to prepare and hold congresses based on received material. This happened fairly regularly every fifth year until 1910. ⁵² The congresses retained and extended the tried and tested model involving a board of governors, theme sections and a representative and societal supplementary programme for the association, including excursions relevant to the field of crime and punishment. The conference proceedings, including all materials, questions and resolutions adopted, gave an overview of the state of the art and thereby constituted the central publication in the field. ⁵³

As the IPC articles suggest, the subjects of the penitentiary congresses reached far beyond the original core issue of the prison, which after 1900 only took up a quarter of the programme. From 1878 and on, a wide spectrum of questions regarding the three sections of penal legislation, prison administration and crime prevention were taken up. ⁵⁴ Also, a fourth section on children and juveniles was included from 1895, which increasingly emphasized the importance of crime prevention; this diversification of issues is reflected in the growing size of the congresses as well as the more and more diverse participant backgrounds. From 1872 to 1910, the number of participants increased from 403 to 625. Not only that, the number of jurists and (often leading) civil servants, prison officers and doctors was dwarfed by other experts and

51 Règlement pour la commission pénitentiaire internationale, élaboré à Stockholm, en 1877, adopté dans la Conférence tenue à Paris le 6 novembre 1880 et confirmé dans celle de Berne, en 1886; Acte complémentaire et interprétatif adopté dans la réunion de Berne en 1886 et annexé au règlement de la commission pénitentiaire internationale, in: *Actes du Congrès Pénitentiaire International de Saint-Petersbourg 1890*, Saint-Petersbourg 1892, Volume 1, p. 684-693, p. 684. All translations of quotations from French and German are made by the author. In general, loyalty to the original formulation has been emphasized rather than adequacy in present day English.

52 London 1872, Stockholm 1878, Rome 1885, St Petersburg 1890, Paris 1895, Brussels 1900, Budapest 1905, Washington 1910.

53 For a short resume of the congress proceedings, see: Teeters. Furthermore, between 1880 and 1910 the ICP published, albeit intermittently, the: *Bulletin de la Commission Pénitentiaire Internationale*. In return, national journals in the field lost their importance and often shifted focus and title. As an example, *Nordisk Tidsskrift for Fængselsvæsen* became *Nordisk Tidsskrift for Fængselsvæsen og praktisk Strafferet* in 1890 and finally in 1913 it became *Nordisk Tidsskrift for Strafferet*.

54 In general, terminology was not consistent and it changed during the period of the study – even for the congress sections.

interested parties. These had backgrounds in numerous philanthropic and religious associations, schools, reformatories, institutions and so forth. However, mainly jurists and/or high-ranking civil servants occupied the leading positions in the commission and bureau. In addition, at that time the number of participating states grew considerably from 20 to 44.⁵⁵ Notably, countries from Central Europe and not least smaller states such as Switzerland and the Netherlands played a leading role, especially at the commission and bureau levels.

Another important organization of the period was the criminal anthropological congress movement, which originated from Cesare Lombroso's *L'uomo delinquente* (1876). This work initiated a new development in the discourse on medical/biological causes of crime. The doctor from Turin became the founder and leading figure of the so-called Italian School, which considered a part of humanity to be at a lower evolutionary stage and therefore bound to end up as criminals. After studying convicts, Lombroso thought he could identify a social group through behaviour and physiognomy. At the same time, the so-called French School developed at the University of Lyon Medical School under Alexandre Lacassagne. Although it also drew upon biological theories, it primarily emphasized social factors such as poverty, bad role models or laziness as the triggers of crime.⁵⁶

The evolutionary, genetic and eugenic discussions of the time were a backdrop to Lombroso's claims, which in turn quickly became controversial. It was typical to discuss these theories in a very particular forum: the scientific congress. Following the failure of a meeting planned for Italy, the Italians saw their opportunity to organize the first international congress of criminal anthropology (ICCA) in 1885, modelled upon and held in extension of the third penitentiary congress in Rome.⁵⁷ A total of seven criminal anthropological congresses took place until 1911, with irregular intervals.⁵⁸

55 See table in Martina Henze: Danmark og den internationale fængselskongresbevægelse, in: *Årsskrift for Fængselshistorisk Selskab* (2007), p. 85-121, p. 102.

56 Karl Heinz Hering: *Der Weg der Kriminologie zur selbständigen Wissenschaft*, Diss. Jur., Mainz 1966, p. 27ff.; Martine Kaluszynski: The International Congresses of Criminal Anthropology: Shaping the French and International Movement, 1886-1914, in: Becker/Wetzell, p. 301-316, p. 303f.

57 See: Edmond Mayor: Préface, in: *Actes du Deuxième Congrès International d'Anthropologie Criminelle, Biologie et Sociologie*, Paris 1890, p. VII-XV, p. IXff.; Robert Sommer: Begrüßung, in: Gustav Aschaffenburg/Dr. Partheimer (eds.): *Bericht über den VII. Internationalen Kongreß für Kriminalanthropologie Köln a. Rhein 9.-13. Oktober 1911*, Heidelberg 1912, p. 33-38.

58 Paris 1889, Brussels 1892, Geneva 1896, Amsterdam 1901, Turin 1906 and Cologne 1912.

Unlike the penitentiary congress movement, the ICCA did not succeed in establishing itself permanently through a continuous international commission.⁵⁹ It remained a private enterprise, probably financed by the individual states that sent official delegates to the congresses, and not least by the host countries or institutions. In terms of organization, preparation and implementation, the following congress was delegated to a commission from the prospective host country at the end of the congress in session – a fundamentally fragile structure. This approach meant that the host influenced both the content, progress and, not least, the final publication of congress proceedings, which therefore seemed less homogenous than equivalents found with the IPC. Consequently, they reached neither the quantitative nor the qualitative level of the penitentiary congress publications. Indeed, the most important criminal anthropological publications appeared in a growing number of specialized journals within the individual countries.⁶⁰

The aim of the congresses was: »... the scientific study of crime in man and how it is linked to biology and sociology«. ⁶¹ That is, they were explicitly seeking to cultivate and promote a new area of research.⁶² The initial congresses were first and foremost a forum for the Italian and French schools and became: »... places of conflict and power, where adversaries who had either clashed or allied themselves in their writings confronted each other face to face.« The controversy between the two schools became apparent in everything, from lively debate to boycotts, however, they were primarily: »... quarrels between schools and ideas ...«, ⁶³ »...carried out with strong nationalist overtones ...«. ⁶⁴ The congresses became more open in terms of content and participants from 1896 onwards. The division into criminal biology and criminal sociology was given up in favour of a more open and *ad hoc* treatment of contemporary issues. For instance, the congress planned for September 1914 comprised differentiated subjects such as: »General

59 Such a commission is mentioned in some of the proceedings, but it probably only held meetings outside the congresses in the beginning (*Actes du Deuxième Congrès*, p. 1.) Also, there were only statutes for individual congresses and not – as with the IPC – for the whole organization.

60 See: Galassi, p. 245ff.; Kaluszynski, p. 302ff.

61 Statutes in: *Actes du Troisième Congrès International d'Anthropologie Criminelle. Biologie e Sociologie*, Bruxelles 1893, p. XIX-XX, p. XIX. For a nearly identical phrase in relation to the final 1911 congress, see Aschaffenburg/Partheimer, p. 2.

62 E. Magitot: Préface, in: *Actes du Deuxième Congrès*, p. XI-XIV, p. XI, speaks of a »manifestation publique de la science nouvelle«.

63 Kaluszynski, p. 306f.

64 Marques, p. 93. See also in detail about »... the relative independence of the *Scuola Positiva* vis-à-vis Lombrosianism« in Italy, *ibid.*, p. 94.

dangerousness ... senile psychiatric changes ... deformities of the skull ... supervision of released prisoners ... training of the juvenile courts' civil servants«. ⁶⁵

Medical doctors had been dominant at the first congresses. However, an increasing number of jurists and others with an interest, began to participate, including professors of criminal law, judges, civil servants and professionals of the prison system. ⁶⁶ The number of participants also increased: 101 in 1885 and 284 in 1911. In general, the participants came mainly from Italy and France, while Belgium, Switzerland, the Netherlands and Germany also exhibited a growing interest in criminal anthropology, not least by hosting the conferences. The number of participating nationalities increased from less than 10 to 23 in 1911, of which only few were non-European.

A new development in the science of penal law occurred during the last decades of the nineteenth century as the German professor of the subject, Franz von Liszt, challenged the nineteenth century penal philosophy and practice. He founded the so-called modern school of criminal law, which – simply stated – in opposition to the classical school, shifted focus from the crime to the criminal by including hitherto neglected issues such as the causes of crime as well as the purpose and the effect of punishment. ⁶⁷ Liszt established the *Zeitschrift für die gesamte Strafrechtswissenschaft* [Journal of Comprehensive Penal Science] in 1881, in order to discuss and disseminate at an international level the new school of thought that had obvious crime policy implications. In addition, Liszt sought to create a forum for the direct exchange of ideas. ⁶⁸ Once more, the penitentiary congresses came to play a decisive role as a model and forum for new contacts – not least because von Liszt had met Gerardus Antonius van Hamel, who came from the Netherlands, at the congress of 1885. Together with a third colleague, the Belgian Benoît Adolphe Georges Prins, the two professors of penal law founded the *Internationale Kriminalistische Vereinigung* (IKV) in 1888, although it did not begin its work proper until the 1st of January 1889. ⁶⁹

65 E.O. (Eyvind Olrik): Den internationale kriminalistiske Forenings ny Arbejdsprogram, in: *Nordisk Tidsskrift for Strafferet* 2 (1914), p. 336-339.

66 In principle, the statutes allowed the participation of all interested parties. Aschaffenburg/Partheimer, p. 3.

67 For details, see Wetzell, p. 32ff.

68 Franz von Liszt: Die Entstehung der Internationalen Kriminalistischen Vereinigung, in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung* 21 (1914), p. 1-20, p. 2.

69 Initially the association was founded to promote the new approach to the science of criminal law. Yet already in the 1890s it began to appear more inclusive. Sylvia Kesper-

In terms of organization, the *IKV* was a private scientific society based upon statutes, financed by membership dues and managed by a board, the core of which was the three founders. Besides this, the association's *Gesamtvorstand* [executive board] was expanded with one elected member, a secretary for special assignments and representatives from the individual *Landesgruppen* [national groups]. The board determined meeting places and agendas and decided who was to be keeper of the minutes for the individual congresses. On the other hand, the practical arrangements regarding these congresses were the responsibility of a local committee.⁷⁰ Until World War I the association held 12 international meetings, from Brussels in 1889 to Copenhagen in 1913.⁷¹ As late as 1914 it published: »...a comprehensive new agenda, which – on the whole – is devised as a guideline for the functions of the association over the next decade and comprises issues of judiciary reform, criminal law, explication of the causes of crime and legal education«. ⁷² The reach and level of organization was further enhanced by the regular creation of national groups, having their own boards, meetings and publications.⁷³

According to the statutes, the *IKV* comprised both scientific and criminal policy aims: »... the scientific explication of the criminal act, its causes and measures available for combating it«. ⁷⁴ While the national groups primarily discussed issues of national relevance, the international congresses selected issues of a more universal character. Basically the wider direction of the overall association was, according to statutes,

Biermann: Wissenschaftlicher Ideenaustausch und »kriminalpolitische Propaganda«. Die Internationale Kriminalistische Vereinigung (1889-1937), in: Schauz/Freitag, p. 79-97, p. 94f.; Hans-Heinrich Jescheck: Der Einfluß der *IKV* und der *AIDP* auf die internationale Entwicklung der modernen Kriminalpolitik, in: *Zeitschrift für die gesamte Strafrechtswissenschaft* 92 (1980), Heft 4, p. 997-1021, p. 1006.

⁷⁰ Sylvia Kesper-Biermann: Die Internationale Kriminalistische Vereinigung. Zum Verhältnis von Wissenschaftsbeziehungen und Politik im Strafrecht 1889-1932, in: Kesper-Biermann/Overath, p. 85-107, p. 87f.

⁷¹ Brussels 1889, Bern 1890, Kristiania [Oslo] 1891, Paris 1893, Antwerp 1894, Linz 1895, Lissabon 1897, Budapest 1899, St. Petersburg 1902, Hamburg 1905, Brussels 1910, Copenhagen 1913.

⁷² E.O. (Eyvind Olrik): Den internationale kriminalistiske Forenings ny Arbejdsprogram, in: *Nordisk Tidsskrift for Strafferet* 2 (1914), p. 336-339.

⁷³ The German national group held 15 meetings before World War I. Another very active national group was *Dansk Kriminalistforening* from 1899, which functions to this day. For this and the other Nordic associations, see Peter Garde: *Dansk Kriminalistforening 1899-1999*, Special issue of *Nordisk Tidsskrift for Kriminalvidenskab* 1999.

