
ETHNICITY, MIGRATION, AND CRIME IN THE NETHERLANDS

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THE development of research on the relations among ethnicity, migration, and crime in the Netherlands reflects the ways migration flows and immigration control policies have evolved in the Netherlands after World War II. We pay attention to research on settled immigrant categories (first- and second-generation immigrants who have become naturalized citizens or have a Dutch residence permit) and to research on immigrant categories with a weaker residence status (such as asylum seekers and irregular immigrants).

In the 1980s and 1990s, research primarily focused on four immigrant groups that are today established ethnic minorities: Surinamese, Turks, Moroccans, and Antilleans. In the second half of the 1980s, these groups displayed serious integration problems, evidenced by weak attachment to the labor market and high unemployment rates. Research later expanded to include criminality among asylum seekers and irregular migrants. In recent years, attention has focused on the involvement in crime of migrant groups from Central and Eastern Europe.

The effects of migration management on immigrant crime also became a subject of research; for instance, the effects of open borders as a result of the EU enlargements (resulting in mobile banditry) and the effects of external border control (the growth of human trafficking organizations) and internal border control (forms of subsistence crime as a consequence of barring irregular migrants from access to conventional means of acquiring income).

Most of the research into ethnicity, crime, and migration discussed in this essay was done at a time when the position of immigrants began to receive increasingly critical scrutiny. High unemployment among immigrants and tragic international (the U.S. terrorist attacks of September 1, 2001) and national events (particularly the assassinations of politician Pim Fortuyn and filmmaker and writer Theo van Gogh) played an

important contributing role. In the period 1990–2012, the Netherlands gradually took leave of a policy that emphasized self-organization and preservation of the cultural identity of ethnic minorities (e.g., the arrangements for education in the minorities' own languages)¹ and reduction of socioeconomic inequalities. It has been replaced by a policy with a stronger emphasis on assimilation, on active citizenship, and on the social obligations of citizenship and the individual responsibilities of citizens. There is greater focus on the moral dimension of integration (Entzinger 2006). Integration policies have not only become linked to issues such as employment and an obligation to learn the Dutch language and to become familiar with Dutch culture, but also to social problems of public order and crime.

In this essay, we first outline the major migration flows to the Netherlands and the ethnic composition of the population. In subsequent sections, we analyze research under five themes: the differential involvement of ethnic groups in criminality, subcultural explanations for criminality, victimization and fear of crime, the social organization of human trafficking, and the functioning of the criminal justice system. We conclude with a brief look at Dutch policy with respect to ethnicity, crime, and immigration.

Our discussion of the five themes demonstrates the theoretical and methodological plurality present in Dutch research into ethnicity, crime, and immigration. In the 1980s and 1990s, research was dominated by Hirschi's social control theory (Hirschi 1969), with the survey as the favored research method. Over time, this orientation was supplemented with rational choice perspectives, subcultural explanations, and with insights from the organizational sciences. Additionally, the longitudinal approach of life course criminology became very prominent. Merton's strain perspective and social capital approaches have also become more important in recent years, particularly in research on migrants with a weak legal status, such as irregular migrants and (rejected) asylum seekers. The plurality of theoretical perspectives has brought a plurality of methodologies in its wake. Increasing use is made of administrative databases and of extensive police investigations (for the analysis of organized crime). Qualitative methods, including ethnography and extended qualitative interviews, are also widely used.

These are the main outcomes and conclusions of research on ethnicity, migration, and crime in the Netherlands:

- Over 20 percent of the total Dutch population in 2011 consisted of first- and second-generation immigrants from an increasing variety of countries worldwide.
- The Netherlands has a long tradition of monitoring criminal involvement of various ethnic groups using police data about criminal suspect offenses. In 2009, about 1 percent of all native Dutch individuals were registered as suspects of a criminal offense. That figure was higher for most non-native groups: 6.0 percent for Antilleans, 5.3 percent for Moroccans, 4.1 percent for Surinamese, and 3.1 percent for people of Turkish origin. Cohort analyses show that more than half of all first- and second-generation Moroccan and Antillean boys have been suspected of at least one crime by the age of 23; among native Dutch boys, that figure is 25 percent.

- The overrepresentation of various immigrant groups in Dutch police statistics can partly, but not completely, be explained by demographic and socioeconomic characteristics of these groups (age differences, educational level, incomes, living in cities or not). Other explanations that have been suggested include a relative lack of parental supervision and informal control within ethnic communities, specific cultural traits (honor, respect, codes of masculinity), the "street culture" in urban districts with many immigrants, and selectivity in police apprehensions and punishment.
- Having a weak residence status may indirectly contribute to offending among asylum seekers and irregular migrants. In the Netherlands, migrants with a weak legal status have limited access to social rights and facilities and are therefore more dependent on informal support and illegal sources of income. At the same time, the effect of a weak legal status should not be overemphasized because the majority of asylum seekers involved in administrative procedures or residing illegally in the Netherlands are not involved in any form of crime.
- The removal of restrictions on mobility from Central and Eastern European countries, many of which became EU member states in 2004 or 2007, resulted in forms of "mobile banditry" from these countries. Labor migrants from these new member states may also become involved in (petty) crime when alcohol is involved or when they are unemployed and delinquency becomes an alternative source of income.
- Compared to native Dutch citizens, non-Western immigrants are not only overrepresented as crime suspects but also have an elevated chance of becoming crime victims and to feel unsafe in their neighborhood. This is mainly attributable to the younger age of non-Western immigrants and their tendency to live in (deprived) urban settings.
- The European Union's restrictive migration policies for migrants from non-EU countries ("Fortress Europe") may increasingly drive migrants from these countries into the arms of human traffickers. Dutch research observes two types of human smuggling organizations—small and ethnically homogenous organizations that operate peacefully and sometimes offer smuggling services as a favor to friends; and larger, professional criminal organizations that use violence and sometimes hostage-taking.
- Dutch research into immigration, ethnicity, and crime pays little attention to the possible role of the police and justice system in producing the overrepresentation of immigrant groups in crime and detention figures. It suffers from a lack of "relational thinking": social relations among immigrants and native groups and institutions are often taken for granted. Although some studies indicate selective police actions, Dutch criminologists generally agree that selective law enforcement cannot be the only cause of ethnic differences in registered crime. Ethnic differences are substantial, even when controls are used for relevant characteristics such as age, socioeconomic status, and degree of urbanity. Selective law enforcement also does not explain why certain immigrant groups (Antilleans, Moroccans) are more often

suspected of crime than are other groups with relatively similar socioeconomic and cultural backgrounds (like Turks).

