

GREENING CRIMINOLOGY: COMBINING CRIMINOLOGICAL AND ECOLOGICAL SCIENCES IN INFORMING AND ENFORCING ENVIRONMENTAL LAW



Lancaster University
Law School

Dr Gary Potter
Lancaster University Law School
g.potter2@lancaster.ac.uk

Abstract

There are many areas where criminology can provide knowledge and expertise of relevance to socio-legal responses to environmental harm. Environmental victimology provides insights into the nature and extent of suffering experienced by individuals and groups, not just from instances of environmental harm but also from engaging (or failing to engage) with legal and political systems when seeking redress. Crime prevention theory can be taken from its original context of 'street' crime and applied to environmental crimes. Policing and punishment studies have much to tell us about how best to enforce environmental laws deal with those found guilty of environmental crimes.

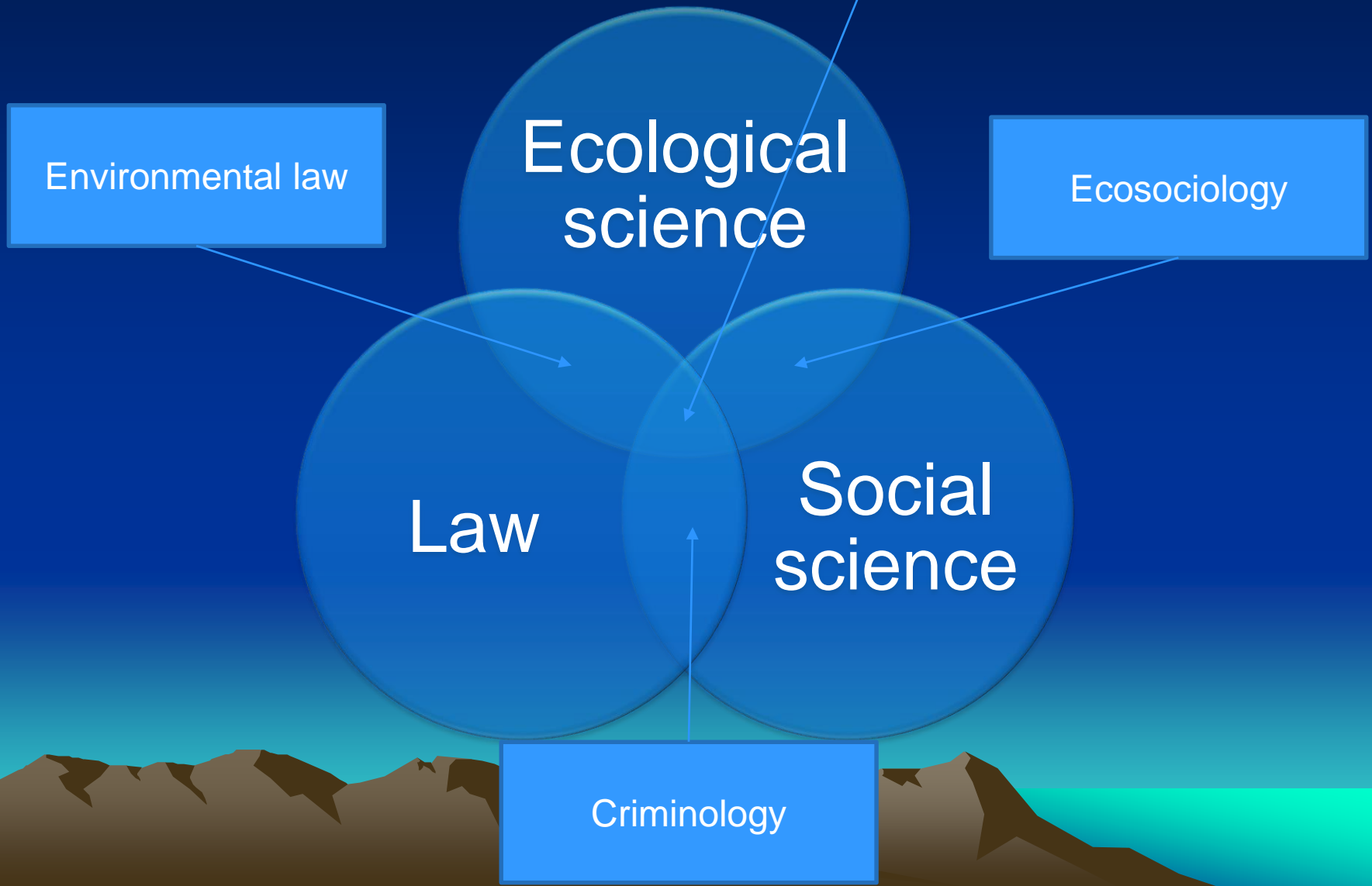


Overview

- Situating green criminology
- The greening of criminology
- Why should criminology care about environmental harm?
- The remit of green criminology
- What criminology can offer to conservation
- What criminology gains from the ecological sciences