⁷⁴ Satzungen der Internationalen Kriminalistischen Vereinigung (nach den Beschlüssen der Lissaboner Versammlung 1897), in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung* 7 (1899), p. 2.

the necessity of viewing the crime: »...not only from a legal, but also from an anthropological and sociological point of view«. ⁷⁵ Consequently, issues of legal doctrine were only treated to a lesser extent at the IKV congresses, which rather considered a number of different issues – often regarding crime policy. These were put on the agenda according to their timeliness. ⁷⁶

As with the IPC and the ICCP, the IVK also published a journal, but with less focus upon the dissemination of congress proceedings. *Mitteilungen der Internationalen Kriminalistischen Vereinigung* may more precisely be characterized as the association's all-round organ, which included scholarly contributions as well as information on the association itself: its membership, statutes and various meetings in both international and numerous national groups. Another concern of the IKV was the creation of the basis for an international comparison of criminal law. Part of this endeavour was the publication of a comprehensive collection of both European and non-European criminal law works in German translation, either in *Mitteilungen* or separately.

In addition to dominating the board of governors, the three founders – with Liszt at the forefront as *Schriftführer* [secretary] – influenced the membership composition in general. Jurists were the dominant group, especially at the start. These often had influential positions as professors of criminal law, judges or civil servants in ministries. However, the IKV was open towards other segments who shared an interest in the field, and indeed, membership slowly expanded to include officials from the police, other sections of the civil service and the penal system, doctors, statisticians and editors and correspondents from professional journals. This development reflects in the growing number of members, which started at 75 for the end of 1888, surpassed 590 in 1897 and reached 1150 people in 1913 – stemming from more than 20 different countries. By far the largest group, which comprised

⁷⁵ Satzungen der Internationalen Kriminalistischen Vereinigung (Nach den Beschlüssen der Internationalen Kriminalistischen Vereinigung zu Lissabon 1897 und Kopenhagen 1913), in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung* 20 (1913), p. III-IV, p. III. Likewise already in: Satzungen (Lissabon 1897), p. 1.

⁷⁶ Bellmann: *Die Internationale Kriminalistische Vereinigung (1889-1933)*, Frankfurt/Berlin/Bern 1994, p. 32ff.; M.S. Groenhuizen/M.D. van der Landen: De I.K.V. in het spanningsveld tussen klassieke rechtsbeginselen en moderne rechtsopvattingen, in: M.S. Groenhuizen/M.D. van der Landen (eds.): *De moderne richting in het strafrecht. Theorie, praktijk, latere ontwikkelingen en actuele betekenis*, Arnhem 1990, p. 7-93; a shorter presentation is found in: Leon Radzinowicz: *The Roots of the International Association of Criminal Law and their Significance. A Tribute and a Reassessment on the Centenary of the IKV*, Freiburg 1991, p. 10ff.

between a third and a quarter, consisted of Germans, followed by the Russians. Lagging far behind were other countries such as Switzerland, Denmark, the Austro-Hungarian Empire and France.⁷⁷

In addition to these three organizations which were devoted solely to crime, there were a number of other actors that were only partly involved in the field. First, one may mention statisticians, who, following previous attempts, founded the *Institut International de Statistique* (ISI) in 1887, with participation from leading officials from the central statistical offices of different states.⁷⁸ A commission was entrusted with the assignment of developing methodological principles for international crime statistics at the Institute's annual general meeting, which replaced the previous congresses. Likewise, this issue played a continuous role with the IKV and at the penitentiary congresses. The IPC's very statutes mention a regular series of international crime statistics as a goal.⁷⁹

Furthermore, there was some overlap as the police attempted to coordinate international cooperation, culminating in a congress in Monaco in 1914.⁸⁰ In addition to this, there was increased focus in the period upon neglected children and juveniles as potential criminals. Not only was this on the agendas of the three large organizations dealt with above; two international congresses on the protection of children were held in the 1890s, and an international congress on juvenile courts took place in Paris in 1911.⁸¹

All in all, the time before World War I may be characterized as the heyday of internationalization, where cooperation across national and linguistic boundaries was settled on as the preferred approach in order to attain scientific as well as crime policy and social policy goals. Trans-

77 Membership number and level of influence, however, were not commensurate, as the Russian example demonstrates. See Kesper-Biermann, *Die Internationale Kriminalistische Vereinigung*, p. 88ff. Also, the membership numbers are not identical with the number of participants at the international meetings, which was probably much lower.

78 The first congress movement for statisticians, which also sought to establish itself through a permanent commission in 1872, ceased its activities following the ninth congress in 1876. For a detailed account and further ISI work and meetings, see: Collmann, p. 19ff; J.W. Nixon: *A History of the International Statistical Institute 1885-1960*, The Hague 1960, p. 5ff.

79 *Règlement*, p. 684f.; Collmann, p. 25f., p. 31ff.

80 Issues relevant to the police were negotiated by a number of supplementary congresses and organizations mentioned here, especially the IPC and IKV. In this regard and on the often very informal police cooperation across borders see: Jäger, p. 52ff., p. 227ff.

81 Alper/Boren, p. 44, p. 55ff.; Eckhardt Fuchs: *Strafen und Erziehen: Zur internationalen Diskussion um das Jugendstrafrecht vor dem Ersten Weltkrieg*, in: Kesper-Biermann/Overath, p. 41-59, p. 44f. Crime was an issue of lesser importance at the *International Law Association*, which was established in Brussels in 1873 and the *International Institute of Sociology*, which was established in Paris in 1893.

national cooperation was established and institutionalized through a number of organizations that shared some distinct organizational and methodological approaches: international congresses; the publication of congress proceedings; journals; and other, accompanying work related to this particular area of interest.

In terms of content, the earlier biological and sociological explanations of crime as well as the criminal law discourse from the 1880s experienced a significant reorientation and boom, while the specific prison related issues lost ground. The IPC distinguished itself by relating fruitfully to ideas developed before 1870 and by being the most inclusive organization, whereas the IKV and ICCA initially were forums that promoted new 'schools', but then gradually expanded their focus. There was a considerable amount of coinciding points and overlaps, not least on issues such as statistics, crime prevention and the shaping of criminal law – particularly between the IPC and IKV,⁸² but also between the IKV and ICCA.⁸³ The decidedly Lombroso-inspired biological approaches to crime were primarily the domain of the ICCA.⁸⁴ Still, there was never a principal, rigorous delineation of content. Rather, various criminological, crime policy or criminal law related issues were put on the agenda according to the needs at any specific time. In addition to the overlap of issues, the fact that a number of leading personalities, such as von Liszt, van Hameln, Lombroso and Simon van der Aa,⁸⁵ and even many rank-and-file members, belonged to several organizations, suggests that the organizations up till World War I constituted a dynamic field, characterized by mutual interest and informal cooperation rather than competition.

Common to all the organizations that had crime on the agenda was the fact that they were based upon private initiatives and voluntary effort. As typically: »issue oriented NGOs« they fit well into the overall: »... pattern of private international cooperation evolving into public international action«. ⁸⁶ Yet they were all connected to individual governments in various ways – most prominently in the case of IPC, which

82 Criminal law was always at the forefront on the IPC-agenda, while the IKV – in spite of 5 out of 9 statutes relating to punishment – was not so concerned with this subject: Kesper-Biermann, *Wissenschaftlicher Ideenaustausch*, p. 82ff.

83 Marques, p. 98, in reference to Enrico Ferri, holds that: »... the main international promoters of the positivist school were indeed the meetings organized by the International Union of Penal Law, rather than the International Congresses of Criminal Anthropology«.

84 In existing research, there is a tendency to equate the whole of criminal anthropology with Lombroso's claims and thereby neglect the movement's sociological aspects.

85 See footnote 137 for more on Van der Aa.

86 Charnovitz, p. 212.

held a semi-official status. Even the other organizations had an official component because of their delegates from governments and financial support by public institutions for conferences and travel expenses. Not least, many of the leading personalities from the organizations were civil servants.

Concerning the professional background of the participants, it is not surprising that the majority belonged to the male, educated upper-middle class, which possessed the necessary professional and linguistic learning to participate in international work. In simplified terms, it may be said that the IPC was mainly oriented towards practitioners, often people with legal training employed in the state and its prison apparatus, while the IKV was oriented towards theoreticians, especially professors of criminal law. Finally, the ICCA especially targeted medical doctors.⁸⁷ The IPC exhibited the highest degree of variation in the composition of participants. However, this fact concerned only the congresses themselves and not the executive board. To a much lesser degree, the same applied to the IKV. However, the three organizations shared the characteristic of being top-down »elite-run groups«,⁸⁸ supervised by a very limited and stable group of men who, internationally as well as domestically, were recognized as experts on their field. Through personal contacts and involvement in several organizations, this body of experts constituted a mutual, informal, relatively self-contained network.

All the organizations were founded as decidedly international associations, and their statutes did not take into consideration social, political or national affiliation, for instance regarding the distribution of offices.⁸⁹ Leon Radzinowicz quite precisely characterized the organizations as: »...a kind of a comfortable established élitist European club, earnestly engaged in thinking about and probing into the field of criminal justice at a time when Europe was at the height of its prestige and sophistication«. ⁹⁰ Although Latin American and Asian countries increasingly partook in the organizations, but at a lower level, the leadership remained universally in European hands in this period.

87 On the distinction between (legal) theoreticians and practitioners see Kesper-Biermann, *Wissenschaftlicher Ideenaustausch*, p. 84f.

88 Karns/Mingst, p. 25, sees this as: »...the key-distinction between NGOs and civil society groups«.

89 Only the ICCA's statutes explicitly determine in article 2 that: »... every political or religious discussion without direct connection to criminal anthropology is absolutely forbidden.« Statutes in: *Actes du Deuxième Congrès*, p. 5.

90 Radzinowicz, *The Roots*, p. 9, aimed at the IKV and IPC.

The IPC was also ahead in its transnational reach with almost twice as many participating countries as the IKV and ICCA. The two latter, on the other hand, distinguished themselves by being influenced by large countries such as Germany,⁹¹ Italy and France. Among other important participating nations, Russia was represented in all three organizations with large delegations, and several times acted as host country. Still, it did not play any leading role. Great Britain was first and foremost active in the IPC,⁹² as was the United States, which generally and »... in comparison to European, pre-Great War internationalism, remained among the countries that were catching up«.⁹³ Minor European countries, on the other hand, such as Switzerland, Belgium and the Netherlands, took up important positions in the IPC and were equally over-represented in the other organizations.⁹⁴ Indeed, other small and even formally non-sovereign territories in the European periphery participated as well. Therefore, in the field of crime, the overall observation that: »States in the periphery of power employed strategies of internationalization as a new area of foreign policy profiling« fits nicely.⁹⁵ Consequently, participation in and influence upon the various organizations did not go hand in hand with the position of the individual country in the power play of international politics. Until World War I, this had no apparent effect upon the work done by the organizations.

91 Note that the German *Reich* was not represented in the IPC, whereas some German federal states were.

92 The Anglo-Saxon countries had legal traditions based upon common law and therefore did not have any criminal law as on the continent for a considerable amount of time. On the other hand, Great Britain had influential reform societies and thus first and foremost concerned itself with the IPC and to a lesser degree the IKV. For an extended account, even on the attitude towards criminal anthropology, see: Sabine Freitag: *Reichweite und Grenzen einer Internationalisierung öffentlicher Debatten über Verbrechen und Strafe in England, ca. 1850-1935*, in: Schauz/Freitag, p. 140-166.

93 Herren, *Hintertüren*, p. 491. An IKV national group was not established in the US till 1910. Ernst Delaquis: *Internationale Zusammenarbeit auf dem Gebiete des Strafrechts*, in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung*, Neue Folge 6 (1933), p. 127-140, p. 132, footnote 1. Lombroso's ideas quickly gained credence in the US and Americans would regularly take part in the criminal-anthropological conferences. This, however, is not mentioned by: Nicole Rafter Hahn: *Criminal Anthropology: Its reception in the United States and the Nature of its Appeal*, in: Becker/Wetzell, p. 159-181.

94 On Belgium and Switzerland see: Herren, *Hintertüren*, p. 83ff., p. 215ff.; on Switzerland, see also Urs Germann: *Zwischen nation building und Internationalismus – die schweizerische Strafrechtsreform in inter- und transnationaler Perspektive*, in: Kesper-Biermann/Overath, p. 167-189.

95 Herren, *Hintertüren*, p. 5f. This is true for i. a. Hungary, Croatia and Finland. The Scandinavian countries and Portugal made their influence felt in the IKV through national groups and by acting as host.