- Compared to the 1990s, relatively large numbers of irregular immigrants are held in immigration detention centers. A minority of these are eventually deported. Immigrant detention in the Netherlands seems to serve three informal functions: deterring irregular residence, controlling pauperism among irregular immigrants, and managing popular anxiety by symbolically asserting state control.
- Research on ethnicity, migration, and crime suggests the need for more balance between open and closed national societies. Immigrants seem to be more at risk of involvement in crime when national societies exclude newcomers too much. Open borders, however, may also generate forms of delinquency, including drug trafficking or "mobile banditry."

I. A RELUCTANT COUNTRY OF IMMIGRATION

Following World War II, the Netherlands was a country of emigration. Encouraged by state-sponsored emigration policies, many Dutch citizens emigrated to typical immigration countries such as Australia, Canada, and the United States and, to a lesser extent, to New Zealand and South Africa. Between 1946 and 1969, some 400,000 Dutch citizens left the Netherlands. In the same period, the Netherlands experienced a major influx of repatriates from the former Dutch East Indies (now Indonesia) following Indonesia's independence in 1949. Today, more than 380,000 first- and second-generation immigrants² with an Indonesian background live in the Netherlands.

A new migration pattern occurred in the late 1950s and early 1960s, with the arrival in the Netherlands and other Western European countries of the so-called guest workers from the Mediterranean. As the term *guest worker* implies, these labor migrants were expected to stay in the Netherlands temporarily and to return to their countries of origin when they had finished their jobs. Initially, in the early 1960s, Spain, Italy, and Portugal were the main sending countries of guest workers to the Netherlands. Later, substantial numbers of guest workers from Turkey and Morocco arrived. The formal recruitment of guest workers ended with the oil crisis of 1973. Many guest workers from Italy, Spain, and Portugal returned to their home countries, but many others, particularly among those of Turkish and Moroccan origin, decided to stay. Migration from both countries continued after guest worker recruitment ended, although on an individual basis. Some came illegally, whereas others arrived through formal family reunifications.

Later, many Turkish and Moroccan youths chose to bring spouses from their former home countries. This resulted in extensive marriage migration (also called migration for "family formation"). That phenomenon persists to the present day, although it has become less prevalent in recent years because of stricter immigration policies and

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increased in-country intraethnic marriages (see Leerkes and Kulu-Glasgow 2011). Between July 2003 and October 2004, 4,542 partners of first- and second-generation Turks and Moroccans received residence permits because of family formation. For the period of November 2004 to February 2006 that number had dropped to 2,077.

The idea that guest workers and their families would stay in the Netherlands only temporarily, which dominated official Dutch thinking on immigration and immigrant integration for many years (Van Amersfoort 1982; Muus 2004), turned out to be a myth. In 2010, there were 389,000 first- and second-generation immigrants from Turkey in the Netherlands (197,000 born in Turkey; 190,000 born in the Netherlands with at least one Turkish parent). In the same year, there were 355,000 first- and second-generation immigrants from Morocco in the Netherlands (168,000 born in Morocco; 187,000 born in the Netherlands with at least one parent born in Morocco) (De Boom et al. 2011).

A third wave of immigration occurred after the independence in 1975 of Surinam, a former Dutch colony on the northern coast of South America. Following independence, nearly 300,000 Surinamese persons—about one-third of the total population—migrated to the Netherlands. In 2010, the Surinamese population consisted of almost 345,000 persons (186,000 born in Surinam; 159,000 born in the Netherlands with at least one Surinamese parent). In the late 1980s, an additional wave of postcolonial migration began: the arrival of residents of the Dutch Antilles. Because these Caribbean islands are still part of the Netherlands, Antilleans are Dutch nationals and have free access to the Netherlands if they can afford the travel costs. In 2010, there were about 141,000 Antilleans living in the Netherlands (89,000 born in the Antilles; the others born in the Netherlands with at least one parent born in the Dutch Antilles).

A fourth major immigration wave consisted of asylum seekers. Before late 1980s, relatively few asylum seekers came to the Netherlands, but this changed in the early 1990s, particularly because of the wars in former Yugoslavia (1992–1995). In the period 1990–2001, the numbers of asylum seekers—with some fluctuations—increased strongly. In the years 1991–1992, about 21,000 individuals per year applied for asylum. This increased to about 43,000 per year in 1999–2000. After that, the number of asylum applications decreased to 11,000 per year in 2003–2004. An important reason for the decline was the enactment of a new Aliens Act in 2001, which introduced stricter procedures for asylum seekers.

Of course, even before that, not all asylum requests were granted. In the early 1990s, almost half of all requests were approved, particularly for refugees from former Yugoslavia (Engbersen, Van der Leun, and De Boom 2007). Later, in the years following the introduction of the new Aliens Act, most asylum requests were rejected, and an increasing percentage of residence permits issued were only temporary. Among the six cohorts of migrants who applied for asylum between 2001 and 2006, between 21 and 42 percent had a residence permit in 2007 (Indiac 2007).

However, not all rejected asylum seekers left the country. It is estimated that about 20 percent of all asylum seekers who had exhausted all legal means in the period 1995–2004 remained in the Netherlands as irregular migrants in 2004 (De Boom, Snel, and Engbersen 2010). (This has not been estimated for more recent years.) In the past

25 years, most asylum seekers arrived from former Yugoslavia, the former Soviet Union, Turkey, Afghanistan, Iraq, Iran, Sri Lanka, Angola, Somalia, and Sierra Leone.

