

# **Criminological Research and Education in Croatia**

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**Abstract:** *Slightly more than 100 years have passed since the emergence of criminology as an independent scientific discipline. Therefore it isn't surprising that there are still loads of discussions on criminology's position, role, and subject, as well as its future in terms of research and education. These discussions are being dictated predominantly by varying scientific conceptions and academic backgrounds, although from time to time certain elements of particular and non-scientific interests temporarily resurface in the turbulent sea of arguments. Such tendencies can be found across the globe, as well as currently in Croatia. Therefore contemplations about criminological research and education as well as criminology's role in Croatia are not only justified, but long overdue. Serious and systematic academic debates on these issues are almost non-existent in Croatia, and as it seems the situation in Turkey is very much alike. That is why this is merely an attempt to start of such debates, rather than it is the presentation of full-fledged answers, which claim to be correct or even final. The article will provide an overview of the state of art in Croatian criminological research and education, with a special focus on the Zagreb Faculty of Law's recently established Max Planck Partner Group for 'Balkan Criminology'. It will also provide a comparative outlook into common Croatian-Turkish criminological developments and future cooperation that will hopefully generate 'food for thoughts' and incentives for new initiatives.*

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## 1. Introduction

The idea of a science that deals with the systematic study of crime, its perpetrators, and victims is rather new to the world of science and has been around for the past 130 years or so.<sup>1</sup> Prior to the 1890s the word “criminology” didn’t even exist.<sup>2</sup> The ‘shaping’ of the term itself in 1879 has been attributed to the French anthropologist *Topinard*, whereas it was the Italian legal scholar *Garofalo* who first used the term “criminology” in 1885 as the title of his book “*Criminologia*”.<sup>3</sup> In its beginnings criminology focused primarily on the study of crime and the criminal, but then in the 1980s it expanded its interest through scientific inquiry into the crime victim.<sup>4</sup> This has led to the consolidation of criminology’s scientific subject: the crime, the criminal, and the victim, or, as *Fattah* would define criminology, stressing its scientific character and status as an empirical, non-normative and non-speculative social science: “Criminology is the search for, and the application of, multidisciplinary scientific concepts, methods and theories to the study of the social phenomenon of crime, its perpetrators and its victims.”<sup>5</sup> And although criminology isn’t a normative discipline, its close connection to other criminal sciences, most of all criminal law, is indisputable.<sup>6</sup>

The close scientific and practical connection between criminology and criminal law has naturally resulted in a strong institutional connection between the two disciplines, affecting both criminological research as well as education. This is especially the case in Europe and also in Croatia. Therefore the analysis of the state of art in Croatian criminological research and education has to be seen in the broader context of criminal law research and education at Croatia’s leading law faculty - the Zagreb Faculty of Law.<sup>7</sup> Besides the Zagreb Law Faculty that hosts the ‘criminal

<sup>1</sup> *Garland* 2008, 19.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Kaiser* 1996, 1.

<sup>4</sup> *Horvatić & Derenčinović* 1998, 44.

<sup>5</sup> *Fattah* 2008, 141.

<sup>6</sup> *Kaiser* 1996, 4-5; *Derenčinović & Getoš* 2008, 22-26; *Horvatić & Derenčinović* 1998, 27-29; *Šeparović* 1987, 25-29.

<sup>7</sup> See: [www.pravo.hr](http://www.pravo.hr).

law movement' in Croatian criminology, there are several other players in Croatia also involved in criminological research and/or education, like for example the Police Academy in Zagreb, the Croatian State Bureau of Statistics or the Faculty of Education and Rehabilitation Sciences in Zagreb (former College of Defectology) that hosts the 'defectology movement' in Croatian criminology. The criminological activities of these institutions will also be presented. Finally, based on the findings from the 1st Turkey-Croatia Jurist day in April 2013<sup>8</sup> and the insight into Turkish criminology gained during a research visit to the Istanbul University's Faculty of Law in September and October 2013,<sup>9</sup> a comparative outlook into common Croatian-Turkish criminological developments and future cooperation shall conclude this article, and will hopefully generate 'food for thoughts' and incentives for new initiatives.