The interwar period: Diversification and political pressure

World War I became a turning point for international cooperation in general – not least for the organizations treated here. The outbreak of war not only stifled the previously planned congress activities,⁹⁶ but also opened a division along the borders of the belligerent coalitions, which resulted in severe difficulties for the hitherto smoothly functioning structures. On being denied access to international organizations, the Germans retaliated with a counter-boycott.⁹⁷ On the other hand, the League of Nations as the first intergovernmental organization was a remarkable innovation, and Germany's membership in 1926 signalled the normalization of relations.⁹⁸

In regard to congresses on criminal anthropology, the Great War had: »... dealt a fatal blow to this movement already in decline«. ⁹⁹ In terms of content, participants perceived the last congress in Cologne as lifeless, and no one suggested re-establishing the ICCA. However, in 1927 scholars from Germany and Austria set out to renew the erstwhile criminal anthropology by establishing the *Kriminalbiologische Gesellschaft* (KbG). The aim of the association was to create a: »... doctrine on the personality of the offender and its expression in the crime – a 'criminal biology'«. ¹⁰⁰ The KbG sought to function as a connecting link between science and praxis, as well as between the schools of research that pertained, respectively, to criminal law, crime policy, medicine and psychiatry. Considered as organization, the KbG was a classical association managed by a board. It organized five workshops between 1927 and 1937 in various German and Austrian towns and readily assumed the corresponding role as publisher.¹⁰¹

96 The ICCA's 1914 congress was planned for Budapest, the IPC congress of 1915 for London and the IKV congress for the same year for Rome. Den 8. internationale Kongres for Kriminalantropologi, in: *Nordisk Tidsskrift for Strafferet* 2 (1914), p. 339-340; F.R./E.O: Den internationale kriminalistiske Forenings XII. Kongres, in: *Nordisk Tidsskrift for Strafferet* 1 (1913), p. 347- 351, p. 351.

97 Brigitte Schröder-Gudehus: Internationale Wissenschaftsbeziehungen und auswärtige Kulturpolitik 1919-1933. Vom Boykott und Gegen-Boykott zu ihrer Wiederaufnahmen, in: Rudolf Vierhaus/Bernhard vom Brocke (eds.): *Geschichte und Struktur der Kaiser-Wilhelm-/Max-Planck-Gesellschaft*, Stuttgart 1990, p. 858-885.

98 David Armstrong/Lorna Lloyd/John Redmond: *From Versailles to Maastricht. International Organisations in the Twentieth Century*, London 1996, p. 7ff.

99 Kaluszynski, p. 314.

100 Adolf Lenz: Die Ziele der Kriminalbiologischen Gesellschaft; Satzungen der Kriminalbiologischen Gesellschaft, in: *Mitteilungen der Kriminalbiologischen Gesellschaft* 1 (1927), p. 1-3, p. 1.

101 Congress lectures as well as research materials were published in: *Mitteilungen der Kriminalbiologischen Gesellschaft*. The wider discussion took place in *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*, which had already been founded in 1904. In 1937

Most likely because of World War I, the society and its workshops were – unlike the ICCA – smaller and not truly international.¹⁰² However, in addition to the German-speaking members, there were also a number of foreigners in the KbG – mainly from Eastern Europe and Scandinavia. Around 1930 these constituted about 10% of total membership.¹⁰³ Corresponding with its aims, the KbG was in 1933 an open criminological forum. The wide range of issues treated at the congresses and in the membership's background groups made this evident. In addition to jurists and doctors, educators, psychiatrists, representatives of the police and the penal system and of welfare and similar institutions took part. In short, it constituted: »... the criminological elite of the German-speaking world at that time«. ¹⁰⁴ Not surprisingly, everything changed after 1933. For racial and political reasons some members were expelled from the association and the country, while others pursued careers within the system. In this manner, many-sided and pluralistic criminological research was displaced, and the KbG was assimilated into the criminal and demographic policies of National Socialism.¹⁰⁵

The KbG was part of a: »... wave of criminal biology that swept across some European and American countries between the two world wars ...«. ¹⁰⁶ At the same time, it was the platform for launching a new initiative within the criminal anthropological tradition.¹⁰⁷ According to

this journal became the official organ of the association under the title of: *Monatsschrift für Kriminalbiologie und Strafrechtsreform*.

102 Both statutes and name avoid any reference to the geographic scope of the society. Unlike the congresses prior to 1914 with their representative character, the KbG-workshops concentrated on the professional discussions. The meeting in 1937 was characterized as: »...a down to business workshop which desisted completely from official events etc.« Sieverts: Aus der Kriminalbiologischen Gesellschaft, in: *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 29 (1938), p. 47.

103 See member list, in: *Mitteilungen der Kriminalbiologischen Gesellschaft* 3 (1931), p. 1-7. At the peak of its efforts in 1933, the society had 165 members. Among the first to join the KbG was Ernst Delaquis, who would later become Secretary General of the IPC, members of the IKV and the Lombroso-student Mario Carrara. Der Aufbau der Kriminalbiologischen Gesellschaft, in: *Mitteilungen der Kriminalbiologischen Gesellschaft* 1 (1927), p. 4-8. See Röder: Prof. Mario Carrara, in: *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 29 (1938), p. 46f.

104 Sylvia Kesper-Biermann: Die Kriminalbiologische Gesellschaft, in: Michael Fahlbusch/Ingo Haar (eds.): *Handbuch der völkischen Wissenschaften*, Munich 2008, p. 344-350, p. 346.

105 Regarding the darker aspects of criminal biology, especially its role in Germany in connection with forced sterilization, human experiments and murder of unwanted groups (including convicts), see: Justizministerium des Landes NRW (ed.): *Kriminalbiologie*, Juristische Zeitgeschichte NRW, vol. 6; Baumann, p. 55ff.; Wachsmann, p. 324ff.

106 Marques, p. 143.

107 Alper/Boren, p. 51, rightly terms the KbG as well as the ISC (see below) as:

his own claim, the Italian Lombroso-student Benigno de Tullio¹⁰⁸ came up with the idea of an international criminological society at the KbG meeting in Hamburg, 1933. In the first place, he was behind the creation of the Italian *Società di Antropologia e Psicologia Criminale*. During the 1930s he was even involved in the creation of similar national organizations in Poland, Rumania, Bulgaria and Yugoslavia.¹⁰⁹ Di Tullio was also one of the driving forces behind a meeting at the French Ministry of Justice in December of 1934. Those present discussed plans for an international society with a broad approach, similar to that of the KbG in the 1920s.¹¹⁰ After a series of meetings, the *Société Internationale de Criminologie*¹¹¹ was founded in Rome, July 1937. At the same time, an international organizational committee was established under the leadership of Giovanni Novelli, who had been president of the IPPC since 1935.¹¹² It announced the first *Congresso Internazionale di Criminologia* to take place in Rome, 1938. Among more than 1200 participants around 400 were from abroad, including a large delegation from Germany and the KbG, a good deal of people from South America and the Eastern European countries and a handful of Britons and Americans.¹¹³

»...brief revivals of international effort in that field.« Also, contemporaries considered themselves descendants of criminal anthropology. See for instance the Belgian Louis Vervaeck: *Le premier Congrès international de Criminologie*, in: *Revue de Droit Pénal et de Criminologie* 18 (1938), p. 1108-1116, p. 1108.

108 Di Tullio was a professor of criminal anthropology in Rome. The positivist school was still dominant in Italy, and many of Lombroso's: »...second- and third-generation disciples...«, not least because of content related correspondence between positivism and fascism, »slid across the political spectrum from socialism to fascism.« Gibson, p. 212. On criminology under fascism, briefly presented, see: Leon Radzinowicz: *In Search of Criminology*, London/Melbourne/Toronto 1961, p. 13ff.; with focus on the Italian penal code of 1930, see Marques, p. 7.

109 Benigno di Tullio: *La société internationale de criminologie*, in: *Revue de Criminologie et de Police Technique* 3 (1949), p. 75-80, p. 75f.

110 Internationaler Kongreß für Kriminologie, in: *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 29 (1938), p. 148f. In addition to the French and Italians also representatives from the KbG and similar associations from Belgium, London, Madrid and Rio de Janeiro were present. Di Tullio, p. 75.

111 Di Tullio, p. 77.

112 Giovanni Novelli: *Il primo congresso internazionale di criminologia*, in: *Atti del I. Congresso Internazionale di Criminologia*, Vol. I, Relazione generali e discussioni, Roma 1939, p. 1-49, p. 2ff. The committee was composed of a large number of Italians, two Germans, Frenchmen, a Briton, a Pole and one member from Switzerland. Von Neureiter: *Internationaler Kongreß für Kriminologie*, in: *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 29 (1938), p. 47f., p. 148f.

113 Switzerland also sent a relatively large delegation, including Delaquis. See the list of participants in: *Atti del I. Congresso*, p. 575-618.

In terms of format and content, the congress followed the tried and tested patterns.¹¹⁴ However, it was also explicitly political by featuring presentations by Giovanni Novelli and Roland Freisler, who were prominent jurists from the two fascist dictatorships. In addition, the congress decided to establish an international society based in Rome, following the pattern of already established organizations such as the IPPC and the AIDP.¹¹⁵ It was not possible, however, to reach an agreement regarding the next venue: Berlin or Rio de Janeiro. Not only South American delegates insisted upon Brazil in vain.¹¹⁶ Latin America's greater role also showed itself by the formation, in 1936, of *Sociedad Argentina de Criminología* (SAC), which paralleled the European developments. Indeed, it spearheaded the first Latin American criminological congress in Buenos Aires in 1938,¹¹⁷ followed by another congress in Santiago de Chile in 1941.¹¹⁸

The break following the Great War was especially important for the IKV, which had been extraordinarily active before 1914. This was because Germany – strongly represented by von Liszt – had played a decisive role in the association, but also because a generational change had occurred at that time. The core of the association, made up of the founding trio, had died in 1918 and 1919. Wisely, von Liszt had predicted that re-establishing international work beyond the national groups of IKV that had been less affected by the war: »... can only begin in one of the states that stayed neutral...« The reconnoitring of some Italians and attempts by dignitaries from Switzerland to organize an international meeting in 1920 was, however, met with: »...a polite but cool rejection from all sides ...«¹¹⁹ Instead, the Belgians and French in particular argued that the IKV had disbanded itself because of the war. In its place, they formed *Association Internationale de Droit Pénale* (AIDP)

114 In regard to the six treated issues, see: I temi del Congresso e le soluzioni adottate, in: *Atti del I. Congresso*, p. 54-59; von Neureiter, p. 148f.; Vervaeck.

115 Novelli, p. 8f. Most likely, it only confirmed the initiatives, which stemmed from the planning meeting held the previous year. For more on the AIDP, see below.

116 Di Tullio, p. 77, refers to a long discussion, where only the minority supported the Berlin proposal.

117 Salvatore, p. 258. Because of the close connection with the Southern European countries, Latin America was influenced by early criminal anthropology and sociology. See Ayush Morad Amar: Brazil; Marco A. Gonzáles-Berendique: Chile, in: Elmer H. Johnson (ed.): *International Handbook of Contemporary Developments in Criminology*. Volume 1. General Issues and The Americas, Westport/London 1983, p. 173-186, 209-232.

118 Jean Pinatel: International Society for Criminology, in: Johnson, p. 37-62, p. 38; Alper/Boren, p. 146.

119 Quoted from Delaquis, *Internationale Zusammenarbeit*, p. 128.

in Paris, 1924.¹²⁰ It was almost completely similar to the IKV in terms of organization and statutes as well as aims.¹²¹ A decisive difference was, however, that the statutes now explicitly reserved the leading posts on the board to Frenchmen, while only: »...completely peaceful and loyal nations ...«¹²² were invited to participate in the efforts of the association. In other words, Germans and Austrians were not welcome. Professionals from neutral countries such as the Netherlands, Switzerland and Scandinavian countries were initially reluctant to join the AIDP. Nevertheless, 350 participants from 40 states did finally choose to participate at AIDP's first international congress in Brussels in 1926.

The Germans were offended at this approach and initially refused to participate in AIDP activities; in the meantime, they themselves sought to revive international cooperation through existing personal contacts. In reality, however, less than ten foreigners participated in the common Austro-German IKV meetings, and at the first *Gesamtvorstand* [executive board] in 1932 only Denmark and Norway were represented in addition to Germany and Austria.¹²³ The neutral countries made several attempts at negotiating and unifying the two groups, but no rapprochement was possible until the beginning of the 1930s. Simultaneously, the League of Nations was involved in creating an umbrella organization where both the IKV and AIDP would be able to participate without losing face or independence. These efforts were to end abruptly with Hitler's takeover. The National Socialist regime left the League of Nations and was no longer interested in the international and reform-oriented work of the IKV. In reality, the IKV therefore ceased its activities after 1933. The National Socialists disbanded the association in 1937.¹²⁴

Until World War II, the AIDP therefore became the heir to the IKV in regard to international work. The aim of the association was: »... to contribute to world peace by means of certain juridical standardization

120 Marques, p. 329ff., emphasizes especially Donnedieu de Vabres and Quintiliano Saldañas, a Spaniard living in France, as instigators. Also the close connection with *Société Générale des Prisons* is mentioned.