A fifth and continuous pattern of immigration consists of the influx of immigrants from other Western countries, including other EU countries. The number of foreign-born residents from Western countries increased from 440,000 in the early 1970s to almost 740,000 in 2010.³ More than half from other Western countries came from EU countries. The number of immigrants from other EU countries has increased strongly in recent years, particularly after the EU enlargements of 2004 and 2007.⁴

On January 1, 2011, there were 3.43 million first- and second-generation immigrants in the Netherlands, accounting for 21 percent of the Dutch population. About 45 percent of the non-native residents originate from Western countries (including Central and Eastern Europe), and the other 55 percent are from non-Western countries. The top 10 most numerous groups are Turks (389,000), Indonesians (380,000), Germans (379,000), Moroccans (356,000), Surinamese (345,000), Netherlands Antilles and Aruba (141,000), Belgians (114,000), Poles (87,000), former Yugoslavians (80,000), and citizens of the United Kingdom (79,000). These figures show three crucial developments in immigration to the Netherlands (Engbersen, Van der Leun, and DeBoom 2007). First, there is an ongoing pluralization and fragmentation of migration flows. In the early 1970s, the large majority of all foreign-born residents in the Netherlands came from a limited number of other Western countries. Today, two-thirds of foreign-born residents have arrived from various non-Western countries. The category of non-Western immigrants is itself also diversifying. In the early 1970s, the majority of non-Western immigrants came from four non-Western countries—Turkey, Morocco, Surinam, and the Dutch Antilles, traditionally the main sending countries to the Netherlands. In 1990, almost 80 percent of non-Western immigrants living in the Netherlands came from these four countries. By 2010, the share of the “traditional” sending countries had fallen to around 57 percent. In the same period, the share of other so-called non-Western immigrants and their offspring in the Netherlands increased from 21 to 43 percent (De Boom et al. 2011). Immigrants now arrive from more than 200 countries.

A second trend, therefore, is a new geography of migration. There is an increase in long-distance migration from a growing number of countries. At the same time, the traditional South–North migration is being supplemented by migration flows from East to West. According to recent estimates, around 300,000 immigrants from Central and Eastern Europe are now present in the Netherlands (mainly from Poland, Bulgaria, and Romania) (Van der Heijden, Cruyff, and Van Gills 2013). These include temporary labor migrants who are not registered in the official population registers.

A third general trend in contemporary migration patterns relates to the differentiated nature of residence statuses in the Netherlands. The traditional labor migrants, family immigrants, and immigrants from former colonies and their offspring generally had strong residence statuses. They are now increasingly augmented by new categories of immigrants with weaker residence statuses, such as asylum seekers, temporary labor migrants (mainly from new EU member states in Central and Eastern Europe), and

irregular migrants. The civic or legal differentiation in residence statuses reflects the complexity and selectivity of the current European and Dutch systems for management of migration.

II. DIFFERENTIAL INVOLVEMENT OF ETHNIC GROUPS IN DELINQUENCY

This section discusses differential involvement in delinquency of members of groups of different ethnic origins. First, we describe research concerning postcolonial immigrants and first- and second-generation Moroccans and Turks. Then, we discuss research concerning asylum groups and labor migrants from Central and Eastern Europe. Many of these studies rely on the official crime statistics of the Dutch police (the so-called Recognition Service System; Dutch acronym HKS), which registers suspected offenders after official questioning by the Dutch police. Minor misdemeanors are not registered in HKS. Individuals registered in HKS are not convicted criminals but suspects.

A. Crime Patterns among Established Minority Groups

Since the publication of work by Marianne Junger (1990), who described and explained ethnic differences in crime involvement, numerous studies and reports have shown that non-Western immigrants are overrepresented among crime suspects (Blom et al. 2005; Jennissen 2009). These studies mainly focus on Antilleans, Moroccans, Surinamese, and Turks.

One percent of all native Dutch citizens were officially registered as a suspect of at least one crime committed in 2009 (Van Noije and Kessels 2011). Among non-Western immigrants (first- and second-generation combined), the corresponding figure was 3.8 percent. The ranking of the four groups has remained unchanged throughout the last 10 years: immigrants of Antillean origin are most frequently registered as crime suspect (6.0 percent in 2009), followed by those of Moroccan (5.3 percent), Surinamese (4.1 percent), and Turkish (3.1 percent) origin. Men of Antillean origin stand out, with 9.4 percent being suspects, followed by men of Moroccan origin (8.8 percent). Women figure less prominently in police data than do men. However, women of Antillean origin are relatively frequent crime suspects (3.6 percent); a higher figure than for native (Dutch) men.

Recent cohort analyses have revealed interesting patterns. One cohort analysis, for example, followed youths who were 12 years old in 1999 until they were 22 in 2009. Sixty-five percent of all first- and second-generation Moroccan boys had been suspected of at least one crime by the time they reached age 23; the figure among boys of Antillean origin was 55 percent, whereas among boys from other non-Western groups the figure

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approximated 50 percent. Among Dutch boys born in the Netherlands with two parents who were also born in the Netherlands, 25 percent were suspected of committing a crime by age 23 (Van Noije and Kessels 2011, p. 207).

Another cohort study by Blokland et al. (2010) identified similar patterns. This study was based on the officially recorded criminal careers from age 12 to 22 for all boys and girls born in the Netherlands in 1984. Ethnicity was based on the country of birth of (one of) the parents. Twenty-three percent of men and 5 percent of women born in 1984 had at least one police contact prior to age 23. Youths of non-Western origin were overrepresented in police registrations. Overrepresentation was strongest for boys of Moroccan origin: 54 percent were registered at least once, and, of those registered, one-third were registered five times or more.

The Dutch situation, and that in Europe more generally, differs from the situation in North America in important respects. In the United States and Canada, first-generation immigrants have, on average, lower crime rates than do the native born (see Hagan, Levi, and Dinovitzer 2008). Furthermore, although second-generation immigrants tend to have higher crime rates than their parent generation, they continue to have lower or equal crime rates compared with the nonimmigrant population (i.e., third-generation immigrants and up). Little comparative research has been done to explain these cross-Atlantic differences. Lynch and Simon (2007) examined the relationship between immigration and crime in "immigrant nations" such as the United States and "non-immigrant nations" (including Japan, Germany, and France). Nonimmigrant nations tend to have relatively high ratios of immigrant to native-born crime, which the authors explain form the stronger tendency in "immigrant nations" to accept and integrate newcomers into mainstream society. Leerkes and Bernasco (2010) add that the explicit or implicit comparison in U.S. studies between immigrant crime and the crime rate among the native black population may also explain part of the difference. The Netherlands and other Western European countries lack a comparable high-crime native group.

