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# **Distinguishing European Criminology: a metatheoretical argument**

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## **Abstract**

David Smith's inaugural editorial of the *European Journal of Criminology* justifies European criminology in terms of a distinctive tradition, defined primarily in relation to a hegemonic, universalising, American social science. By contrast, a distinctively European criminology can offer a 'much wider view of the world' given its 'variegated' contexts and cultures of control that enable, indeed oblige, comparative research. Smith identifies the greater leverage provided in Europe than in the US for comparative analysis and notes how this is central to avoiding another kind of false universality: that of assuming the ubiquity of grand narratives about crime and control such as Merton's theory of strain, Foucault's thesis on the shift from punishment to discipline or Garland's identification of a late-modern culture of control. In this paper, subsequent progress on this promise of European criminology is considered in terms of the fundamental tension in comparative research between seeking uniformity and seeking uniqueness. It is argued various forms of false universality (the presumption of generalities) and false uniqueness (the assertion of exceptional cases) are better avoided through a metatheoretical concern with substantive, necessary and contingent, relations of connection rather than with formal relations of similarity and difference. It is through the discovery of 'contingent necessities' that the distinctiveness of European criminology is better appreciated alongside other emergent criminological traditions within the global criminology of the twenty-first century. This metatheoretical argument is illustrated through the 'filtering' of online harms by offline regimes of governance and regulation such as the European Union's Digital Services Act and Artificial Intelligence Act.

This year marks both the quarter century anniversary of the European Society of Criminology (ESC) and the twenty first anniversary of its house journal, the *European Journal of Criminology* (EJC), and as such presents an apposite moment to reflect on the project of European criminology in retrospect and prospect. Reviewers, fellow editors and submitting authors of the EJC are routinely confronted with this question in fielding contributions from researchers around the world and in relation to apparently global questions regarding online harms amongst populations spending greater proportions of their everyday lives on the internet or simultaneously online and offline. In what sense might there be a distinctively 'European' dimension to this quotidian online/offline existence? Why publish research on apparently global matters of online harms in a journal explicitly concerned with a particular geopolitical idea, set of governing arrangements, values or territories signified by the prefix 'European'? In turn, how might a focus on online harms provide an acid test and thence clarification of the continued relevance of a distinctively European criminology in a hyperconnected, globalised, world?

I propose a two-fold approach to these questions: firstly a metatheoretical argument about European-ness as an artefact of social relations that have both necessary and contingent qualities to them; and secondly the use of online harms to exemplify such 'contingent necessities', particularly the European ideas, values and associated governing arrangements that 'filter' and reconstitute apparently global problems like malicious online communications, misinformation and deep fakes in highly contextualised and distinctive ways. The ultimate point being to render such contextualised insight explicit.

As a precursor, it is worth recalling David Smith's inaugural editorial of the *European Journal of Criminology* and his justification of European criminology in terms of a distinctive tradition, defined primarily in relation to a hegemonic, universalising, American social science. By contrast, Smith argued that a distinctively European criminology can offer a 'much wider view of the world' because it inhabits, and is obliged to engage with, cultures of control as diverse as those in Sweden and Russia and the 'variegated scenery of countries from Russia and Lithuania to Holland, Greece and Ireland' (2004: 10). In turn this variegated context, 'opens the way for a broader form of criminology in Europe than in the United States, one more closely linked with reform agendas, with stronger development of theory allied to empirical methodologies, and with a particular emphasis on interdisciplinary and comparative approaches' (2004: 11). More specifically, Smith identified the greater leverage provided in Europe than in the US for comparative research, which is central to avoiding another kind of false universality (from that of American ethnocentrism): that of assuming the ubiquity of grand narratives such as Merton's theory of strain, Foucault's thesis on the shift from punishment to discipline, or Garland's identification of a late-modern culture of control. 'The[se] original writers could not be expected to test their ideas against developments in a wide range of countries with which they could not be familiar. But that is exactly what criminologists elsewhere should be doing. The claims of these grand narratives can be tested and refined only by the detailed development of comparative research' (2004: 13-14).