121 The same goes for the establishment of several national groups as well as the journal: *Revue Internationale de Droit Pénal*, in 1924. Paul Cornil: Réflexions sur le cinquanteième de l'Association Internationale de Droit Pénal, in: *Revue Internationale de Droit Pénal* 46 (1975), nr. 3-4, p. 387-401, p. 401.

122 Quoted in Kesper-Biermann: Die Internationale Kriminalistische Vereinigung, p. 99.

123 As a form of protest, the congress proceedings were from 1926 published under the established name of *Mitteilungen der Internationalen Kriminalistischen Vereinigung*.

124 See: Kesper-Biermann: Die Internationale Kriminalistische Vereinigung, p. 102ff., as well as Bellmann, p. 186ff., on the eviction of the last liberal members from the association, its offices and finally the country.

and cooperation in the fight against crime«. ¹²⁵ At four international congresses, the latest in 1937, ¹²⁶ there was an explicit concern for international criminal law ¹²⁷ and for the rule of law in crime policy. ¹²⁸ Furthermore, the AIDP spoke in favour of international exchange of criminal-biological data. ¹²⁹

The association became instrumental for another amalgamation initiated by the Rumanian Vespasian V. Pella at the congress in Brussels in 1926. In the first instance, Pella's main idea was to create a platform that would enable the newly formed state-building countries involved in the process of codifying or reforming their criminal law to draw up modern and uniform codifications. Already in the following year the first *Conférence Internationale pour l'Unification du Droit Pénal* took place in Warsaw. To secure continuity, the intention was to found an international institute under the auspices of the *League of Nations*, situated in the Polish capital, but this plan failed for financial reasons. ¹³⁰ Instead, a permanent *Bureau International pour l'Unification du Droit Pénal* (BIUDP) was established at the next conference in 1928 in Rome. The general aim of this body was to: »... examine the proposals made by individual states, bodies of the *League of Nations* and international institutions with regard to the harmonization and coordination of penal law«. ¹³¹

The bureau had close personal connections with both the AIDP and the League of Nations, not least through Pella, who was both the leader of the bureau and Rumania's representative in the League. ¹³² Close

125 In this context, Marques, p. 347, does not quite appreciate that the association – through excluding previous enemies – did not exactly contribute to world peace.

126 Brussels 1926, Bucharest 1929, Palermo 1933, Paris 1937.

127 AIDP was among the main forces behind the League of Nations: »... 1937 Convention for the Prevention and Punishment of Terrorism and the Convention for the Creation of an International Criminal Court«. Cherif Bassiouni: AIDP: International Association of Penal Law: Over a century of dedication to criminal justice and human rights, in: Cherif Bassiouni (ed.): *The Contributions of Specialized Institutes and Non-Governmental Organizations to the United Nations' Criminal Justice Program*, The Hague/Boston/London 1995, p. 275-294, p. 280.

128 See Jescheck, p. 1008ff.; Cornil, p. 395ff.; AIDP – Liste des congrès internationaux et questions traitées, in: *Revue Internationale de Droit Pénal* 61 (1990), nr. 1-2, p. 79-82.

129 Sieverts: Internationale Zusammenarbeit in der kriminal-biologischen Forschung, in: *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 29 (1938), p. 350-351, p. 350.

130 See for the history of BIUDP up to the 1935 Copenhagen conference Henrik Sachs: Den internationale Kriminalistkonference i København, in: *Nordisk Tidsskrift for Strafferet* 24 (1936), p. 78-86.

131 *Bureau International pour l'Unification du Droit Pénal, Xe Anniversaire 1928-1938*, Paris 1938, p. 7.

132 For Pella's other activities within the League of Nations, later the UN and in various other organizations, see Ivan S. Kerno: In memoriam: Vespasian V. Pella, 1897-1952, in: *American Journal of International Law* 46, nr. 4 (1952), p. 709-710.

cooperation with the League resulted in several international conventions on counterfeit money (1929), narcotics trade (1936), terrorism and the creation of an international court of criminal law (1937).¹³³ Moreover, in 1932 BUIDP was upgraded to serve as an umbrella organization to coordinate the efforts of all international organizations in the field as well as within the League of Nations. In 1933 it was officially recognized as one of the League's technical organizations. In accordance with its new statutes, the bureau was now a closed organization of specialists in criminal law, consisting solely of official state delegates, two delegates nominated by each of the other main organizations and a number of League of Nations observers.¹³⁴ Parallel to the broadening aims of the bureau, the seven conferences it organized up till 1938 grew considerably with regard to participating countries. Starting with a limited number of mainly newly created states such as Poland, Yugoslavia, Rumania and Czechoslovakia, the participant list was expanded in the 1930s to include delegates from around 40 countries including Germany, the US, many South American states, Japan, the USSR and Great Britain.¹³⁵

For the IPC the Great War had less serious consequences in comparison with other organizations. Although the German delegates did not take part in the commission's first meeting in Bern 1922, both Germany and Austria were officially represented at the first post-war penitentiary congress in London, 1925.¹³⁶ However, post-revolutionary Russia – probably for political reasons – never returned to the participant lists of these congresses.

As early as 1925 the German delegates were given important posts within the individual sections. The decision in 1930 to hold the next congress in Berlin confirmed that the organization had re-established its international work across what had been borders between belligerent powers. This relatively unproblematic continuation was possible because a generational change had occurred already in 1910, prior to the war, and because the new top figure, Simon van der Aa, was from

133 Jean Graven/Pierre Bozat: La conférence des organisations consultatives non gouvernementales des Nations Unies, in: *Revue Internationale de Droit Pénal* (1948), p. 311-357, p. 342 and p. 318.

134 For the statutes of the new Bureau, see: *Projet de Statuts du Bureau international pour l'unification du droit pénal*, in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung* N.F. 6 (1933), p. 204-208.

135 See participant lists in the published conference proceedings from Warsaw 1927, Rome 1928, Brussels 1930, Paris 1931, Madrid 1933, Copenhagen 1935 and Cairo 1938.

136 Germany's entrance into the IPC was perhaps eased by the fact that before the war only some German states had been members, not the entire *Reich*.

the neutral Netherlands.¹³⁷

All the same, the Interwar period became a period of change for the IPC. The commission, the bureau and the publications were previously accessories to the large congresses that constituted the working core of the association. Ever since 1900, there had been a desire to strengthen the commission by establishing a permanent bureau. This was carried out by the transformation of the volunteer position of secretary into a Secretary General in 1925, so that from the following year it became a fulltime and salaried position. Meanwhile, the bureau was given a permanent seat in Bern under the title of *Ständiges Bureau* [permanent office], thus being situated in proximity to the League of Nations.¹³⁸ According to the commission this was necessary to complete some assignments: »... of immediate scientific and equally practical importance ...«, which required more: »... methods of direct, international cooperation ...« than congresses could offer. The congresses were considered too inflexible and heavy to see through the: »... questionnaires, special studies, suggestions and memoranda...«,¹³⁹ that were subsequently developed through sub-commissions and which were published throughout the war-years by the commission, independently of the congresses.¹⁴⁰ In this manner, the positions of the Secretary General and the commission were strengthened considerably, making the whole organization more centralized and professionalized. Meanwhile, it moved closer to the new inter-governmental League of Nations in physical terms as well as in content.¹⁴¹ The IPC therefore experienced a: »... coming of age ...« as well as a »... professionalization process ...«,¹⁴² as was the case for many organizations in the interwar period.

Another and at first glance more superficial change, albeit of great symbolic value, was that the IPC and its congresses changed their name to the *International Penal and Penitentiary Commission* (IPPC) in 1929. This reflected the already long established fact that criminal law issues figured prominently on the agenda. In addition, the commission had

137 Van der Aa, had studied at Heidelberg and was furthermore a student of IKV-founder van Hamel. J.M. van Bemmelen/W.P.J. Pompe: J. Simon van der Aa en B.M. Taverne, in: *Tijdschrift voor Strafrecht* 54 (1946), p. 1-13, p. 2.

138 Rudolf Vredt: Die Internationale Strafrechts- und Gefängniskommission, ihre Aufgaben und Tätigkeit, in: *Juristische Wochenschrift* 59 (1930), Heft 33, p. 2490-2492, p. 2491. See also footnote 171.

139 Delaquis, Die Wirksamkeit, p. 52f.

140 *Recueil de Documents en Matière Pénale et Pénitentiaire* was published regularly from 1931 to 1951 and included short presentations of the work of the sub-commissions.

141 See below.

142 Saunier, International non-governmental organizations (INGOs), p.575f.

always been composed primarily of jurists, who in many cases had been active in the IKV as well. It was thus natural, first, that the penitentiary congresses were used to mediate in the conflict between the IKV and AIDP;¹⁴³ and secondly, that the prison reform movement as a whole, being de facto the only surviving international association in the field, by the change of name emphasized the ongoing work on criminal law.¹⁴⁴

The decision made in 1930 to hold the 1935 congress in Berlin meant that the National Socialists, following the takeover in 1933, could directly influence the work of the IPPC. In keeping with tradition, after accepting Germany as host country a German was elected president of the association in 1930. The person in question was the high-ranking and reform-oriented president of the Supreme Court, Erwin Bumke. However, following 1933, he quickly changed his attitude towards a more repressive approach in crime policy.¹⁴⁵ Some otherwise loyal participants chose not to go to the Berlin congress in the light of the recent political changes in Germany.¹⁴⁶ Nevertheless, the congress still attracted more than 700 participants from almost 50 countries. As anticipated, Bumke used the congress for widespread National Socialist propaganda by inviting both Minister of Justice Franz Gürtner and Roland Freisler, the deputy minister, to address the participants.¹⁴⁷ Furthermore, by employing of the majority of the German participants, Bumke forced through highly controversial resolutions concerning sterilization and castration of criminals, the humane treatment of prisoners and the rights of the accused in criminal trials. This resulted

143 See Delaquis, *Internationale Zusammenarbeit*, p. 132, who among other things mentioned a dinner with representatives from the IPC, IKV and AIDP in 1925 in connection with the London congress.

144 Inclusion of criminal law in the name through the word »penal« happened on the initiative of the chairman of Dansk Kriminalistforening, Carl Torp. It was perceived as an opportunity to interface with the previous international cooperation in criminal law. By regularly publishing changes in criminal law from various countries in the newly founded *Recueil de Documents en Matière Pénale et Pénitentiaire*, the IPPC filled another gap after the early IKV. *Forhandlingerne paa Dansk Kriminalistforenings treogtyvende Aarsmøde 1930*, Copenhagen 1930, p. 55ff.; *Forhandlingerne paa Dansk Kriminalistforenings fireogtyvende Aarsmøde 1931*, Copenhagen 1931, p. 77.

145 Dieter Kolbe: *Reichsgerichtspräsident Dr. Erwin Bumke. Studien zum Niedergang des Reichsgerichts und der deutschen Rechtspflege*, Karlsruhe 1975 (Studien und Quellen zur Geschichte des deutschen Verfassungsgerichts, Reihe A, Band 4), p. 23ff., p. 248ff.

146 For instance, a number of Britons and some Dutchmen. Freitag, p. 163f.; J. Remmelink: *Iets over Simon van der Aa en 'zijn' internationale strafrechtelijke congressen*, in: G. J. M. Carstens/M. S. Groenhuizen (eds.): *Rede en recht. Opstellen ter gelegenheid van het afscheid van prof. Nico Keijzer*, Deventer 2000, p. 27-40, p. 34.