The high registration rates among groups of immigrants in the Netherlands (including second-generation) are partly explained by demographic and socioeconomic characteristics of these groups (such as gender and age patterns, educational levels, household income, and whether people live in cities). For some immigrant groups (such as the Turks), these general distinctions explain about half of the difference in delinquent involvement compared with the native Dutch. For other immigrant groups (particularly those with relatively high suspect rates, such as the Moroccans and Antilleans), these general characteristics are less important in explaining the comparative difference in delinquent involvement (Van Noije and Kessels 2011, pp. 214–15). Here, other explanations may be more important, such as the lack of parental supervision and social control exercised through ethnic communities, the "street culture" in urban districts with many immigrants, and social networks that stimulate delinquent behavior (see also Bovenkerk 2002; De Jong 2007; Van der Leun et al. 2010). Selectivity in apprehensions and punishment may also play a role (we discuss this in Section V).

It should be added, however, that the high delinquency figures among Moroccans and other non-Western groups are also related to age. Both first- and second-generation

immigrants in these groups are relatively young in comparison to the native Dutch population and are therefore more likely to be involved in street crime. In all groups, the likelihood of criminal behavior drops rapidly between 20 and 30 years of age (Van Noije and Kessels 2011, p. 206), although this applies less to Antilleans, where delinquency persists until a later age.

B. Crime Patterns among Asylum Seekers and Irregular Migrants

Although second-generation immigrants tend to have higher crime rates than first-generation immigrants, the overrepresentation of immigrants in Dutch crime statistics is not limited to the second generation. This is true for most regular immigrants groups, as well as for groups with a weaker legal status, such as asylum migrants. De Boom, Snel, and Engbersen (2010) found that, in 2004, the suspect rate for asylum migrants (all nationalities combined) varied from 3.4 percent for accepted asylum migrants to 5.4 percent for asylum seekers currently involved in asylum procedures and around 10 percent for rejected asylum seekers residing illegally in the Netherlands.

The data on asylum migration and crime suggest that there is an indirect connection between asylum migrants' legal status and criminality. In other words, legal or civic status has become a relevant factor in explaining patterns of criminality. The governmental regulation of migration implies a differentiation between status groups that results in patterns of civic stratification (Morris 2003). Asylum migrants with a weak legal status (i.e., asylum seekers currently involved in administrative procedures and, even more so, rejected asylum seekers remaining illegally in the Netherlands) have less access to social rights and facilities and are therefore more dependent on informal support systems and illegal sources of income than are asylum migrants with a stronger legal status (i.e., accepted asylum migrants with a residence permit or, even more so, with Dutch nationality).

Asylum migrants with a weak legal status—especially rejected asylum seekers who continue to reside in the Netherlands—are mostly suspected of minor property crimes (theft, shoplifting, and sometimes burglary) and of using forged or borrowed documents, which are mainly used to pass ID checks but also to obtain access to the formal labor market. These types of crimes have been described as “survival crime” (Engbersen and Van der Leun 2001; Althoff and De Haan 2006). Recently, Leerkes (2009) proposed to make a distinction between “residence crime” (i.e., crimes that enable migrants with a weak legal status to enter or reside in a country, regardless of the quality of that stay) and “subsistence crime” (i.e., crimes committed to achieve a minimum standard of living during that stay).

It is important not to overemphasize the effect of a weak legal status, however. The majority of asylum migrants still in procedure or residing illegally in the Netherlands are not suspected of any form of delinquency. Additionally, large differences can again be observed between asylum migrants of different nationalities. Asylum migrants from

the former Yugoslavia, Iran, Algeria, and Angola are suspected of crimes much more frequently than are asylum migrants from countries like Sri Lanka, Iran, and Afghanistan (De Boom, Engbersen, and Leerkes 2006). These differences can be explained in part by differences in human and social capital (De Vroome and Van Tubergen 2010). Some groups more than others are able to mobilize extra resources through the networks in which they are embedded and may have more opportunities on the Dutch labor market (Dourleijn and Dagevos 2011). These additional resources and opportunities prevent police contacts.

These findings on connections between a weak legal status and crime are in line with Dutch research into the relationship between irregular residence and crime. This research showed that the number of irregular migrants, many of whom do not have a history as asylum seekers, suspected of a criminal offense more than doubled in the period 1997–2003. This increase was to a substantial degree the unintended outcome of the intended marginalization of irregular migrants, achieved by the adoption of increasingly restrictive policies that have reduced the options open to irregular migrants for regular work and residence (Leerkes, Engbersen, and Van der Leun 2012). The marginalization thesis assumes that the exclusion of irregular migrants from formal employment and public services has a criminalizing effect. A series of measures targeting irregular migrants has made it more difficult for these migrants to support themselves in a conventional manner.⁵

Leerkes, Engbersen, and Van der Leun (2012) also demonstrated, however, that the marginalization thesis cannot fully explain the increase in crime involvement among irregular migrants. Other factors include a larger police deployment and increased use of legal procedures to terminate residence permits of noncitizens convicted of “deportable crimes.” If they do not leave the Netherlands, they become irregular migrants. Moreover, contrary to “ordinary” irregular migrants, those who have become irregular because of previous offending are usually declared “undesirable aliens.” This means that continued or renewed residence within a stipulated period (usually 5 to 10 years) is not only illegal, but constitutes an immigration crime in and of itself, punishable with 6 months of imprisonment for each violation (illegal residence as such is not punishable in the Netherlands). Involvement in regular crimes such as theft and violence is also relatively common among such former offenders. In other words, crime involvement may lead to illegal residence, rather than the other way round.

Finally, there are also irregular migrants who travel to the Netherlands in order to commit criminal acts (e.g., in the drug trade or to commit burglary). This is called *criminal migration* or *cross-border crime*. These alternative explanations are relevant to understanding the complex relationship between illegality and criminality, but do not result in a rejection of the marginalization thesis.

C. Crime Patterns among Labor Migrants from Central and Eastern Europe

The collapse of the Iron Curtain between East and Western Europe in 1989 and the later enlargements of the European Union initiated new migration flows. Millions of labor migrants (mainly from Poland, Bulgaria, and Romania) travelled to West European

countries, including the Netherlands (Black et al. 2010). Removing internal borders within the European Union also facilitated criminality, although cross-border banditry predated EU enlargement (Bort 2000; Weenink and Huisman 2003).