## **2. Criminological Research and Education at the Zagreb Faculty of Law - the 'criminal law movement' in Croatian criminology**

When it comes to criminological institutionalization, then the Zagreb Faculty of Law is amongst the few pioneers in this respect. *Kaiser*, by referring to *Radzinowicz* mentions 1906 as the year of criminological institutionalisation at the Zagreb University - only Ferrara University (1905) and Lausanne University (1906) have a comparable 'early start' in criminology, whereas Paris University (1910) and Graz University (1912) followed later on.<sup>10</sup> Therefore, first the Zagreb Faculty of Law's Chair for *artes adiutrices juris criminalis et sociologia* shall be briefly intro-

<sup>8</sup> The author thanks the Dean's office of the Zagreb Faculty of Law and Prof. Dr. Davor Derenčinović, Head of the Chair for Criminal Law, for the opportunity to contribute to the 1<sup>st</sup> Turkey-Croatia Jurist Day held at the Istanbul University's Faculty of Law in April 2013.

<sup>9</sup> The research visit to the Istanbul University's Faculty of Law was kindly initiated and generously made possible by Prof. Dr. Adem Sözüer, Dean of the Istanbul University's Faculty of Law, whereas the criminological cooperation and research was conducted with Dr. Tuba Topçuoğlu. The author sincerely thanks Prof. Dr. Sözüer and Dr. Topçuoğlu for their gracious hospitality and interest in Croatian criminology.

<sup>10</sup> *Kaiser* 1996, 70.

duced, before outlining the criminological activities of the Chair for Criminal Law as well as the Croatian Association of Criminal Sciences and Practice, finishing with the most recent criminological developments at the Zagreb Faculty of Law - the establishment and work of the Max Planck Partner Group for 'Balkan Criminology'.

## 2.1. The Chair for artes adiutrices juris criminalis et sociologia

Even prior to 1906, researchers from the Zagreb Faculty of Law started publishing their criminological work and actively following the developments on the international criminological scene.<sup>11</sup> However, it is 1906 that marks the institutional birth year of Croatian criminology with the establishment of the Chair for assisting criminal law sciences and sociology<sup>12</sup> under the leadership of the first Croatian criminologist *Ernest Miler* (1866-1928)<sup>13</sup>. Starting with the winter semester 1906/1907 *Miler* lectures the two-semester obligatory course "Criminal Sciences".<sup>14</sup> After *Miler's* death his position as Head of the Chair for assisting criminal law sciences and sociology remains empty and with no successor for *Miler* in 1934 the position gets posted as Chair for sociology and statistics.<sup>15</sup>

<sup>11</sup> See for example Šilović 1893; Šilović 1894; Šilović 1900; Šilović 1904 and *Miler's* Bibliography in *Pavić* 1997, 402.

<sup>12</sup> The Chair for assisting criminal law sciences and sociology (Latin: artes adiutrices juris criminalis et sociologia; German: Kriminal-Hilfswissenschaften und Soziologie; Croatian: kriminalne pomoćne znanosti i sociologiju) was founded on March 9<sup>th</sup> 1906 (*Pavić* 1996, 408, 414). First signs of criminological institutionalization can be found even before 1906 - Čakanić (1848-1898) who since 1877 lead the Chair for legal philosophy, criminal law and criminal procedure lectured in the academic year 1881/1882 a course titled "On Criminals" (*Pavić* 1996, 406).

<sup>13</sup> In 1906 *Miler* was named as public regular professor for criminal sciences and sociology (*Pavić* 1997, 396). As a student of *Listz* in whose seminar her worked, *Miler* first dealt with criminal law, then he studied the causes of crime, and eventually he ended up in sociology (*Pavić* 1997, 399). This leads to the conclusion that *Miler* is the first Croatian criminologist who in the best possible way combined criminal law, criminology and sociology, while studying in a multidisciplinary fashion the causes of crime.

<sup>14</sup> *Pavić* 1996, 408, 414.

