

Penal Issues

CESDIP

Centre de Recherches
Sociologiques sur le Droit
et les Institutions Pénales

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The CESDIP's Fortieth Anniversary

That anniversary is special enough to merit an instalment of Penal Issues, with a presentation of the team, the main research themes, the structures within which our international collaboration is developed, and the documentary resource centre, all in their present-day form.

The CESDIP, simultaneously a *Centre National de la Recherche Scientifique* (CNRS) research centre and a research department of the Ministry of Justice, is part of the University of Versailles-Saint-Quentin since January 1, 2006. Its name, CESDIP, dates back to 1983, but its history is much longer. In its earlier form, the *Service d'Études Pénales et Criminologiques* (SEPC), it actually was officially created, within the Ministry of Justice, at the very end of 1968. That was just over 40 years ago, then.

The team

The CESDIP staff has grown considerably in recent years, rising from 37 members in 2004 to 56 at present. This growth is indicative of the group's dynamism, and of the fine reputation it enjoys both in the scientific community and among institutions. All sorts of positions are in fact represented among its personnel, including administrative staff (8 tenured and 1 under contract), researchers attached to the CNRS (13), academics (6), postgraduate students (9), graduate students (10), associate researchers (8), and researchers under contract (one person). The organisation chart provides an overview of the architecture and the list of the entire staff.

Broad Research Themes

The research program at the CESDIP revolves around seven axes:

① The statistical analysis of crime: large overall population surveys conducted by the centre and analysis of official data pertaining to crime and criminal justice

The secondary analysis of institutional statistics (police, gendarmerie and court statistics) has been one of the strong points of the centre's research activity from the start. In the early 1970s, the SEPC was in charge of publishing the famous *Compte Général de l'Administration de la Justice Criminelle* (judicial – prosecution and court – statistics). This source, now completed by computerised data, serves as a basis for long-term serialisation, an ongoing project (the Davido database¹). From the mid '80s on, police statistics gradually, and increasingly, found their way into public debate and public policies, owing to the growing insufficiencies of judicial statistics. What they measure is not offending, however, but policing activity, which is an entirely different matter. Several members of the CESDIP team continue to devote themselves completely or partially to research on this corpus of data. They repeatedly analyse the trends in many types of crime such as interpersonal violence and drug offenses, and above all, they use the data to decipher the workings of the « penal machine », both at the police and gendarmerie level and at the prosecution and court level.

Next, in the early 1980s, the CESDIP brought international scholarship on victimisation to France, where it had been seriously neglected until then. At a Council of Europe conference during the same period, it presented an approach of surveys where counting crime would not be the sole concern. This led it to conduct the first national victimisation survey, in the mid '80s. Subsequently, in the late '80s, at the request of the *Délégation Interministérielle à la Ville* (DIV) (the Inter-Ministry Urban Development Bureau), it conducted the first local surveys of that kind, to be continued in the framework of a partnership with the *Forum Français pour la Sécurité Urbaine* (FFSU, the French Forum for Urban Safety). In 2001, the CESDIP also developed, directed and analyzed the first regional survey (repeated in 2003), for the *Institut d'Aménagement et d'Urbanisme de la Région d'Île-de-France* (IAU Île-de-France) (the Institute for Urban Development and Renewal for the Île-de-France Region). We have also undertaken the serialisation of the national surveys conducted since 1996 by the *Institut National de la Statistique et des Études Économiques* (INSEE) making it possible,

¹Named after its founder, André Davidovitch.

henceforth, to assess medium-term trends.

② Sociology and history of deviant behavior

In addition to occasional studies tied to current events (such as the November 2005 riots, which elicited two collective research projects), CESDIP researchers contribute regularly to the advancement of knowledge in several fields:

- deviant and delinquent behaviour in juveniles made a forceful comeback on the French scene in the early '90s, with the first riots in 1990-91 and the return of the (very old) problem of juvenile delinquency. Understandably, social science research was increasingly solicited, and scholarly production thereon has increased considerably in fifteen years. The CESDIP does its share, with research making use of three tools: statistical analysis, the study of penal records, and ethnographic fieldwork.

- deviant behavior and violence in schools is another theme that gradually came to the forefront in the '90s. Our research furthered understanding of this problem, in particular by showing how to combine quantitative and qualitative approaches, with victimisation surveys, self-reported violence surveys and school monographies. We are also focusing on the process of dropping out of school.