Following the 2004 EU enlargement, research was conducted in the Netherlands into "mobile banditry" emanating from Poland and Lithuania (Van der Laan and Weenink 2005). This study revealed that mobile perpetrators pursued a "hit-and-run" strategy, staying in the Netherlands for just a brief time and then moving abroad with their stolen goods.

Recent studies in Belgium among Romanian and Serbian migrants involved in property crimes by handling stolen goods have modified this picture somewhat (Van Daele and Vander Beken 2010a). Two patterns emerged through the analysis of police investigations and interviews with perpetrators in prison; the first pattern is mobile banditry. The perpetrators seek to achieve maximum gains as quickly as possible through crime and by transporting the stolen goods mainly to their home country to sell them there. These perpetrators have no or few ties with Western Europe; the locus of their social networks remains in their country of origin. The second pattern is that of labor migrants who attempt to build a new life in Western Europe, become unemployed, and then become involved in crime as a means of improving their financial situation (Van Daele and Vander Beken 2010b). Contrary to the "mobile bandits," the money they make is spent in Western Europe. Although the second pattern also concerns a mobile group, they tend to be locally embedded in Western Europe to a greater extent. There are no clear figures on the size of these two groups, although there are some indications that the extent of mobile banditry in the Netherlands is limited.

A third pattern of criminal activity emerges from a study in delinquency and public nuisance linked to Polish labor migration to the city of The Hague (Snel et al. 2011). This revealed the darker sides of the new labor migration. Homelessness, overcrowding in boarding houses, and excessive alcohol use among Polish labor migrants caused public nuisances in certain neighborhoods and in specific public places, such as public squares or in front of local supermarkets. Police registrations showed an increase in the number of Polish labor migrants registered as crime suspects. They were mainly suspected of violent crime (especially among themselves) and of shoplifting in certain supermarkets. These offenses seem to be related partly to alcohol abuse and partly to unemployment of Polish labor migrants, who sometimes lose their temporary jobs, have limited access to unemployment benefits, but are unable or unwilling to return to their home country, and end up committing theft (Snel et al. 2011). This latter explanation is in line with the results of the aforementioned Belgian study.

III. SUBCULTURAL EXPLANATIONS OF CRIMINALITY

In addition to conducting comparative, quantitative studies based on police data concerning suspects, researchers in the Netherlands also focus on cultural explanations

Table 27.1 Cultural mismatch between street culture and school culture

Street culture	School culture
"Quick money," "easy come"	Discipline, long-term investment
Flexible (time) structure	Strict (time) structure
Informal, unwritten rules	Procedures, written rules
Mobile, dynamic	Immobile, concentration
Action	Rational planning
"Macho" (masculine)	"Nerd" (feminine)
Passions, desires (hedonistic)	Self-control, self-discipline
Aggression, violence as a legitimate code	Arguing, reasoning, debating
Slang	Standard Dutch language

Source: El Hadioui (2010, p. 39).

for criminality. The latter studies tend to be qualitative. A new journal, *Tijdschrift over Cultuur en Criminaliteit* (Journal on Culture and Criminality), in which issues of migration and ethnicity play a prominent role, was started in 2011. Cultural approaches explain criminal behavior in relation to the nature of social relations in specific subgroups and the related values, standards, symbols, and learning processes. Examples include work by Van Gemert (1998) and Van San (1998) who analyzed the roles of honor, respect, masculinity, violence, and material status symbols in the lives of Moroccan and Antillean youths.

The criminogenic effect of street cultures has become a new field of study. De Jong (2007) has analyzed delinquent group behavior displayed by youths of Moroccan origin. These youngsters learn subcultural street values, such as standing up for oneself, loyalty to friends, being ruthless, showing courage, being streetwise, conspicuous consumption, and being relaxed and cunning. Street values generate specific forms of criminality and are important for the youths in terms of social recognition and individual gratification but may also block their participation in mainstream society. This social mechanism has been analyzed more closely by El Hadioui (2010). In his view, groups of Moroccan youths are subject to a mismatch between the values of street culture and those of school culture (see Table 27.1). This mismatch contributes to premature school-leaving and forms of criminality. The street culture can, to some extent, be seen as a form of negative social capital that has a constraining effect on upward aspirations (Willis 1977; MacLeod 1995; Portes 1998).

Subcultural explanations also emerge in the studies of public nuisance associated with temporary Polish labor migrants and homeless Poles in the inner city of The Hague. Concern has been growing in recent years about the drinking culture of Polish labor migrants and its negative consequences for public order in public spaces (Garapich 2011). Following Douglas (1997), drinking can be seen as one of the ways in which labor

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migrants express their masculine cultures and construct social relations. Drinking acts mark the boundaries of group identities, making them practices of inclusion and exclusion. Furthermore, drink rituals and habits are related to (exploitative) working conditions and the "non-places" (Augé 1995) in which labor migrants are embedded (such as the highly organized and controlled "Polish hotels" in the Netherlands, in which some of them are housed).

These (sub-)cultural studies are valuable because they complement one-sided demographic or socioeconomic explanations and overly general explanations in terms of weak social bonds or weak systems of social control. They can be criticized, however, for a lack of "relational thinking" (see Bourdieu and Wacquant 1992): limited attention is paid to sometimes problematic social relations between immigrants and native groups and institutions. Forms of delinquency that are claimed to be (sub-)cultural manifestations may instead be the unique outcome of the interaction between preexisting (sub-)cultural values and experiences of social exclusion in the country of immigration. For example, although commitment to the street culture may complicate opportunities in main stream society, blocked opportunities also tend to create or reinforce involvement in the street culture. Turkish and Moroccan males have much higher chances of dropping out of the educational system in the Netherlands than in Germany (Koopmans 2003). Such cross-national differences are likely due to structural differences in the reception of immigrants.