<sup>15</sup> *Ibid.*

This leads to the inclusion of criminology and other 'assisting criminal law sciences' into the repertoire of the Chair for criminal law at the Zagreb Faculty of Law, where even today criminological education and research is being headed by criminal law scientists, until recently as an addendum to their main criminal law focused activities.<sup>16</sup> However, it has to be stressed that criminological education and even research took off in Croatia very early and that in its very beginnings Croatian criminology had a strong standing at the Zagreb Faculty of Law with an own Chair and even obligatory courses.

## **2.2. The Chair for Criminal Law and the Croatian Association of Criminal Sciences and Practice**

After Šilović several criminal law professors of the Zagreb Faculty of Law continued the criminological tradition and enriched Croatian criminology not only with continuous lecturing in criminology, but also with numerous criminological literatures. Amongst these criminologically important criminal law professors are without any doubt Šeparović, Horvatić and Derenčinović. Today the Chair for criminal law not only provides criminological education at the Zagreb Faculty of Law, but also at other Croatian law faculties, specialized postgraduate courses, intensive international one-week courses<sup>17</sup> and in the framework of international PhD research schools. The Chair is involved in several criminological research projects, and since 2013 the Zagreb Faculty of Law has a cooperation agreement with the Max Planck Institute for foreign and international criminal law in Freiburg for which the Chair for criminal law has been appointed as coordinating body. The focus of this criminological research cooperation currently focuses on trafficking in human beings and transnational crime prevention. A significant part of the Chair's criminological research is now being conducted in the framework of the Max Planck Partner Group for 'Balkan Criminology' (see 2.3). The Croatian Association of Criminal Sciences and Practice with its scientific

<sup>16</sup> Frank (1883-1953), a regular professor in criminal law, for example, teaches from the academic years 1948/1949 the facultative course "Criminology" (Pavić 1996, 408).

<sup>17</sup> See: [www.pravo.hr/KP/crimeprevention](http://www.pravo.hr/KP/crimeprevention)

journal<sup>18</sup> and annual conferences has since its establishment in 1997 at the Zagreb Faculty of Law largely contributed to the broadening of criminological research findings and the connecting of science and practice. The Association's journal regularly publishes criminological articles and like the Chair for criminal law proves open to interdisciplinary exchange. A last publication of the Zagreb Faculty of Law, besides the Collected Papers of the Zagreb Faculty of Law<sup>19</sup> (but also the other three Croatian law faculties<sup>20</sup>), that frequently publishes criminological research is the Annual of Social Work<sup>21</sup>.

### **2.3. Criminological Research: The Max Planck Partner Group for Balkan Criminology**

In January 2013 the Zagreb Faculty of Law and the Max Planck Institute for Foreign and International Criminal Law jointly established the Max Planck Partner Group for 'Balkan Criminology' (MPPG)<sup>22</sup>, based on the decision of the President of the Max Planck Society - Germany's most successful research organization. The MPPG for 'Balkan Criminology', led by the author, is conducting scientific research and building up a regional network of experts in the field of criminology and criminal justice. Its research focuses on violence, organized crime and illegal markets; feelings and perceptions of (in)security and crime; international sentencing; the ISRD3 Study for Croatia (International Self-Report Delinquency Study); TRAFSTAT Croatia (Tools for the Validation and Utilisation of EU Statistics on Human Trafficking); Restorative Justice at Post-Sentencing Level - Supporting and Protecting Victims etc. Besides criminological research, the MPPG is also providing criminological post-

<sup>18</sup> Croatian Annual of Criminal Law and Practice, available on-line at: <http://hrcak.srce.hr/hljcpp>

<sup>19</sup> Available on-line at: <http://hrcak.srce.hr/zbornik-pfz>

<sup>20</sup> Collected papers of the faculty of law in Split (<http://hrcak.srce.hr/zbornik-radova-pfs>); Collected Papers of the Law Faculty of the University of Rijeka (<http://hrcak.srce.hr/zbornik-pfsr>); Quarterly Journal of Law and Social Sciences (<http://hrcak.srce.hr/pravni-vjesnik>).