- research on homicide continues, with both a quantitative approach (measurement of the trend since the 1970s, analysis of its geographic distribution) and a qualitative one (analysis of the socio-demographic profiles of offenders and victims, as well as of their previous relationship).

- white-collar crime is broached through the links between the economy and the criminal justice system. Research investigates various forms of illicit economic practices, including the so-called informal economy, illegal financial flows, white-collar offending, corruption, and organised crime.

- last, a research project on sexual crime has been launched, and will produce its first conclusions in 2010.

③ Sociology and history of criminal justice institutions and of safety professionals: the police

Along with the development of large victimisation surveys and the resumption of its work on juvenile delinquency, the strong accentuation of its research on the police is another feature characterising recent research developments at the CESDIP. Two disciplines are involved in research covering different periods: history looks into the 19th and 20th cen-

turies, up to the 1960s and the Algerian war; sociology deals with the latter decades of the past century and the present evolution of police organisations (including the national police, national gendarmerie, and municipal police forces). On the history side, research has dealt with the rural police in the 19th century (the « *gardes-champêtres* »), with the *Surveillance du territoire* (the domestic intelligence agency) from the 1930s on, with the relations between the police and the Communist Party, the relations between the police and Algerians living in France, and with the complementary as well as competitive relationship between police and gendarmerie in the first half of the 20th century. Moreover, this history of contemporary police forces is not based exclusively on studies of the archives, it also relies on oral history and attempts, whenever possible, to collect the memories of those protagonists who are still alive. Sociological studies presently focus on the socio-demography of the police force, on community policing, on changes in the gendarmerie, on municipal police forces, on police and racial profiling, on the growing number of women in the police, the management of police services and the formation of national public safety policies. These themes are usually broached in a comparative, European, and sometimes international perspective.

④ Sociology and history of criminal justice institutions and of safety professionals: the justice system

Research on the justice system is methodologically twofold. Through a quantitative approach, the CESDIP pursues its traditional concern with the criminal justice system, institutional rationales, trends in the dispatching of criminal cases, as well as on anticipation and retroaction phenomena between the various stages of « penal tracks », starting with police charges and ending with sentence implementation. Qualitative research is mostly concerned with the actors of the criminal justice system; the most recent studies cover lawyers, juvenile court judges and public prosecutors. Focussing on « real-time treatment » in particular, within a perspective of sociology of judicial practices, researchers have attempted to identify, specifically, how modifications in court management affect the practices of judges, with possible ripple effects on court decisions. They are also studying the overall evolution of a specific segment of the criminal justice system, the juvenile justice, which has been repeatedly reformed and called into question over the last fifteen years or so.

⑤ The production of penal norms and public policies thereon

While the main focus of the overall CESDIP research program is the study of law-breaking and its punishment by the criminal justice institutions, a third facet is always present: that is, criminalisation. The penal norms broken by some people and punished by others are constantly changing. The contemporary period is an almost caricatural illustration of this process, as safety policies now amend criminal law once or even several times a year, which is why the term « safety craze » (*frénésie sécuritaire*) was coined. Several studies look into the production of penal norms (including procedural norms, at both the police and penal levels) and into the trends in public safety policies targeting some specific offences (such as cybercrime), groups (especially juveniles) and territories (working-class neighbourhoods). Researchers also make sure to set this analysis of public policies trends within a European and international framework.

⑥ Penal measures and sanctions

Henceforth, research on some types of offences almost systematically looks into their penal handling: This is the case for juvenile delinquency, for offences aimed at persons discharging a public service mission, for white-collar crime, and for rape. Furthermore, there is still research on sentences. With few exceptions (especially the current research on Community Service Orders), they focus on prison, both from a statistical and a qualitative angle, and include both pre-trial detention and prison terms. In recent years we have, logically, taken a new tack, with research on electronic monitoring. We are also investigating sentence adjustment measures and release from prison. Last, this all brings us to work on the impact of sanctions and the issue of recidivism.

⑦ The history of criminal sociology and sociological theories on deviance

The history of science and epistemology has now become a classic in the CESDIP research program. Studies naturally focus on the sociology of deviance, the sociology of crime and criminology. For instance, researchers have studied the history of the sociology of crime in France after the World War II, the history of academic journals in the field, the history of research on juvenile delinquency, the history of criminology and of its absence of institutionalisation in France. In addition, we are developing a social history of statistics, an increasingly

popular field these days: its object is the many political controversies elicited by debates on statistics, which controversies raise major, new theoretical issues, as they are a meeting ground for the sociology of knowledge and the sociology of power.