IV. VICTIMIZATION AND FEAR OF CRIME

Compared with the native Dutch, non-Western immigrants are not only more frequently registered as suspects or perpetrators, but also have an elevated chance of becoming crime victims and feeling unsafe. This is shown by the Integral Safety Monitor (Integrale Veiligheidsmonitor, IVM), a victimization survey introduced in the Netherlands in 2008 and conducted at national, regional, and local levels. This survey shows that 25 percent of the native population aged 15 and over fell victim to at least one crime in 2010. For the non-Western population, the figure was 29 percent. This higher percentage is attributable to the younger age of non-Western victims and that they are more likely to live in (deprived) urban settings. As people get older, the reports of victimization decrease. Of all the non-Western groups, Antillean groups reported the least victimization (27 percent) (Van Noije and Kessels 2011).

The IVM also provides insight into perceptions of danger. Non-Western immigrants, especially those of Turkish and Moroccan origin, feel less safe than do native Dutch citizens. A quarter of Dutch natives sometimes or often do not feel safe compared with 4 of 10 non-Western immigrants. The differences between native Dutch people and people of non-Western origin can partly be attributed to demographic factors (such as the kind of neighborhoods where people live and socioeconomic background characteristics). Previous victimization is also a relevant factor in perceptions of danger.

V. THE SOCIAL ORGANIZATION OF HUMAN TRAFFICKING

Migration flows into the Netherlands, to a certain extent, reflect the migration policies pursued by governments since World War II. These policies partly concerned flows that are relatively easy to control (such as family migration) and partly those that are more difficult to control, such as asylum migration or unwanted labor migration. The enlargement of the European Union and the removal of internal borders facilitated mobile banditry. At the same time, the restrictive entry policies applied at Europe's outer borders have also generated certain forms of criminality. Within Europe, there is a demand for cheap, illegal laborers willing to perform specific types of work, and, outside Europe, there is a vast supply of potential laborers willing to do the work (Bommes and Sciortino 2011). Some of them manage to travel to Europe through legal means (e.g., on a tourist visa) and some enter illegally. Some are dependent on human traffickers. The intensification and modernization of Europe's outer border controls (giving rise to the notion of "Fortress Europe") is driving migrants from outside the European Union into the arms of human traffickers.

Kleemans (2009) showed that forms of organized crime can be explained through the nature of the social relations that actors maintain with each other (which includes the role of trust) and through the use of manipulation and violence (Kleemans and Van de Bunt 1999). A rational choice or organization perspective is insufficient to explain the complex and sometimes irrational ways that organized crime works (Kleemans 2011).

Similar insights emerged in a study by Staring et al. (2005) into the social organization of human trafficking. The study was based on an analysis of 11 major police investigations (including an analysis of telephone taps recorded by the police) in the Rotterdam area. The Dover case, in which 58 Chinese nationals died through suffocation in a container truck, was part of this study. The study distinguishes two ideal types of human trafficking organizations (see Table 27.2) based on five dimensions: the size and composition of the collaborative venture, underlying social networks and loyalties, structures of domination, structures of coordination, and characteristics of the human trafficking operation. The first type is characterized by its small scale and ethnic homogeneity. Traffickers and those trafficked know each other, and peaceful negotiations take place about the nature of the trafficking operation. It is sometimes just a matter of friends doing each other a favor (also see Staring 2004; Van Liempt and Doornik 2006). The second type, by contrast, is larger in scale and multinational in nature. Actors from several countries play roles in the trafficking operation. These are professional, hierarchical organizations whose members use violence and sometimes hostage-taking (Kleemans 2011). The trafficked persons are very much dependent on the traffickers who often determine the final destination. These organizations exist for economic gain. Both types of collaborative ventures are difficult for local and national police units to combat: the

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Table 27.2 Two types of human trafficking organizations

	Type A	Type B
Size and composition		
Size of collaborative venture	Small-scale	Large-scale
Ethnic composition of venture	Homogeneous: shared home country	Heterogeneous: multinational
Ethnic composition of trafficked persons	Homogeneous: fellow nationals	Heterogeneous: various nationalities
Selection	Cautious selection of trafficked persons	No selection, as long as one pays
Underlying social bonds		
Loyalties	Based on transnational bonds	Economic gain as bond and goal
Dominance		
Structure of authority	Decision making by negotiation: horizontal	Decision making by command: hierarchy
Role of violence	No physical violence	Internal and external violence, and toward trafficked persons
Coordination		
Division of tasks	Little division of tasks	Strong division of tasks
Characteristics of trafficking operation		
Size of operation	Limited number of trafficked persons	Large number of trafficked persons
Initiative for operation	Primarily at client side	At client and venture side
Travel sum	Limited	Sizeable
Nature of payment	Previous to departure	In stages
Scope of trafficking services	Limited	Extensive
Middlemen	Not used	Are used
Concealment	Not an issue	Major issue
Keeping agreements	Reliable	Less reliable
Determination of destination	Primarily by trafficked persons	Traffickers and trafficked persons

Source: Staring et al. (2005).

first type, because of its embeddedness in family and ethnic networks and the second because of its professionalism and multinational character.

The EU enlargements of 2004 and 2007 had consequences for the size of the irregular populations in Western Europe and the Netherlands. Labor migrants from Central and Eastern Europe who were previously irregular residents in Western Europe became EU

citizens and thus acquired legal status. In consequence, a vast regular labor force became available that partly ousted irregular labor migrants from outside the European Union from certain work sectors. This reduced the flow of irregular EU migrants to Western Europe and the Netherlands, which in turn diminished the role of human trafficking organizations.

In the intermediate term, the differences between wage levels in Western Europe and Central and Eastern Europe may be reduced, resulting in a decline in labor migration from the latter to the former. Already, today, labor migration from Central and Eastern Europe (particularly from Poland) appears to be stagnating (Organization for Economic Cooperation and Development [OECD] 2009). This process occurred in the past with respect to migration from Spain, Italy, and Portugal in the 1960s. This implies a future need for new labor migrants from outside the (current) European Union for certain sectors of the labor market. Human trafficking organizations are likely to play a role in the recruitment and transportation of these new laborers.

VI. CRIMINAL JUSTICE

Dutch research on ethnicity, crime, and immigration has paid little attention to the possible roles played by the police force and the justice system in bringing about overrepresentations of immigrant groups in police data and in detention (see Van der Leun and Van der Woude 2012). We briefly discuss this subject next.