Situating Green Criminology



The Greening of Criminology

- 'Green Criminology' – some publishing milestones
 - Lynch, M. J. (1990), 'The Greening of Criminology: A Perspective in the 1990s', *Critical Criminologist*, 2, pp. 1-5.
 - *Theoretical Criminology* vol 2. special edition on green criminology (1998) – Nigel South and Piers Beirne (guest eds).
 - South, N. and Beirne, P. (2006) *Green Criminology* Aldershot: Ashgate.
 - White, R. (2008) *Crimes Against Nature: Environmental criminology and ecological justice* Collumpton: Willan.
 - White, R. (2009) *Environmental Crime: A Reader* Collumpton: Willan.
- Reflects growing awareness of and concern about environmental harm
- Parallels developments in environmental activism, environmental politics, ecological sciences, ecological sociology
- Cf conservation criminology, eco-global criminology, environmental criminology



Why should criminology care about nature?

- GC as administrative/mainstream criminology
 - Increased use of criminal law to regulate environmental harms:
 - Tony Blair's New Labour Government introduced 3,605 new criminal offences
 - Home Office = 455
 - Department for Business, Enterprise and Regulatory Reform = 678
 - Department for the Environment, Food and Rural Affairs = 852
 - Environmental law is the fastest growing area of international law (Galizzi and Sands, 2004)
 - Overlaps with corporate crime, organised crime, drug trafficking, terrorism etc
 - Even the most narrowly focused administrative criminologists need to take note

Why should criminology care about nature?

- GC as critical/radical criminology
 - Concerns with power, class, inequality
 - Victimology
 - Critical engagement with crime and criminalisation:
 - Crime as a violation of “the collective conscience” (Durkheim, 1893)
 - Crime as a product of conduct norms (Sellin, 1938)
 - Crime as a social construct (Becker, 1963)
 - Widening the criminological focus
 - White-collar crime (Sutherland, 1949)
 - Crimes of the powerful (Box, 1983)



Why should criminology care about nature?

- GC as critical/radical criminology cont.
 - Changing the unit of analysis
 - Crime as breach of human rights (Schwendinger and Schwendinger, 1970; Cohen, 1993)
 - Crime as social harm / Zemiology (Hillyard and Tombs, 2004)
- Green Criminology follows these traditions. Consider:
 - Structural causes of environmental harm
 - Criminalisation
 - Unequal distribution of environmental harm (e.g. environmental racism)
 - Environmental, ecological and animal rights as an extension to the human rights perspective
 - Environmental harms, which almost invariably lead to some form of social harm, as an extension to the Zemiology perspective

Why should criminology care about nature?

- Environmental harm as a *cause* of crime
 - Symbiotic/secondary green crimes
 - 'Tertiary' green crimes
 - Conflict over resources and land
 - Climate change predicted to lead to an increase in crime
 - Crime and conflict in response to environmental protection
 - Crime as a response to environmental harm
 - Crime and criminalisation as a response to environmental protest
 - Environmental *victims* commit crime
 - Reactive, proactive and sympathetic protest; Crime associated with dispossessed people; Crime associated with multiple deprivation; Crime related to environmental conditions; Crime and diet; Crime and pollution



The remit of green criminology

- Primary and Secondary Green Crimes (Carrabine et al. 2009)
 - Primary green crimes: '[C]rimes that result directly from the destruction and degradation of the earth's resources...' (p. 316)
 - Crimes of air pollution, deforestation, species decline and animal rights, water pollution
 - Secondary green crimes: 'crime that grows out of the flouting of rules that seek to regulate environmental disasters.' (p. 318)
 - Organised crime, corporate crime, state crime, crimes of the powerful
- Socio-legal vs. harm perspectives
- Anthropocentric, bio-centric and eco-centric perspectives



What criminology can offer to conservation

- Critical and practical perspectives on:
 - Victimisation (inc. of animals) and the nature and extent of harm
 - Creation and application of criminal law and other regulatory regimes
 - Application of the label 'crime'
 - Motivation and structural causes of crime
 - Policing (and other law enforcement)
 - Evidence and trial processes
 - Punishment
 - Deterrence
 - Crime prevention
 - Trafficking, markets and demand for illicit products (drugs, stolen goods)
- Criminology is about changing human behaviour and preventing transgressive activities



What criminology gains from the ecological sciences

- Greater understanding of the nature and extent of harm
- Understanding of eco-systems and the potential (un)wanted effects of interventions
- Which behaviours might be considered for regulation or criminalisation
- Monitoring and tracking
- Forensics/evidence
- Systems-thinking approaches (methodological and theoretical)
- Anthropogenic environmental problems need both the natural and social sciences – separation of the ‘social’ and ‘natural’ worlds is increasingly artificial and problematic