### **Metatheoretical reflections: Contingent necessities**

Subsequent progress on Smith's concept of European criminology can be considered in terms of the fundamental tension in comparative research between seeking uniformity and seeking uniqueness (Sztompka, 1990) in order to substantiate generalisations or acknowledge the context-dependency of crime, control and criminological thought. It is argued that various forms of false universality (the presumption of generalities) and false uniqueness (the assertion of exceptional cases) are better avoided through an ontological concern with substantive, necessary and contingent, relations of connection. Substantive relations of connection are counterpoised to the more conventional preoccupation, in the philosophy of social science, with formal relations of similarity and difference. In critical realist philosophy, whether something is alike matters less than whether in any concrete instance something produces something else. In a renowned account of this, Sayer (1992: 88-96) distinguishes substantive relations of connection in terms of those that are necessary or 'internal', in that the things so connected cannot exist without one another (like breathing and having lungs or being a spouse and having a husband or a wife, or a tenant and having a landlord), and those that are contingent or 'external', in that the things so connected can exist without each other and may or may not be causally relevant (like owners of lungs with blue eyes and owners with brown eyes or spouses that are a generation older than their husbands or wives, or landlords that have a different ethnicity from their tenants). The production of social problems, like racist letting

practices in rental housing markets, is a consequence of how necessary and contingent relations articulate in concrete instances, for example in the (necessary) dependence of ethnic minority tenants on bigoted landlords and the (contingent) failure of regulatory frameworks to police such bigotry in particular contexts. In this sense, racist letting practices are contingent necessities in that they couldn't happen without the internal relations that structure how landlords and tenants interact or without the content of these interactions as shaped by various external, context-dependent, relations.

An early transposition of this realist causal explanation into European criminological thought identified a particular type of internal relation, that of 'power-dependence', and how this necessarily structures social reactions to deviance such as multi-agency crime prevention strategies (Edwards and Hughes, 2005). Power-dependence acknowledges that all authorities are dependent on others to actually implement their commands or, in the neat formulation of Bruno Latour (1986), the difference between power '*in potentia*' and power '*in actu*' is always the actions of others. Multi-agency crime prevention or the much vaunted 'partnership approach' to problems of crime and insecurity that has its origins in European criminology (Crawford, 2009), explicitly acknowledges this internal relation: that core agencies of the state – the police, the courts, prisons and other correctional services – cannot effectively govern social problems as complex and multi-faceted as offending and victimisation 'alone', but need to enrol other relevant agencies, including private citizens, in preventive strategies. How these relations of power-dependence are negotiated, however, is a product of various contingencies including the acumen of 'partners' in advocating various dispositions of risk and justice in the reaction to crime and insecurity (Edwards and Hughes, 2012; Devroe, Edwards and Ponsaers, 2017).

The proposition for our present purposes is that European Criminology in the context of an evolving global criminology can be distinguished in terms of the external relations it adds to internal relations that, by definition, would be found elsewhere. This concern with contingent necessities provides a means of justifying European Criminology as a distinctive field of investigation that is nested within, not hermetically sealed-off from, the wider intellectual currents of global criminology. A critical test of this idea and one that consistently troubles contributions to the EJC is the challenge of online harms.

### **European-ness and online harms**

The internal relation of power-dependence is acutely demonstrated through reference to the disruptive impact of emergent technologies like social media and 'smart cities' on sovereign authority, especially in liberal political systems committed to freedoms of speech, movement and commerce (Edwards, 2016; Edwards, Webb, Housley et al, 2021; Edwards and Calaresu, 2023). In their infancy when Smith first set out an editorial line for the EJC, these technologies are now global in their reach, binding users into social, economic and political communications that traverse sovereign territories in real time and from which it is difficult to extricate oneself without incurring substantial disadvantage, but which simultaneously leave institutions, households and individuals vulnerable to predation, in particular extortion. The smart city is also the ransomed city.

The apparent ubiquity of these disruptive digital technologies and their harmful effects, such as malicious communications, misinformation, deep fakes, ransomware attacks on critical infrastructure and the epidemic of eFraud, now the principal volume crime in countries with high internet penetration (Levi, 2023), has fuelled the research fields of cybercrime and

cybersecurity supporting, in turn, the growth of specialist journals. More recent developments, such as the nascent ‘digital criminology’ (Powell et al, 2018; Schuilenburg, 2025) and allied case studies of security in smart cities (Edwards and Calaresu, 2023), emphasise the interface between online and offline social relations and consequently how apparently ubiquitous online harms are, in practice, filtered by diverse governing arrangements, themselves artefacts of local political negotiation (see also Hamilton, 2025, this collection).