A. Selective Law Enforcement

The overrepresentation of specific groups—such as the classic minority groups, asylum seekers, and Polish labor migrants—in crime figures, and particularly among those included in the suspect statistics, raises the question of possible selective law enforcement. The few studies into selective law enforcement show ambiguous results. Research in the 1980s and 1990s found no indications of systematically different treatment of non-Western immigrants by the police (Junger 1989; Rovers 1999). More recent research by Wittebrood (2004) into ethnic differences in crime registration showed that selectivity may occur, although it is mostly indirect. As the police currently prioritize the fight against delinquency in poor, multicultural neighborhoods, Moroccan or Antillean youths have a greater chance of being detained and registered than do native Dutch youths. Two other recent studies also found evidence that some selectivity takes place in law enforcement, including more direct forms. Weenink (2009) looked at the effects of prosecutorial decision making in the Dutch juvenile justice system. He showed that certain categories of immigrants were punished more harshly than Dutch natives and that this resulted from problems that emerged in encounters among juvenile suspects, judicial workers, and police officers. Because juveniles with an immigrant background

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tend to deny committing offenses and to equivocate in the eyes of police officers and social workers, prosecutors tend to treat them more severely. Leerkes, Varsanyi, and Engbersen (2012) used Cox regression to analyze reapprehension data involving irregular migrants. They report suggestive evidence for a tendency by police to focus on ethnic groups believed to be characterized by a high percentage of irregular migrants (in the period of study, Eastern Europeans) and "criminals" (Moroccans and other North Africans).

There is nevertheless general agreement among Dutch criminologists that selective law enforcement cannot be the only cause of ethnic differences in registered crime. Van San and Leerkes (2001) give four arguments for this position. First, ethnic differences are quite substantial, even when age, degree of urbanity and, socioeconomic position are controlled (also see Blom et al. 2005; Jennissen 2009; Van Noije and Kessels 2011). Second, discrimination and selectivity do not explain the substantial group differences between immigrant groups regarding crime rates and types of crimes committed. Some immigrant groups (such as Moroccans in the Netherlands) may face relatively high levels of discrimination, whereas others (such as recent Chinese immigrants in the Netherlands) are more likely to be seen as "model migrants." However, different immigrant groups with relatively similar socioeconomic and cultural backgrounds (Moroccans and Turks in the Netherlands, for example) have substantially different crime rates.

Third, some (white) immigrant groups (Yugoslavs, Russians, Poles) are less easily identified by police than are members of visible minority groups (Antilleans, Moroccans) but are nevertheless prominent in crime figures.

Fourth, ethnic bias as such cannot explain gender and age differences within ethnic groups. For instance, Moroccan and Turkish girls are significantly less involved in crime than their Dutch counterparts, and Moroccans become less overrepresented in crime statistics compared to their peers in other groups when they reach their 20s (Jennissen 2009). In addition, some (but not all) self-report studies among young members of immigrant groups also find higher rates for members of non-Western immigrant groups than for native Dutch youths. For instance, Wittebrood (2003) found that young non-Western immigrants more often reported having committed violent offenses and offenses against property than did native youths. Selective law enforcement strategies by the police thus can amplify ethnic differences in crime but cannot fully explain differences in registered crime patterns for immigrant groups (Tonry 1997; Haen Marshall 1997; Van San and Leerkes 2001).

B. Detention

Detention figures, if taken at face value, also indicate a crime problem among immigrants, although selectivity causes a more serious bias here than at the arrest stage (Rovers 1999). Dutch penal policy was long characterized as lenient with low incarceration rates. However, imprisonment rates increased substantially in the period

1994–2005, before subsiding. The increase was associated with the building of new prisons that increased detention capacity and with the elimination in 2003 of an earlier policy that forbade holding more than one person in a prison cell.

In September 1994, 8,700 people were incarcerated; by 2004, this had increased to 16,500 (i.e., approximately 0.1 percent of the population). Since then, the incarcerated population fell to 12,700 in 2011.⁶

The share of first- and second-generation immigrants in prison also increased, especially during the first period. Official data on imprisonment, however, distinguish only between native and foreign-born, which means that second-generation immigrants effectively are not counted since they are native born. Between 1994 and 2004, the percentage of foreign-born prisoners increased from 45 to 50 percent. By 2011, however, this had fallen to 42 percent, whereas the share of the foreign-born in the overall Dutch population remained stable at about 10 percent. The recent decrease is probably the result of a lower priority given to drug trafficking prosecution and to a further increase in the share of second-generation immigrants. In the overall population, the share of second-generation immigrants increased by 16 percent between 2004 and 2011. Relatively large groups come from Surinam, the Dutch Antilles, Morocco, Turkey, Algeria, and the former Yugoslavia. Rates per capita are especially high for Algerians, Antilleans, and Surinamese.

Most inmates are convicted for crimes of violence and theft, and immigrants are no exception. However, a disproportionate proportion of foreign-born prisoners have been convicted of drug offenses (predominantly production, trafficking, and sale). For example, in 2011, about one-third of the convictions of Surinamese (33 percent) and a quarter of convictions involving Antilleans (24 percent) were related to drug offenses, compared with 15 percent for native-born inmates. The growing proportion of foreign-born inmates between 1994 and 2004 was partly due to more aggressive enforcement of anti-drug laws; the number of prisoners convicted of drug-related offenses more than doubled from 1,355 in 1994 to 3,255 in 2004.⁷

Koopmans (2003) compared these figures to the available figures on prison populations internationally to conclude that the overrepresentation of foreign-born inmates is much higher in the Netherlands than in countries like Great Britain, Germany, or France. In Germany, 27 percent of the prison population in 1997 was non-German, whereas 53 percent of inmates in the Netherlands in 1998 were foreign-born (Koopmans 2003). According to Koopmans, these high numbers can be attributed to the failure of Dutch integration policies. Koopmans, however, does not differentiate between reasons for detention. For instance, the high involvement of certain migrant groups in drug-related offenses in the Netherlands has more to do with the country's position as a transit country for drugs than with ineffective integration policies.