147 Bumke read a message from Hitler aloud and requested that the congress use the Nazi-salute: »Sieg Heil«. Kolbe, p. 251. Regarding the German jurists and the Berlin congress in general, see: Wachsmann, p. 60ff., p. 413.

in: »... much hostility among the delegates ...«¹⁴⁸ and, subsequently, heated debates both nationally and abroad.¹⁴⁹ At the end of the congress Giovanni Novelli, representing the next host country, Italy, became the new IPPC president. However, with the outbreak of World War II the planned 1940 congress in Rome was cancelled.¹⁵⁰

In the interwar period the IPPC also began cooperating with other related organizations. The League of Nations had created an institution, the *Child Welfare Committee*, which coordinated efforts in favour of – among other things – exposed and neglected children and youth.¹⁵¹ From 1926, the commission cooperated with this Committee, resulting in several publications on juvenile courts and other efforts related to young criminals.¹⁵² Another organization in the field was the *International Association of Children's Court Judges*, established in Paris, 1928. It held the first two congresses for judges of juvenile courts in 1930 and 1935.¹⁵³

Cooperation with other organizations also played a role in regard to the plight and rights of inmates, a new subject on the IPPC agenda.¹⁵⁴ As early as 1926, the commission had developed a set of rules for the treatment of prisoners, which were revised in 1929 and 1933. This issue brought the London based *Howard League for Penal Reform* into play. This organization with philanthropic roots was formed in 1921 by the merging of the *Howard Association* from 1866 and the *Penal Reform League* from 1907. Like previous prison reform movements it strove to reform

148 Teeters, p. 178.

149 Kolbe, p. 250ff.; Alpen/Borer, p. 68ff.; on the discussion in the Netherlands, homeland of IPPC Secretary General van der Aa, see Rummelink, p. 34.

150 Initially, the plan had been merely to postpone the congress to 1942; the commission prepared a detailed agenda to this effect. *Recueil de Documents en Matière Pénale et Pénitentiaire* IX (1940), livr. 2, p. 155-162.

151 About the efforts of the League of Nations up till 1937, with an outset in the *International Association for the Protection of Children*, which was founded in 1911, see Alper/Boren, p. 55ff. On the *Child Welfare Committee's* cooperation with other NGOs, see also Charnovitz, p. 232f.; Dominique Marshall: The construction of children as an object of international relations: The Declaration of Children's Rights and the Child Welfare Committee on League of Nations, 1900-1924, in: *The International Journal of Children's Rights* 7 (1999), p. 103-147.

152 The work of the United Nations in the field of prevention of crime and the treatment of offenders, in: *International Review of Criminal Policy* 1 (1952), p. 3-27, p. 4; Delaquis: Die Wirksamkeit, p. 53.

153 This was coupled to the previously mentioned juvenile court congress of 1911. The principal international non-governmental organizations concerned with the prevention of crime and the treatment of offenders, in: *International Review of Criminal Policy* 1 (1952), p. 28-40.

154 See Peter Scharff Smith: Fængsler og menneskerettigheder internationalt og i Danmark, in: *Ret og Samfund* (2007), p. 36-67.

the penal system.¹⁵⁵ With an emphasis upon the humanitarian situation of prisoners, the Howard League published *An International Convention for Prisoners* in 1928.¹⁵⁶ The document was presented to the League of Nations, which in return exhorted both the IPPC and the Howard League itself to proceed with the work on that subject. Another draft was adopted at the IPPC Prague congress in 1930 and subsequently formed the basis of the above-mentioned 1933 revised version of the *Standard Minimum Rules for the Treatment of Prisoners* which the League of Nations adopted in 1934 and »... urged the widest possible publicity for«. ¹⁵⁷

The commission developed this work further in 1938, through a memorandum on the education of prison officers, intended to secure adherence to the *Standard Minimum Rules*. A questionnaire published by the IPPC in the same year on: »... the number of prisoners and the legislative measures for their reduction ...«¹⁵⁸ pointed in the same direction. 1938 likewise saw an opinion on: »Measures necessary to protect witnesses and investigation of violence against detainees and other physical or moral coercion«, which related to another questionnaire from 1928 on: »... guarantees against the abuse of custody«. ¹⁵⁹

The ISI, too, quickly resumed its work after World War I.¹⁶⁰ At a meeting in Rome in 1925, criminal statistics was once more put on the agenda. Indeed, a *Commission pour l'étude comparative des statistiques criminelles dans les divers pays* was formed in 1927.¹⁶¹ Already in 1922 the IPC had formed a sub-committee for the same reason and the issue was thoroughly debated, especially at the congress in 1930. It was recommended that a commission of jurists, criminologists and statistici-

155 Howard League increasingly became a transnational organization with members and correspondents in the whole of the Commonwealth and other countries around the world. The principal international non-governmental organizations, p. 28f.

156 See also for other publications of the Howard League, not least the *The Howard Journal*: The principal international non-governmental organizations, p. 28f. It was because of the Howard League that the issue – mediated through a Cuban delegate – was placed on the League of Nations's agenda. Gordon Rose: *The Struggle for Penal Reform. The Howard League and its Predecessors*, London 1961, p. 314ff.

157 For details, see Freitag, p. 162f. According to Alper/Boren, p. 62, the League directed its attention towards various aspects of poor conditions in prisons, such as the use of violence, slave labour conditions and malnutrition.

158 Delaquis: *Die Wirksamkeit*, p. 53. This is probably the same questionnaire mentioned in Alper/Boren, p. 61f., in connection with the League of Nations.

159 Delaquis: *Die Wirksamkeit*, p. 53. The issue was also on the agenda at the Berlin congress. Teeters, p. 178f.

160 In regard to the Institute's general work with the League of Nations see: Charnovitz, p. 226.

161 On the – for the time – novel methodology of the commission, see Collmann, p. 29ff.

ans be formed for the preparation of an international set of crime statistics. All results were to be collected under the auspices of IPPC, ISI or the League of Nations. Considering the overlapping issues and people, the easiest solution was to unite the efforts of the two former associations. Hence, 1932 witnessed the first meeting of the *Commission mixte* in Leipzig. It comprised nine members from Italy, France, Germany, Austria and Norway. The main goal for the commission was the creation of: »Guidelines for the development of crime statistics in different countries«;¹⁶² in 1937 these were sent to all interested parties through the ISI. As late as April 1939 the commission decided to initiate work on a series of international prison statistics¹⁶³ and: »... an international study regarding the psychological and sociological investigation of the murder statistics...«,¹⁶⁴ the purpose of which was to connect statistical and criminal-biological approaches.

In the interwar period the I(P)PC concerned itself comprehensively with criminal-biological issues for the first time. In correspondence with the position taken by the KbG, the congresses of 1925 and 1930 presented an opinion in favour of the biological study of criminals, and in 1937 the commission began developing a: »Common scheme for the scientific examination of prisoners through a criminal anthropological and biological collection institute [Sammelstelle]«,¹⁶⁵ which was to enable international comparison. The year 1935 saw the controversial issue of castration and sterilization of criminals on the congress agendas for the first time. Another core issue for the IPPC in the 1930s was the publication of rules and laws concerning the penitentiary systems in various states (1935/37) – efforts that continued even during the war. Two Secretary Generals from smaller countries – first the Dutchman van der Aa and from 1938 Ernest Delaquis from Switzerland, who had

162 About the members and work of the commission, see Collmann, p. 34ff. Its second meeting took place in Paris, 1936. According to Delaquis the directives came into being primarily because of efforts made by commission members from Germany

163 The League of Nations had likewise taken the initial steps towards the creation of an international prison statistics. Alper/Boren, p. 61f.

164 Collmann, p. 40.

165 According to Delaquis: *Die Wirksamkeit*, p. 52ff., the commission had received help from »...some especially qualified experts in the trade...«, without disclosing who they were. There is a striking parallel development in Germany where a criminal-biological service was established in all penal institutions following KbG recommendation in 1937. Kesper Biermann: *Die Kriminalbiologische Vereinigung*, p. 347. According to Sieverts: *Internationale Zusammenarbeit*, p. 351: »Belgium, Italy and Germany had the most influence on the standard form made by the International Penitentiary Commission, because the criminal-biological service had already been expanded the most in these three states«.

been a commission member since 1922 – directed I(P)PC’s work for the whole period.¹⁶⁶ Following the outbreak of war, Delaquis practically worked alone. He could continue to do so throughout the war, because the commission was located in Bern.¹⁶⁷

As mentioned, the League of Nations was the first intergovernmental organization to support the work of many organizations and formalize their relations.¹⁶⁸ In the beginning, crime was not high on its agenda and the impetus: »... to take a more positive role with respect to penal and penitentiary questions...«,¹⁶⁹ especially in regard to (potentially criminal) children and youth, inmate rights and international criminal law came from the already mentioned associations, especially the I(P)PC, the Howard League, the AIDP and BIUDP. Most likely it was on the initiative of Pella, the: »... rapporteur of the Assembly of the League of Nations on criminal and penitentiary issues...«, in 1931,¹⁷⁰ that the League invited representatives of all relevant associations such as the IPPC, IKV, AIDP, Howard League,¹⁷¹ BIUDP, Internationale Kriminalpolizeiliche Kommission¹⁷² and the International Law Association¹⁷³ to a meeting in Geneva in 1932.

166 Delaquis, who was a student of Liszt and active in the IKV during the Great War, stood from 1919-1929 as head of the police department of the Swiss Ministry of Police and Justice for a restrictive immigration policy. Holding a chair of penal law in Hamburg 1929-1934, he returned to Switzerland following the NS takeover. Among his biographers, only Schmidt suggests political reasons for this step. Eberhardt Schmidt: Ernst Delaquis zum Gedächtnis, in: *Zeitschrift für die gesamte Strafrechtswissenschaft* 64 (1952), p. 434f. About his work in Switzerland, see Patrick Kury: *Über Fremde reden. Überfremdungsdiskurs und Ausgrenzung in der Schweiz 1900-1945*, Zürich 2003, p. 124ff.; on his international work, see Logoz/Thormann/Germann: Professor Ernst Delaquis, in: *Schweizerische Zeitschrift für Strafrecht* 66 (1951), p. 373-376, p. 374.

167 The IPPC-leadership also included Novelli, who died in 1943, the Briton Alexander Patten as vice-president and the Belgian Maurice Poll as treasurer. Delaquis: *Die Wirksamkeit*, p. 35, footnote 2. See the obituaries on Giovanni Novelli and Simon van der Aa, in: *Recueil de Documents en Matière Pénale et Pénitentiaire* IX (1944), livr. 1, p. 1-10.

168 The League secretariat would publish quarterly bulletins on the activities of the organizations, send representatives to their congresses (for instance the penitentiary congresses) and give financial support to the umbrella organization *Union of International Associations*, established already in 1907 in Brussels – not least by publishing its handbook. For a detailed overview – also in terms of issues taken up by the League – see Charnovitz, p. 220ff.

169 The work of the United Nations, p. 4.

170 Bureau international, p. 10.

171 The Howard League chose, as a number of other non-governmental organizations, to establish an international bureau in Geneva in 1929, close by the League of Nations. Charnovitz, p. 221f.

172 Founded in Vienna in 1923. See Jäger, p. 289ff.; The principal international non-governmental organizations, p. 32f.

173 The aim of the association was: »... to study, elucidate and advance international law, public and private«, it has only treated issues relevant to this article in a sporadic manner. The principal international non-governmental organizations, p. 36f.

At this meeting, an agreement was reached that the League of Nations ought to concern itself with: »... the progressive unification of criminal law ...« and »... the cooperation of the states regarding the prevention of and combat against crime«. ¹⁷⁴ For this purpose BIUDP would be expanded both in terms of competencies and aims. On the one hand, it would function as an umbrella organization for all represented associations as well as the states that wished to partake. On the other hand, it would report regularly to the League on all activities of the involved associations, which were now given the official status of technical organizations. ¹⁷⁵ In a resolution, the League of Nations announced the possibility of an active policy, ¹⁷⁶ but in spite of invitations to do so, it did not create a specific department serving this purpose.

Instead, a procedure was established according to which the technical organizations raised issues on the *League of Nations'* agenda and produced documents, which functioned as the basis for debate in the assembly. In this manner, the League cooperated with the BIUDP about the above-mentioned international resolutions. It worked on the development of *Standard Minimum Rules for the Treatment of Prisoners* with the Howard League and IPPC and with the IPPC on a questionnaire regarding the number of prisoners, as well as rules for the protection of witnesses and prisoners in custody. ¹⁷⁷ In 1929, the League had furthermore begun publishing the journal *Penal and Penitentiary Questions*. After 1932, however, it shifted its level of activity, not least because of the rising political tensions, towards: »... a more stand-offish attitude«. ¹⁷⁸ Overall, the League of Nations may be described as a passive coordinator and disseminator between the various affiliated organizations. One of the reasons for this was its structural weakness and basic: »... lack of executive power ...«. ¹⁷⁹

174 It is worth mentioning that this wording does not comprise the treatment of prisoners or prisoners' rights. Résolutions adopté par la Réunion des Représentants des Organisations internationales consultées par la Société des Nations, Genève, les 8, 9 et 10 mai 1932, in: *Mitteilungen der Internationalen Kriminalistischen Vereinigung* N.F. 6 (1933), p. 203-204, p. 203.

175 The work of the United Nations, p. 4. Generally on the relationship between NGOs and the League of Nations, see Charnovitz, p. 220ff.