This interface between online and offline relations is exemplified in the particularly European response to online harms formulated in the European Digital Services Act 2022 and the EU Artificial Intelligence Act 2024. The privileging of harm reduction, particularly for vulnerable social groups such as adolescents, over freedom of speech and commercial innovation in this evolving European regime of governance and regulation, stands in marked contrast to the ‘free speech absolutism’ and unfettered commercialisation of emergent technologies espoused by one of the principal digital technology entrepreneurs, Elon Musk, and other representatives of President Trump’s administration in the United States (Edwards, Housley, Beneito-Montagut and Fitzgerald, 2023).

A distinctively European interest in online harms is, therefore, in the harm reduction-centred orientation of the governing arrangements established by European authorities and the values that underpin these filters on apparently global and ubiquitous challenges to sovereign states and the security of their citizens. In terms of the metatheoretical formulation advanced here, these governing arrangements are the external relations that are filtering the power-dependent relationship between liberal democracies and the emergent technologies driving their current circuits of accumulation. This dependence was captured in a recent lecture by Sir David Omand, former director of Government Communications Headquarters (GCHQ) for the UK, who argues that political and economic reliance on the Internet and associated digital technologies has now gone ‘past the point of inflection’ and thus the question is no longer whether to regulate this technology but how and with what consequences and trade-offs (Edwards and Calaresu, 2018).

How this filtering works out *in the European field* of online regulation provides a justification for why European criminology, and its principal journal, ought to be especially interested in research about online harms and other apparently universal problems (see also Di Ronco, 2025 in this collection). This is one way in which the variegated scenery that David Smith spoke of in justification of a distinctively European criminology can be updated and reconciled with apparently universal questions of global criminology such as online safety (see also Nivette, 2025, in this collection).

### **Coda: Europe in global criminology**

Recognition of this variegated scenery has now expanded much further under the auspices of an evolving global criminology. This is leading to the greater acknowledgement of indigenous traditions of thought hitherto obviated by the *Pax Americana* and other ‘colonial’ influences on thought (Agozino, 2003; Blagg and Anthony, 2019). In the search for a more cosmopolitan criminology, one that is open to intellectual currents from around the world and cognisant of the conditions in which criminological knowledge is produced in different historical periods (Hughes, 2022), it will also be important to avoid the other horn of the comparative dilemma: the false particularity of accounts over-exaggerating the context-dependence of crime and

insecurity. Recognition of context oughtn't to imply a resistance to learning from elsewhere but, rather, an acknowledgement of how the power-dependent and other internal relations of crime and control in a hyperconnected world order are nonetheless filtered by the external relations that also constitute problems of crime and control in specific places and moments.

This is a longer standing question of the fundamental aims of comparative research: to either justify generalisations or reveal contextualised insights, to seek uniformity or acknowledge uniqueness. If, implicit in generalisation there is an 'imperialist reason', that grounds general theories of crime by 'controlling' for, thus obviating, threats to the internal and external validity of research seeking uniformity, the obverse problem is that of an 'indigenous reason' that obviates lessons to be learnt from elsewhere and exaggerates the exceptionality of crime and control in various contexts. Rather, establishing how context-dependent problems of crime and control are ought to be the fundamental aim of comparative criminology, an aim which, as Smith acknowledged at the outset of the EJC, European criminology is ideally placed to realise.

To this end, a concern with substantive relations of contingency and necessity offers a means of disambiguating that which is context-dependent, for example the contested governing arrangements privileging harm reduction and online safety for European citizens or those privileging 'free speech absolutism' for US citizens, from that which is transcendent, for example the internal relations of power-dependence that make resistance to harm reduction or free speech absolutism possible. Techno-imperialists like Musk cannot simply command and globally project observance of free speech absolutism but need to barter and negotiate with the regional actors on whom they are dependent to translate their political and economic objectives into practice, such as the European Union's regulators of online safety and Artificial Intelligence.

As such, European criminology exists in a dialogue with the greater plurality of tendencies acknowledged in a global criminology structured by internal relations of power-dependence but configured by a plethora of external, contingent, relations including various 'indigenous' as well as 'imperialist' rationalities of rule. How the values and governing arrangements that are constitutive of distinctively European social reactions to deviance alter or persist in a global context characterised by resurgent anti-liberal democratic tendencies provides a core justification for a specifically European Society of Criminology and for its house journal.

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