Apart from the increase in foreign-born prisoners, there has also been an increase in the number of irregular immigrants who are being administratively detained in immigration detention centers (Van Kalmthout 2005; Broeders 2010; Leerkes and Broeders 2010; Leerkes and Broeders 2013). Immigration detention is an administrative nonpunitive measure to facilitate expulsion. On September 30, 2006, the number of immigrants

held in custody because of immigration laws (2,555) was six times higher than in 1994 (425). After 2006, this figure dropped to some extent, and, between 2008 and 2010, it stabilized at around 1,600. In the period 1994–2006, the annual number of administratively detained immigrants increased from 3,925 to 12,480. The increased use of immigration detention contrasts with the figures on effective expulsions, which have been dropping from a peak of 12,015 deportations in 2002 to 6,150 in 2007 (Leerkes and Broeders 2010). Other data also show that the Dutch authorities have difficulty expelling detainees. Immigration detention resulted in expulsion for 61 percent of all detainees in 2000 and for 57 percent in 2001 (Advisory Commission on Alien Affairs [ACAA] 2002, p. 23). On the basis of research among 400 immigrant detainees in 2003–04, Van Kalmthout and Hofstee-van der Meulen (2007, p. 101) argue that the percentage of illegal migrants actually expelled is even lower and may even be less than 40 percent. More recently, the number of expulsions has increased somewhat (Leerkes and Broeders 2013).

Given the relative ineffectiveness of the detention system as a means of expelling irregular migrants, Leerkes and Broeders (2010, 2013) suggest that immigration detention in the Netherlands serves three informal functions, in addition to its official function as an administrative instrument of expulsion: to deter irregular residence, to control pauperism among irregular immigrants, and to manage popular anxiety by symbolically asserting state control. These informal functions indicate that society does not yet have an adequate way to deal with migrants who have not been legally admitted, but who are also difficult to expel. The third informal function, of managing anxiety by symbolically asserting state control, also appears to play a role in the detention of regular migrant groups.

VII. CONCLUSION

Although most of the research on ethnicity, immigration, and crime that we discuss was carried out in a time when the position of immigrants was coming under increasingly critical scrutiny, the focus on these issues to some extent developed independently of the altered political climate. Studies into migration, integration, and crime were already carried out in the 1970s, when migration was viewed much less critically.

Nonetheless, the heightened political fascination with these issues has strongly influenced the research agenda, particularly in applied social research. The number of studies on the involvement of migrant groups in criminality has not been counterbalanced by studies into the effects of the functioning of the Dutch police, public prosecution, and judicial systems in relation to hypotheses about social selectiveness, discrimination, and stigmatization negatively affecting immigrants (Van der Leun and Van der Woude 2012). The pursuit of such a reflexive research agenda should be given much greater priority.

From a policy perspective, the available studies on ethnicity, migration, and crime suggest that there is a need to find an optimal balance between closed and open national societies. Available studies suggest that forms of immigrant crime become more likely

if societies try to exclude newcomers too much—either through formal immigration control or through more informal exclusionary practices such as labor market discrimination. When the demand for immigration is substantially higher than the number of immigrants who are allowed to enter a country with government consent, practices of legal exclusion are bound to lead to instrumental criminal responses, such as human smuggling. Likewise, if those who are formally defined as equal members of society end up being rejected in practice, there is a risk of more expressive criminal responses, such as when second-generation immigrants drop out of school and become attracted to street culture.

Open borders, however, may also generate forms of crime. If the free movement of legal goods and certain persons is promoted, as is done as part of the project of European integration, it is also easier for criminals to migrate to other countries and commit crimes such as drug trafficking or aggravated theft. Likewise, if the amount of migration exceeds the amount that can be absorbed by labor markets, an increasing number of newcomers will end up in highly marginal conditions. This can be observed in various metropolises in poorer countries that are experiencing high levels of domestic migration (Davis 2006).

The extent of legal international migration is a highly politicized issue that cannot be settled by science. In our view, however, the Netherlands and other countries of immigration tend to lean too much to the restrictive extreme, especially in relation to labor migration. Part of the labor migration that now occurs illegally could be legalized through temporary legal migration programs (Engbersen and Leerkes 2010).

Finally, governments and actors in civic society, including immigrants themselves, have a continuous responsibility to ensure that those who have formally been included in the society are also included in society's conventional institutions. Immigrants should not be discriminated against in the labor market—let alone in the criminal justice system—and their children should have access to education, both in theory and in practice. Recent societal developments, in the Netherlands and internationally, unfortunately show that the inclusion of immigrants requires permanent attention.

NOTES

1. This multicultural emphasis was in line with the Dutch tradition of "pillarization" (i.e., compartmentalization along sociopolitical and religious lines). There were separate state-sponsored arrangements for immigrants, such as Muslim and Hindu schools, broadcasting organizations, and political consultation facilities. The immigrant integration policy was aimed at "mutual adaptation in a multicultural society with equal opportunities for Dutch people and ethnic minorities" (WRR 1979).
2. First-generation migrants (in Dutch, *allochtonen*) are people born abroad with at least one parent born abroad. Second-generation migrants are born in the Netherlands and have at least one parent born abroad. Often a distinction is made between people of Western and non-Western descent (see note 3).
3. Statistics Netherlands distinguishes between Western and non-Western countries. Western countries are all European countries including Central and Eastern Europe

- (except Turkey), North American countries, some Asian countries (Japan and Indonesia), and the countries in Oceania (Australia, New Zealand). Turkey and all the countries in Latin and South America, Africa, and Asia are considered non-Western.
4. On May 1, 2004, eight Central and Eastern European countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia; known as A-8) joined the EU along with Malta and Cyprus. Bulgaria and Romania joined on January 1, 2007 (known as A-2).
 5. In 1991, the Dutch government tied the "social fiscal number" (i.e., social security number) to a legal residence requirement, thus barring the route to legal labor market participation. Other measures are the Marriages of Convenience Act in 1994 and the compulsory Identification Act of the same year. The centerpiece of the new policy of internal migration control was the "Linkage Act" of 1998, which was intended to exclude illegal aliens from the benefits of the welfare state. The linking act amended the Aliens Act and some 25 other acts dealing with social security, housing, education, and healthcare and makes entitlements in these fields dependent on residence status. Parallel to these legal innovations, the Dutch government has also invested heavily in database systems that are able to register, track, and identify the resident migrant population (Broeders 2007).
 6. Source: Statistics Netherlands, statline, <http://statline.cbs.nl/statweb>, visited August 2012.
 7. Source: Statistics Netherlands, statline, <http://statline.cbs.nl/statweb>, visited August 2012.

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