176 »With this resolution, recognizing the importance of the exchange of views in penal matters, the Assembly has considered that if the work of the organizations result in precise propositions, the League of Nations can intervene in order to conclude international conventions.« Bureau international, p. 13.

177 In regard to all these issues, with detailed reference to the League of Nations, see: Leon Radzinowicz: *International Collaboration in Criminal Science*, in: Leon Radzinowicz: *The Modern Approach to Criminal Law*, London 1945, p. 467-497, p. 489ff.

178 Charnovitz, p. 246.

179 Radzinowicz, *International Collaboration*, p. 492, very much deplores the League's passive policy.

In sum, we may point out that transnational cooperation on crime had by no means suffered permanent damage because of the Great War.¹⁸⁰ Quite the contrary, it was resumed, modified and intensified in various formats during the 1920s and 1930s, until World War II. A number of the older organizations took up the pre-war activities of congresses, boards and publication, while others were resurrected with new names and geographical bases. There were also quite a few new ones, among which some had a regional profile, but still with transnational activities, such as the KbG and the Howard League. At the other end of the spectrum, we find the League of Nations – the first international, governmental organization by modern definitions.

In terms of content, (international) criminal law played a larger role. This applied to the IPPC and AIDP, as well as BIUDP. Criminal anthropology experienced renewal, but also reorientation under the names of criminal biology and criminology, concepts that gained credence in both the IPPC and AIDP. Regarding the administration of criminal justice, a growing interest in the plight and rights of the prisoner occurred. As an overall tendency, all organizations sought to emphasize the policy of formulating homogenous, international standards, be it in regard to (international) criminal law, registration of crime, studies of the criminals, or how punishment was enforced.

Furthermore, novel methodological approaches were tested by the I(P)PC. New, productive work formats, which did not hinge on the congresses, were taken up. Likewise, institutionalized cooperation began to take place across the various organizations. In addition to the joint commission of statisticians and prison professionals, efforts were made to transform the League of Nations into an all-encompassing and coordinating authority. Although Leon Radzinowicz rightly complained that the League did not have the will or the ability to create a: »... real criminal policy ...«,¹⁸¹ the entrance of this new actor upon the scene legitimized, condensed and formalized transnational cooperation in the field. The condensation was embodied in a rather narrow network of individuals, such as van der Aa, Delaquis, Pella and Novelli, who not only occupied leading posts in several organizations, but personally represented their organizations at the League of Nations.¹⁸² In

180 Eckhardt Fuchs reaches a similar conclusion: *Wissenschaftsinternationalismus in Kriegs- und Krisenzeiten. Zur Rolle der USA bei der Reorganisation der internationalen scientific community, 1914-1925*, in: Ralph Jessen/Jakob Vogel (eds.): *Wissenschaft und Nation in der europäischen Geschichte*, Frankfurt/New York 2002, p. 263-284, p. 265.

181 Radzinowicz: *International Collaboration*, p. 493.

182 For instance, the IPPC secretary general was a regular guest in the League of Na-

this manner, the pre-war tendency towards a network of leading experts, working actively in different organizations, was continued and strengthened.

Regarding the transnational reach of the organizations, the interwar period saw two contradictory developments. On the one hand, a number of organizations were no longer decidedly international. On the other hand, old organizations such as the IPPC and new institutions such as the BIUDP extended their reach by attracting more and more countries, even non-European ones. A common feature of all the organizations in the interwar period was an elite leadership rooted in few different states. As before, it was very much the same group of often highly ranked, government related, academic jurists, doctors and civil servants. Greater diversity was found at the large IPPC and not least ISC congresses.

In contrast to the time before 1914, political developments in the interwar period placed a great deal of pressure on the international organizations. The disruption which occurred in the wake of World War I especially affected cooperation in the field of criminal law. Indeed, the war was a direct cause of the rise of distinct organizational heirs. AIDP was thus dominated by the French, whereas German speaking representatives were predominant in the IKV. Germany and Austria were inhibited by first the French boycott policy and then the NS takeover, resulting in irregular participation in international cooperation and partial seclusion in the shape of regionally delimited organizations. Remarkably, the IPPC was able to extend its position as the only surviving international organization, retaining the greatest width of content and participants. As the only one of all the mentioned associations, it even continued during World War II.

Crime turned out to be a politically dangerous issue by its strong connection with core areas of National Socialist ideology such as demography and racial policies. NS Germany and fascist Italy supported the international organizations as long as these furthered their own policies, for instance regarding issues of criminal biology, criminology and criminal statistics. However, the organizations dominated by Germany were disbanded or transformed according to the wishes of the National Socialist regime. This cast dark shadows over the IPPC's work in the 1930s. That being said, instances of German and Soviet

tions' commissions and committees. Bemmelsen/Pompe, p. 6; Memorandum regarding the international collaboration of the International Penal and Penitentiary Commission and the development of its post-war activities, in: *Recueil de Documents en Matière Pénale et Pénitentiaire* XII (1946), livr. 1/2, p. 67-90, p. 72.

participants working side by side in the international forums with Italians, French and Britons may be found until the outbreak of war. This suggests that the transnational network was very tightly knit at both the organizational and personal level and to a certain degree able to bridge the political gaps.¹⁸³

Two important great powers, the US and Great Britain, were mainly active in the IPPC, but they increasingly began to take part in new contexts concerning criminal law, criminology and criminal biology. Even more now than before the war, people from small and peripheral states, such as Switzerland, Belgium and Denmark – and, as a new development, also Eastern European countries – were active in both leading positions and as mediators across the various organizations. Finally yet importantly, Latin America was becoming ever more visible on the international scene.

At any rate, the efforts in the League of Nations added a new facet to the overall picture of a growing and complex network of transnational organizations. It was at the initiative of the organizations that the League became involved. Their explicit aim was to raise the level of cooperation from private and voluntary to intergovernmental, thereby attaining greater legitimacy and influence. This hope was mainly thwarted however, partly because of the basic lack of executive power in the League, partly because crime was far from being the top issue on its agenda, and finally because the League of Nations was unable to prevent the outbreak of World War II, after which most activities ceased.

1945-1955: Towards a global community

The outbreak of World War II resulted once again in a disruption of international cooperation, not least in regard to the planned congresses, but this time the break did not last long. Not surprisingly, work began without problems for the Howard League as well as for AIDP. As early as 1946, this organization once again took up publishing *Revue Internationale de Droit Pénal* and in 1947 held its fifth international congress in Geneva. This time there was no mention of a boycott or of Germany reviving the IKV. Instead, 1952 saw the establishment of a (west)-German AIDP national group, which partook in the international congress-

183 Significantly, until the outbreak of war National Socialist Germany was not isolated. Wachsmann, p. 413, explains this fact by stating that the country's policy on crime was an »... extremely radical expression of modern crime policy, which as such was also practiced in other states ...«

ses from 1953 onward.¹⁸⁴ Likewise, the BIUDP held its eighth congress in Brussels, 1947. This, however, came to be the last, since apparently the *Bureau* merged with the AIDP.¹⁸⁵ In terms of content, there was a great deal of focus upon international criminal law, for example in connection with preparation of the UN convention on genocide and the plans for an International Criminal Court.¹⁸⁶

As for criminal statistics, the *Comité mixte* from 1932, comprising members of the ISI and IPPC, was supposed to be reconstituted after the war, but it never actually convened. The *Internationale Kriminalpolizeiliche Kommission*, taken over by the National Socialists following the annexation of Austria in 1938, was reconstituted in 1946, but now situated in Paris.¹⁸⁷ This organization and the UN eventually carried on with the work of creating a system of international criminal statistics.¹⁸⁸

The immediate continuation of pre-war activities on criminology primarily took place in Latin America. The first Pan-American criminological congress of 1947 in Rio de Janeiro – which included Benigno di Tullio, one of the leading figures of the 1930s – served to prepare the next meeting in Mexico in 1949 and more generally to resume the planning of international congresses and setting up an organization. At a preparatory meeting of January 1949 in Paris, the *International Society of Criminology* (ISC) adopted new statutes, which resulted in moving its main seat from Rome to the French capital. At the second international congress of 1950 – likewise in Paris – the association held its first general meeting and the Frenchman Jean Pinatel replaced di Tullio as Secretary General.¹⁸⁹ The agenda was expansive and included: »Juvenile

184 Jescheck, p. 998, explains, somewhat euphemistically: »The size of the catastrophe ... resulted in the paling of all previous political contradictions.« On the association after the war, see: Bassiouni, AIDP, p. 284ff.

185 The principal international non-governmental organizations, p. 31f., mentions that the Bureau in the future: »... should be represented jointly with the International Association of Penal Law«.

186 Graven/Bouzat, p. 318; Jescheck, p. 1011ff.

187 In 1956 the international police cooperation took the name of INTERPOL. Alpen/Borer, p. 123f.; see also <http://www.interpol.int/Public/icpo/governance/sg/history.asp> (retrieved December 28, 2009).

188 On various concepts for an international system of criminal statistics before and after World War II, see: Collmann, p. 59f. Later on, the European Council, the ISC and the Scandinavian states would also engage themselves in producing criminal statistics. Collmann, p. 65ff.

189 A table showing the leading posts within the ISI is found in Pinatel, p. 39. It is not clear whether the shift from Rome to Paris and from di Tullio (who was given the honorary position of president of the association) to Pinatel may be interpreted as a reckoning with the interwar period.

Delinquency ... Biology – Anthropology ... Psychiatry – Psychology – Psycho-Analysis ... Sociology – Statistics ... Moral Sciences – Studies in Criminology and the Legal Institutions«. ¹⁹⁰ By nominating a leader for the newly established scientific commission of the ISC the following year, the society became functional, and in the time to come it would unfold its activities according to the well known patterns of international congresses and publications, supplemented by smaller international criminological courses. ¹⁹¹ The KbG likewise resumed its work, organizing workshops from 1951, once again in the southern region of the German-speaking world. ¹⁹²

As for the IPPC, it had appointed new commission members, published its journal and functioned as an: »... information and documentation centre ...« ¹⁹³ during the war. Undoubtedly, the commission had compromised itself by allowing itself to be financed by Germany, Italy, Japan, Spain and Finland. ¹⁹⁴ What is more, it had provided space for these countries': »... repressive acts and regulations ... many of these ... contrary to the spirit of the kind of concerns and actions sponsored by the membership of the IPPC during the pre-war years«. ¹⁹⁵ On the other hand, the commission had made an effort towards prison reform and the improvement of prisoner's rights and as late as 1942/43 considered itself: »... so to speak, the world's conscience with regard to crime and prison problems«. ¹⁹⁶

190 These are the subtitles of the four volumes of: *Actes du IIe Congrès International de Criminologie (Paris – Sorbonne, Septembre 1950)*, Vol. 1-4, Paris 1951-1953. Pinatel, p. 42, in looking back on the 1950 congress, states that: »... criminology succeeded in freeing itself from the criminological sciences (biology, psychology, psychiatry, psycholanalysis, and criminal sociology) and in defining itself on the clinical level«.

191 Alper/Boren, p. 130f.; Georges Picca/Densi Szabo: *ISC: Crime and International Criminology*, in: Bassiouni: *The Contributions*, p. 305-311, p. 306ff.; Pinatel, p. 41ff.

192 KbG was characterized by continuity in board membership before and after the war. In 1951 Di Tullio became a board member. Not until the 1960s did the organization break decisively with its National Socialist past. Kesper-Biermann: *Die Kriminalbiologische Gesellschaft*, p. 348f.

193 Described with the following reservation regarding permanent hindrances: »... albeit always disturbed by the international circumstances in developing its activities freely ...« *Rapport de gestion du Bureau de la Commission*, in: *Recueil de Documents en Matière Pénale et Pénitentiaire XI (1944/45) livr. 3*, p. 291-328, p. 324. A list of the members of the IPPC including information on the dates of appointment and of interrupted relations due to the war, in: *Minutes of the Meeting of the Executive Committee of the International Penal and Penitentiary Commission*, Berne, April, 1946, Berne, 1946, p. 70-73.

194 On the other hand, the US was the biggest contributor and continued its membership, as did likewise Great Britain and France. See the table of members, in: *Minutes of the Meeting of the Executive Committee of the International Penal and Penitentiary Commission*, Berne, April, 1946, Berne, 1946, p. 68f.