The Structures of International Cooperation

① The Groupement Européen de Recherches sur les Normativités (GERN)

The GERN is a CNRS-European Research Group (GDR-E) affiliated with the Ministry of Justice. It is an enterprise aimed at structuring a particular field in the European Research Area; that is, research on norms, deviance, crime, and insecurity. The scholarly activities of the network's 40-odd participant research centres in eleven European countries (Belgium, France, Germany, Great Britain, Italy, the Netherlands, Poland, Portugal, Spain, Slovenia, and Switzerland) are structured around seminars, one-day meetings known as « Interlabos », conferences, publications, and European contracts.

Its program also includes a series of seminars and conferences, and especially a seminar co-organised with the *Fondation de la Maison des Sciences de l'Homme* devoted to « *Military justice systems in Europe from the Ancien Régime to the present* », and another on « *Prison, penalty, and modernity* », co-organised with several European partners.

Over the 2006-2009 period, the *CrimPrev* Coordination Action project funded by the European Commission has absorbed most of the network's energy (see the description of the project, below).

② The Laboratoire Européen Associé (LEA, Associated European Laboratory)

The Associated European Laboratory, « *French-German comparative research on crime, safety and prevention policies* » is the outcome of an agreement signed in 1998 between the *Max-Planck Gesellschaft* and the CNRS. It was the first LEA in the social sciences. It is a partnership between the CESDIP, the CLERSÉ (*Centre lillois d'études et de recherches sociologiques et économiques*) and the Department of criminology of the Max-Planck Institute in Freiburg-im-Breisgau.

The LEA is intended primarily to support research. Its funding priority is therefore research travels, and secondarily, the dissemination of research findings. It also supports doctoral and post-doctoral research.

In recent years, the LEA has conducted comparative research on technolo-

gies and court evidence, police and minorities, international cooperation in policing, the punitive powers of the public prosecution, custodial policies and prison labour. The two parent bodies have recommissioned the LEA for a second and final four-year term (2006-2010).

③ The CrimPrev project

In the framework of the 6th European Union research program, the GERN is managing a coordination action called « *Assessing Deviance, Crime and Prevention in Europe* » (*CrimPrev*). This 3-year European project is based on a consortium of 31 partner institutions, half of which are members of the GERN, the other half outside partners. The CNRS is in charge of the coordination/management of the project.

The objective of the project is to assess scholarship in the above-mentioned field, on the European level. This includes both the question of the trends in crime and deviant behaviour, the evolution of the criminalisation process and of public crime prevention and safety policies, as well as the changes in perceptions of crime and insecurity. The list of seminars and publications is available on the Internet site specially created for this purpose: <http://www.crimprev.eu>.

Publications Affiliated with the Centre

First of all, the CESDIP publishes the present research bulletin, a bilingual publication – *Questions Pénales/ Penal Issues* – circulated free of charge, electronically or by mail, to several thousand subscribers. The journal is mostly devoted to the publication of brief descriptions of studies that are often published more extensively in our series *Études et Données Pénales*. All of these publications are available in full on-line, on our Internet site (<http://www.cesdip.fr>), along with the archives.

The centre is also the fulcrum for the management and/or editorship of four academic periodicals: *Déviance et Société* (an international French-language journal founded in 1977), *Crime, Histoire et Sociétés/ Crime, History and Societies* (an international bilingual journal founded in 1999) and *Champ Pénal/ Penal Field* (an international, bilingual journal founded in 2004).

The Documentation Resource Centre

The CESDIP documentation resource centre runs a multilingual library composed of some 16,200 documents, and subscriptions to 80 specialised periodicals. In addition to the books and collections of periodicals, it derives its scholar-

ly value from an extremely abundant grey literature, with many theses and research reports. An Intranet documentary portal helps to publicise the centre's work, and further strengthens its reputation as one of the largest in Europe in our field.

This collection, both paper and digital, has become a genuine documentation resource centre, a research tool providing real support for researchers. It is open to researchers and doctoral students, both French and foreign, who need only make an appointment. The complete catalogue of the documentation centre will soon be available on line on our Internet site.

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