<sup>21</sup> Available on-line at: <http://hrcak.srce.hr/ljetopis>

<sup>22</sup> [www.balkan-criminology.eu](http://www.balkan-criminology.eu)

graduate education through a specialized international one-week intensive course. The MPPG consists of two junior researchers in the form of own MPPG staff, whereas the MPPG Head and three more junior researchers contribute as non-MPPG staff through their scientific research and PhD projects to the MPPG's scientific output. Partners from the Balkans and beyond are part of the scientific 'Balkan Criminology Network' that is currently being developed and which already met a couple of times.<sup>23</sup>

### **3. Other Institutions Involved in Criminological Research and Education in Croatia**

First of all, there is the Police Academy in Zagreb with its Police College that of course is more practically and less academically oriented, but nevertheless participates in international research projects, provides criminological education through several courses and publishes a relevant journal<sup>24</sup> with numerous criminological papers in it. Next, the Croatian State Bureau of Statistics<sup>25</sup>, although not specialized in crime research or education, has a remarkable publication activity with several in depth analysis on criminological topics like drug abuse, corruption, domestic violence, crimes against the justice system, crimes against children and minors etc. Besides this special publications, the Croatian State Bureau of Statistics annually publishes in Croatian and English very detailed statistical reports about adult and juvenile perpetrators of criminal offences and misdemeanours, as well as legal persons, which in recent years are all available on-line. A last institution worth mentioning in the context of criminology in Croatia is surely the Faculty of Education and Rehabilitation Sciences in Zagreb (former College of Defectology) which hosts the 'defectology movement' in Croatian criminology. Besides providing criminological education they publish the *Criminology & Social Integration Journal* that publishes papers in the field of criminology, penology and behavioural disorders with focus on persons and social groups manifesting not only formally criminal behaviour, but also disturbances

<sup>23</sup> [www.balkan-criminology.eu/en/network](http://www.balkan-criminology.eu/en/network)

<sup>24</sup> Police and Security, available on-line at: <http://hrcak.srce.hr/polsig>

<sup>25</sup> [www.dzs.hr](http://www.dzs.hr)



in behaviour in general.<sup>26</sup> The scope of the journal best demonstrates the main difference between the 'criminal law movement' and the 'defectology movement' in Croatian Criminology which is far more than only a difference in institutional affiliation of its protagonists, but rather presents a conceptually opposite starting position. Whereas the criminal law orientation perceives criminal behaviour clearly as 'normal' yet law breaking behaviour, the defectology orientation perceives criminal behaviour as a form of behavioural disorder. In the Croatian criminological context both movements continue developing with little if any overlapping, although an interlinking of research efforts could prove mutually

#### **4. Outlook into common Croatian-Turkish criminological developments and future cooperation initiatives**

The current state of art in criminological research and education in Croatia and Turkey looks very much alike. So, for example, both countries participate only for the first time in the ISRD study that researches delinquency, victimization, and substance use among 7th, 8th and 9th graders. In both countries only a handful of researches deals full time with criminological research and education. Criminological university textbooks are a rarity and in need of serious updating. At the same time interest in criminological education is steadily growing, which is clearly indicated by student numbers enrolled in criminological courses. The situation with collaborative international research inquiries is similar and quiet frequently there are more project invitations coming in than can be handled. This all points to the conclusion that criminological research focuses in Croatia and Turkey will have to be chosen wisely and limited to those topics that are of crucial importance for the national and regional context. Currently this identifies child and juvenile delinquency as a common Croatia-Turkey criminological topic. A further topic of common interest surely is criminological education and the creation of a regional university textbook model, which could be used throughout the

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<sup>26</sup> <http://hrcak.srce.hr/ksi>



region and then systematically updated with new crime trend inputs. So far, it has proven to be extremely difficult to identify current needs and to plan future activities without a sound analysis of the current state of art - this is a common Croatia-Turkey necessity well reflected throughout the whole Balkan region and will be the main focus of the MPPG in 2014: the mapping the criminological landscape of the Balkans.

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