195 Alper/Boren, p. 79.

196 Delaquis: *Die Wirksamkeit*, p. 37.

Immediately after the war, the commission resumed its work by convening, establishing sub-committees and preparing the twelfth IPPC congress for The Hague in 1950. Prompted by the advanced age of the Secretary General, a change of leadership occurred. The American sociologist and pioneer criminologist Torsten Sellin took up office¹⁹⁷ in 1949, following Delaquis.¹⁹⁸ The decision to appoint an American may be interpreted both as a fresh start for the organization and as a strategy to come to terms with the UN. Following in the footsteps of the League of Nations, the UN had already in 1946 decided to increase efforts in the field, but it was not clear how this was to happen in relation to existing organizations. In a memorandum, the IPPC therefore emphasized not only its unique position as the oldest, but also leading organization, given its quasi-governmental status, as well as its: »... original combination of private initiative and official elements.« Furthermore, the: »... independent and non-political...« character of the organization, its: »... democratic, liberal humane tradition ...«¹⁹⁹ and excellent cooperation with other organizations – not least the League of Nations – were highlighted. On this basis, the commission expressed its strong desire to partake in work within the framework of the UN, but remain an independent organization. In spite of, among others, Sellin's strenuous efforts, the UN decided on a: »... plan for integration ...«²⁰⁰ in 1950, which was to result in the dissolution of the commission and transferral of all its functions to the UN. At the last moment, however, the IPPC decided not to transfer its considerable wealth and library to the UN, but

197 Freda Adler/G.O.W. Mueller: A very personal and family history [*sic*] of the United Nations Crime Prevention and Criminal Justice Branch, in: Bassiouni: *The Contributions*, p. 3-13, p. 4f. This narrative confounds the post of secretary general with the presidency, which had also been occupied by an American, Sanford Bates, since 1947. See Marvin E. Wolfgang: Thorsten Sellin, in: *Proceedings of the American Philosophical Society* 140, nr. 4 (1969), p. 581-586.

198 Officially, Delaquis resigned because of his age – he was 70. However, he continued as vice-president in the IPPC and the UN subcommittee until his death in 1951. Prof. Dr. jur. Ernst Delaquis, in: *Der Bund*, 4. September 1951; Delaquis, Ernst, in: *Historisches Lexikon der Schweiz*, <http://hls-dhs-dss.ch/textes/d/D31877.php> (retrieved December 28, 2009).

199 Memorandum, p. 68, p. 78. This is written in English, just as the text repeatedly refers to the Anglo-American origin of the organizations. See also: Resolution on the relations with the U.N.O., in: *Recueil de Documents en Matière Pénale et Pénitentiaire XII* (1946), livr. 1/2, p. 109-118.

200 The work of the United Nations, p. 8, refers euphemistically to an: »agreement« between the two uneven partners. Generally, the UN consistently refers to all represented organizations in a neutral tone.

rather to reorganize as a foundation under the name of: *International Penal and Penitentiary Foundation* (IPPF).²⁰¹ Nevertheless, the core function of the IPPC – the congresses – was transferred to the UN, and the IPPF never again attained the predecessor's impact.

In the wake of World War II, a new movement arose. The *Center for Social Defence Studies* was founded at the initiative of Italian Filippo Grammatica in 1945. It hosted two international congresses in San Remo 1947 and Liège 1949. The latter resulted in the formation of a new non-governmental organization: the *International Society of Social Defence* (ISSD). This organization followed the tried and tested approach of large international congresses, smaller seminars and not least the publication of congress proceedings and a journal. The concept of social defence, defined as the: »... protection of society against crime and the adoption of effective strategies to combat criminality ...«,²⁰² was considerably older, but was given new meaning after World War II under the influence of Grammatica and Marc Ancel, who was from France. The organization distinguished itself from others in the field: »...with its particular humanist concept of the criminal phenomenon...« It »devoted itself to promoting a policy of humanizing criminal law, to promoting beneficial reforms in the penitentiary fields, and, overall, to studying methods conducive to the reintegration of the offender into society«. ²⁰³

Under American leadership, the Allies had begun during the war to build a new and more effective organization in place of the League of Nations, and in June 1945, 51 countries founded the United Nations. Not least because of the crimes of the National Socialists, the UN took upon itself to work for: »... fundamental human rights ... social progress and better standards of life in larger freedom ... and international co-operation in solving international problems of an economic, social, cultural, or humanitarian character«. ²⁰⁴ This time crime was on the agenda from the very beginning for the new inter-governmental organization, which for the same purpose created a special organ.

201 Alper/Boren, p. 79ff., p. 124ff. Since then it has been counted among the less influential organizations, but is still: »... a quasi-intergovernmental body, rather than a non-governmental organization.« Adler/Mueller, p. 5. On its activities, see: Pierre-Henri Bolle: IPPF: Activities of the International Penal and Penitentiary Foundation, in: Bassiouni: *The Contributions*, p. 295-304.

202 On the historical roots of the concept within criminal anthropology and the IKV, see: Alper/Boren, p. 80, p. 132f.; Radzinowicz, *The Roots*, p. 32ff.; Marques, p. 94ff.

203 For a detailed account of the ISSD, see: Simone Rozès: ISSD: International Society of Social Defense, in: Bassiouni: *The Contributions*, p. 313-326, p. 313f., which characterizes »the modern Social Defence ... primarily as a movement of penal policy« (p. 318). See also: The principal international non-governmental organizations, p. 35f.

204 UN-Charter, Preamble, Art.1, quoted in: The work of the United Nations, p. 5. For all relevant UN-resolutions, see: *ibid.* p. 17ff.

Under the secretariat's *Division of Social Welfare* a: »Section of Social Defense [that] deals with the prevention of crime and the treatment of offenders«²⁰⁵ was founded, which was to be responsible for the publication of the *International Review of Criminal Policy* and other journals.

The name of the section was directly related to the concept of Social Defence mentioned above, which was considered to be ideologically neutral and based on humanitarian values.²⁰⁶ The location of the section under social affairs indicates that the issue was considered a social one, as opposed to narrowly legal. The work required: »... specialized knowledge of various scientific disciplines ...«, and for this reason both individuals, so-called correspondents and various organizations were invited to cooperate.²⁰⁷ In addition, a number of non-governmental organizations gathered in 1948 for a meeting which resulted in the formation of a permanent committee for coordinating activities with the UN.²⁰⁸ Indeed, the relationship between the UN and most of the already mentioned new regional and international organizations that arose in the post-war period, was finally formalized when the organizations were given consultative status on the UN *Economic and Social Council* (ECOSOC).²⁰⁹ Among these, the AIDP, ISSD, ISC and IPPF assumed status as the »Four Major Associations«.²¹⁰

From 1955 onward, the UN would regularly host the large *United Nations Congresses on the Prevention of Crime and the Treatments of Offenders*. In terms of both frequency and approach this was a continuation of what the IPPC had tried and tested since 1872. The main issues on the agenda in Geneva were – just as within the penitentiary congress tradition: prison work, prison personnel and prevention of juvenile

205 The work of the United Nations, p. 7. On the changing forms of organization and titles within the UN up till today, see: Eduardo Vetere: *The Work of the United Nations in Crime Prevention and Criminal Justice*, in: Bassiouni, *The Contributions*, p.15-63. Individuals such as Benedict S. Alper, Leon Radzinowicz, Paul Amor and Manuel Lopez-Rey functioned as leaders. Adler/Mueller, p. 6. Delaquis was vice-president until 1951 (see footnote 198).

206 Adler/Mueller, p. 5. Rozès, p. 324, refers to Ancel's role in establishing the section, as well as him being one of the first members.

207 For a list of UN correspondents, see: *The work of the United Nations*, p. 24f.

208 Graven/Bouzat; Alper/Boren, p. 85.

209 Contributions from non-governmental organizations, in: *Crime Prevention and Criminal Justice Newsletter*, Vienna 1997, p. 8-18; The principal international non-governmental organizations, p. 28-40. Generally, on the legal status of non-governmental organizations in regard to the UN-apparatus, see: Charnovitz, p. 250ff.

210 From 1960 these four organizations intensified their cooperation by organizing internal meetings every five years and through the establishment of an *International Coordination Committee* in 1982, under the leadership of the ISSD. Reynald Ottenhof: ICC: International Coordinating Committee, in: Bassiouni: *The Contributions*, p. 327-330.

delinquency.²¹¹ By hosting four preparatory regional congresses in Latin America, the Middle East, Europe and Asia, the UN demonstrated that the organization sought to attain a: »world-wide geographic basis«. ²¹² In addition, several of the UN sub-organizations, such as the WHO and UNICEF took up relevant issues such as crime prevention and juvenile delinquency, although only to a limited extent. Furthermore, in the post-war period a number of new and regionally limited organizations arose that had crime on the agenda, such as the *Benelux Penitentiary Commission* and later the *European Council*.²¹³

The first decade following the World War II may therefore be seen as a time when nearly all the old organizations – the IPPC being the obvious exception – quickly resumed their old activities, while a number of new, both regional and international organizations were founded. In terms of content and not least because of the NS crimes, there was a greater focus on international criminal law, but also on prisoner's (legal) rights and their situation in general. Likewise, the work on re-socialization and prevention was given high priority. The titles and agendas of the UN congresses illustrate these trends. In the following period, these efforts were expanded in order to standardize and homogenize the study and management of crime at the international level. As before, leadership of the various organizations was placed in the hands of a small group of highly educated experts, most of them jurists, often with close relationships to governments. These experts knew each other well and had coinciding aims in the various organizations and the UN.

In addition to Europeans, mainly from the western part of the continent: France, Italy, Belgium etc., Americans took up a much more prominent role in the post-war period. This happened in not only the UN, but in other non-governmental organizations as well.²¹⁴ Now as before, the recruitment basis for members and congress participants was

211 For congress agendas after 1955, see: Alper/Boren, p. 88ff. Congress proceedings and materials are also available on the internet: <https://www.asc41.com/undocs.htm> (retrieved December 28, 2009).

212 Alper/Boren, p. 80, p. 88.

213 Alper/Boren, p. 99ff., p. 139ff. Most regional organizations, however, had discontinued their activities before the end of the 1950s.

214 Sellin is a good example of this trend. He was both: »...rapporteur, member or chairman of the first five ad hoc international committees of experts in the prevention of crime and treatment of offenders« in the UN, and president of the ISS 1956-65 and of the IPPF 1965-1971. Wolfgang, p. 583. For the self-perception of the US as the major force in the international cooperation dealing with »the prison problems of the world«, see Sanford Bates: One world in penology, in: *Journal of Criminal Law and Criminology* 38 (1948), no. 6, p. 565-575, p. 575.

wide. The time after the war saw a continued expansion in the transnational reach: All relevant organizations under UN-leadership were now seriously becoming global actors, even though the political situation of the Cold War created new boundaries. For example, Western Germany was quickly received into the flock, whereas the Eastern Bloc countries were absent at the first UN congress.

Without a doubt, the UN resumed a central role in relation to old and new organizations in the first decade after World War II. Not only did it more intensively continue the policy of the *League of Nations*, its interest in the field was from the very beginning more distinct than that of its predecessor. Besides being an umbrella organization, it created an active organ within its own structure. According to Benedict S. Alper, who had himself been leader of the pertinent UN-section: »... a new world and a new age was born ...«²¹⁵ with UN entrance onto the field. Right after the war, contemporary experts in the field of crime surely shared this optimistic view,²¹⁶ but a more realistic conception of UN influence in the world would become apparent soon enough. In a political situation heavily shaped by the Cold War, other issues than crime quickly emerged on the agenda. Indeed, this was probably what caused the section to suffer under »institutional weakness«²¹⁷ and lack of manpower. Apart from holding the international congresses, it remained mostly passive.²¹⁸

Creating a common criminological culture: A transnational network of organizations

The transnational organizations presented here constitute the structural background for a new field of knowledge on crime, which arose between 1870 and 1955. Their establishment as decidedly international organizations occurred because of a conviction among the actors that since crime was a universal phenomenon, the study of crime and methods of combating it should be tackled transnationally and comparatively. These convictions had already influenced the discourses of the nineteenth century and were so to speak institutionalized through the organizations.

215 Alper/Boren, p. 79.

216 Bates, 573.

217 Charnovitz, p. 258.

218 On the manpower issue in the section, see Adler/Mueller, p. 6, as well as Vetere. Overall on the UN, see: Paul Kennedy: *The Parliament of Man. The United Nations and the Quest for World Government*, London 2006, p. 51ff.

The new field of knowledge was interdisciplinary and of a wide scope in terms of content. The actors were motivated by a philanthropic mindset and scholarly endeavour, and they wished to influence social and crime policy. The agenda contained manifold juridical, criminal law, social, demographic, statistical, sociological, pedagogical and human rights issues. The individual organizations had different and changing focus areas during the period, but altogether they formed a distinctive field of knowledge because of coinciding and overlapping content and actors. Although the field had a permeable boundary to other disciplines, from the 1930s onwards, it was increasingly known as criminology.

The wide scope of the subject area corresponds with the variety of methodological and organizational forms, spanning from the large, relatively open congress movements spearheaded by the I(P)PC to the more narrow and closed associations around specific disciplines. Although the number of organizations grew as a whole, this was not a linear process. For both internal and external reasons it was uneven. Some associations were disbanded or they split, while others reformed themselves or simply restarted, following a break. In general, one sees, especially with the IPPC, but also with other organizations, a process of institutionalization and professionalization. This made the organizations less dependent upon individual charismatic personalities and less vulnerable to generational changes, as the IKV and ICCA had experienced. Common to them all was a structure, which included a wider recruitment base, an elite membership and a mutually overlapping level of individual leaders, who would influence the work of the organizations over long stretches of time.

The larger organizations, the IPPC and the ISC, exhibited the greatest diversity in terms of membership backgrounds. As for leadership, all organizations were limited to an almost exclusively all male, academic elite from the western countries. There is a general tendency towards philanthropically motivated actors being pushed aside by jurists, civil servants, doctors and – especially later on in the period – sociologists and finally criminologists.²¹⁹ Not until the 1950s does one find a shift

219 Obviously, this field of study is open for further research from class and gender perspectives, possibly inspired by Robert William Connell's concept of 'hegemonic masculinity'. Hitherto this concept was mainly employed in contemporary studies emphasizing the criminal individual, ignoring the criminological and criminal policy elite, viewed in historical perspective. Stephen Tomsen (ed.): *Crime, Criminal Justice and Masculinities*, Aldershot 2008; Richard Collier: *Masculinities, Crime and Criminology. Men, Heterosexuality and the Criminal(ised) Other*, London/Thousand Oaks/New Delhi 1998. For a fruitful

in perspective; this came about as the *International Prisoners Aid Association* (IPAA), a lobby organization for convicts, appeared in the international cooperation.²²⁰

The state created a permanent frame of reference for all the included organizations, for the simple reason that the subject of crime was conceived as the responsibility of the state. The relationship between state and organizations was fundamentally characterized by mutual interest and cooperation, so that the two parts would be able to strengthen each other's legitimacy and authority. With the establishment of the League of Nations during the interwar period, a formalization and institutionalization in regard to inter-organizational cooperation occurred. Overall, this suggests an inter-connected and overlapping transnational network of organizations, states and supranational bodies, first the League of Nations and later the UN, at various levels. However, this development was initiated, propelled and – in terms of content – influenced by the non-governmental organizations.

Not surprisingly, representatives of the western countries both initiated and dominated the organizations during the whole period.²²¹ Based on their view of themselves as civilized states, they sought to disseminate their conceptions of crime to more and more countries and continents.²²² On the other hand, transnational cooperation in the field turned out to be so attractive that many states decided to participate as soon as their political and socio-economic situation permitted it.²²³ Without suggesting equality within the group, a *global community* of organizations came into being, which channelled and disseminated the growing body of knowledge on crime.

employment of the concept in a historical perspective regarding issues such as student culture, sport and the military, see: Martin Dinges (ed.): *Männer – Macht – Körper. Hegemoniale Männlichkeiten vom Mittelalter bis heute*, Frankfurt/New York 2005.

220 The organization even took part in the UN congresses. Alper/Boren, p. 129. Other human rights groups did not become active until after the period embraced by this study.

221 The same was generally the case for the scientific congresses. Eckhardt Fuchs: The politics of the republic of learning. International scientific congresses in Europe, the Pacific Rim and Latin America, in: Fuchs/Stuchtey, p. 205-244, p. 226f.

222 This was a general feature of the organizations of the time. See Sebastian Conrad/Dominic Sachsenmaier: Introduction: Competing visions of world order: Global moments and movements, 1880-1930, in: Conrad/Sachsenmaier, p. 1-25, p. 6. Not till the 1960s did the idea of founding non-governmental organizations spread on a global scale. See Boli/Loya/Loftin, p. 50ff.

223 For instance, the many countries which were (re-)created in the wake of World War I, as well as former colonies.

Faced with the international political situation of the time, the organizations exhibited a considerable degree of independence. The position of the states in the political landscape had no bearing on who took up office. Rather, within cultural boundaries, the background of the individual determined this. This was especially the case in the initial phase. Small states, such as Switzerland, were well represented. Indeed, at that time these countries often exerted a disproportionate influence compared to their size.

Although the World Wars – the landmark political events of the era – did not fundamentally disturb international cooperation, they certainly made a great influence. This was most distinctively the case for World War I, which led to a partial schism in international cooperation, resulting in a greater number of – sometimes regionally limited – organizations in the interwar period. Another consequence was the expansion of influence on the part of smaller states. At the same time, the US began to establish itself as a new Great Power in the field – a development, which peaked after World War II.²²⁴ Still, the break following 1945 was less pronounced. This is explained by the fact that the field had received more attention during the interwar period and was now recognized as having overall political importance. Immediately following the war, cooperation on crime was no longer seen merely as a way of creating crime policy solutions and promoting welfare in the individual countries, but also in a broader sense conceived as a factor: »... in stabilising international peace«.²²⁵

An evaluation of the influence and effect of the organizations must proceed from their own double agenda of promoting the scientific study of phenomena of crime, but also, on that basis, of influencing the criminal and social policies of individual countries. The organizations were without a doubt exceedingly successful as regards the first aim, inasmuch as they formed a stable and reliable information network where leading scientists had the opportunity to exchange pertinent information on criminal and social policies in various countries and to present and discuss the most recent research results in the field. Furthermore, the publications not only recorded the work performed by the organizations, but even made it accessible to wider audiences beyond the narrow scholarly communities.

²²⁴ Fuchs: *Wissenschaftsinternationalismus*, p. 283f., likewise concludes that a clear shift occurred from Europe towards the US in regard to scientific cooperation.

²²⁵ Radzinowicz, *International Collaboration*, p. 495. Being of Polish origin, Radzinowicz himself was a war refugee, later to become one of the founders of British criminology. In a similar way, American Sanford Bates, p. 565, suggests a connection between international cooperation for peace and penal reform.

As for the second aim of affecting criminal policy in individual countries, the organizations created the prerequisites for the development of a common transnational culture in handling crime and criminals. If one considers the justice systems and criminal policies among the (western) countries of the time, one will find – albeit with a temporal and content related discrepancy – the same arsenal of measures, all recognizable from the organization agendas. Many issues are concerned, such as indeterminate sentences, preventive detention, specialized institutions for juveniles or alcoholics, securing and holding the mentally ill, habitual offenders or recidivists, probation, criminal biological examinations or sterilization of certain groups etc. It should be mentioned, however, that there were always conflicting opinions about these efforts, also within the organizations themselves. Consensus did by no means occur automatically. Based on power structures found in the individual countries, measures were discussed and modified, implemented or rejected.

Future research must evaluate international cooperation following World War II more thoroughly, but the *Standard Minimum Rules on the Treatment of Prisoners* will serve as an example. The issue had been on the agenda since the 1920s and was taken up again at the 1955 congress. As a result the UN: »... officially invited governments to give favourable consideration to the adoption and application ...« of the *Standard Minimum Rules* in 1957.²²⁶ The world organization chose not to adopt a proper convention; neither did the UN or other organizations make any effort to promote enforcement of the *Rules* in the years to come.²²⁷ In addition to structural and political reasons, this outcome was probably the result of convicts having a lower status than other societal groups.²²⁸ Prisoners' rights were only of minor importance in the general discourse on human rights at the time.²²⁹ In 1972 it was therefore made clear that there was still a need for a basic change of attitude in order to enter an era: »... when offenders and prisoners are no longer regarded as captives in a war against society, but rather as persons in need of special dealing by reason of their special needs«. ²³⁰

226 Alper/Boren, p. 89.

227 Radzinowicz, *International Collaboration*, p. 490ff.; Sara A. Rodriguez: *Impotence of being earnest: Status of the United Nations Standard Minimum Rules for the Treatment of Prisoners in Europe and the United States*, in: <http://law.bepress.com/expresso/eps/1627/> (retrieved December 28, 2009).

228 An extreme example is that the convicts who were victims of the NS-regime's policy of destruction had difficulty in being recognized as such. Wachsmann, p. 391ff.

229 Kennedy, p. 177ff.; Hans Peter Schmitz: *Nicht-staatliche Akteure und Weltöffentlichkeit. Menschenrechte in der zweiten Hälfte des 20. Jahrhunderts*, in: Kaelble/Kirsch/Schmidt-Gernig, p. 423-443.

230 Alper/Boren, p. 158.

Overview of the most important organizations.

1870-1914	1914-1939	1939-1955
<p>IPC <i>International Penitentiary Commission</i> Founded 1872 in London, from 1926 seated in Bern.</p>	<p>IPPC <i>International Penal and Penitentiary Commission</i> Change of name (from IPC) 1929.</p>	<p>IPPF <i>International Penal and Penitentiary Foundation</i> Founded 1951 as IPPC's successor.</p>
<p>ICCA <i>Congrès Internationaux d'Anthropologie Criminelle</i> Founded 1885 in Paris.</p>	<p>Ceased.</p>	
	<p>KbG <i>Kriminalbiologische Gesellschaft</i> Founded 1927 in Graz.</p>	<p>Continued.</p>
	<p>ISC <i>International Society of Criminology</i> Founded 1937 in Rome.</p>	<p>Refounded 1949 in Paris.</p>
		<p>ISSD <i>International Society of Social Defense</i> Founded 1949 in Liège, seated in Paris/Rome.</p>
<p>IKV <i>Internationale Kriminalistische Vereinigung</i> Founded 1889 in Brussels.</p>	<p>Continued in Germany/Austria. Dissolved 1937.</p>	
	<p>AIDP <i>Association Internationale de Droit Pénal</i> Founded 1924 in Paris.</p>	<p>Continued.</p>
	<p>BIUDP <i>Bureau International pour l'Unification du Droit Pénal</i> Founded 1928 in Rome.</p>	<p>Fused with AIDP.</p>

RESUMÉ

*Kriminalitet på dagsordenen:
Transnationale organisationer 1870-1955*

Artiklen præsenterer en langsigtet analyse af de vigtigste transnationale organisationer med kriminalitet på dagsordenen mellem 1870 og 1955. Teoretisk-metodisk tages afsæt i den nyere forskning i transnational historie, som har fremhævet organisationernes centrale rolle i skabelsen af nutidens globaliserede civilsamfund. Sammenslutningerne analyseres både som selvstændige enheder og som styret af konkrete aktører, dvs. enkeltpersoner, (erhvervs)grupper eller stater, hvis uformelle og formelle indbyrdes netværk afdækkes. Artiklens centrale tese er, at de undersøgte organisationer dannede den bagvedliggende struktur i et nyt, transnationalt, tværdisciplinært og i høj grad praksisorienteret vidensfelt, som først efter Anden Verdenskrig for alvor blev institutionaliseret på nationalstatsligt niveau under navnet kriminologi. Endvidere var organisationerne overordentlig effektive og succesfulde med hensyn til at danne et stabilt og pålideligt informationsnetværk, der igen dannede grundlag for en fælles transnational kultur til håndteringen af kriminalitet og af de kriminelle.

Undersøgelsen følger over tre perioder – før-, mellem- og efterkrigstiden – organisationernes indhold, struktur og modus operandi. Alle organisationer var decideret internationale lige fra deres grundlæggelse. Spektret rakte ellers vidt, fra mindre, lukkede fagmøder til stort anlagte, repræsentative kongresbevægelser, og fra private over semiofficielle til intergovernmentale organisationer. I mellemkrigstiden begyndte der at ske en formalisering og institutionalisering, både med hensyn til forholdet organisationerne imellem og mellem dem og de intergovernmentale organisationer. Alt i alt var der tale om et både indholdsmæssigt, organisatorisk og personmæssigt tæt sammenvævet og overlappende transnationalt netværk bestående af organisationerne, staterne og Folkeforbundet, senere FN.

Hvad angår organisationernes transnationale rækkevidde og de enkelte landes representation, var de vestlige lande ikke overraskende dominerende, dog med tydelig tendens til en mere og mere global rækkevidde. I forhold til periodens storpolitiske situation udviste organisationerne en betydelig grad af uafhængighed. End ikke de to verdenskrige rokkede ved den grundlæggende præmis, at det transnationale samarbejde i form af organisationer havde etableret sig som et varigt fænomen. Tværtimod blev samarbejdet fra og med mellemkrigstiden ikke blot set som vejen frem til at løse kriminal- og socialpolitiske problemer på nationalstatsligt niveau, men også som en internationalt freds-skabende faktor. Feltets overordnede betydning manifesterede sig sluttelig i, at FN efter Anden Verdenskrig optog håndtering af kriminalitet som et af sine ansvarsområder.