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What can Southern Criminology Contribute to a Post-Race Agenda?

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Abstract Drawing on Raewyn Connell's *Southern Theory* (2007), Carrington et al. (British Journal of Criminology, 56(1), 1–20, 2015) have called for a de-colonization and democratization of criminological knowledge, which, they argue, has privileged the epistemologies of the global North. Taking up the challenge of "southern criminology," in this paper we examine the concept of race as a political artifact of northern thinking. The idea of race is durable in criminology. To illustrate this, we examine the racialization of Aboriginal Australians. Given the relationship between processes of racialization and criminalization, criminology should avoid engaging in practices which produce or reinforce racial schema. Further, with reference to southern epistemologies, we offer an alternative construct of human difference and diversity grounded in discourses of belonging specific to Australasian cultures.

Keywords Southern criminology · Race · Ethnicity · Racialization · Aboriginal · Indigenous

Introduction

This paper had its genesis at a session of the Asian Society of Criminology Conference, Hong Kong, 2015. A presentation there drew on US Bureau of Statistics data to demonstrate criminogenic differences among "Asians" and other so-called racial groups in the USA. It seemed strange that "Asian" was being offered as an objective category to measure crime, when at the same conference the cultural diversity of "Asian" people was highly evident. This prompted the questions: is there an Asian race, as was being suggested? What did Asian people have in common? And, if there is an Asian race, who *belongs* to this race? These

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questions are complex when considering that in the UK and other parts of Europe, people who originate in the Middle East and Indian subcontinent are often referred to as "Asian." However, in the USA and Australia, Asians are typically deemed to be people who originate from East Asia, such as Chinese and Japanese nationals. The matter is further complicated when considering that different nationalities and cultures we lump under the broad category of Asian may consider themselves biologically distinct from each other. The same might be said of "whites." For example, are the French racially distinct from Germans? It was not so long ago that Irish were considered to be racially distinct from the English, although this distinction seems odd today (Ignatiev 1995). While the idea of race has been durable in the social sciences, it is clear that the meanings given to race are highly variable, both culturally and historically. Anthropology has presented as many 100 racial categories (Walsh and Yun 2011) and, yet, certain meanings have become reified. Of course, defining race is fraught with difficulty and while social scientists are often quick to acknowledge the difficulties in defining imprecise variables and concepts, there seems to be a general reluctance to wrestle with the challenges of race. As recently as 2011, a Sutherland Address to the American Society of Criminology focused on racial disparities between blacks and whites in the USA and else-where, adopting much of the terminology which has characterized thinking about difference and belonging in criminology (Peterson 2012).

Race, understood biologically, is not merely poor science nor is it simply a social construct. Rather, the meanings invested in it are the product of power relations, which have social and spatial dimensions. And while race may be a fuzzy term and imprecise term, racializing practices have some substance and regardless of imputed motives and intents, such practices are not merely the product of prejudicial law enforcement, but are also perpetuated in criminological discourses. On one level, resources in society, including police, are organized around notions of race. On another level, etiological explanations of crime, especially street crime, draw significantly on notions of race. Even critical discourses which would critique racializing practices cannot avoid the language of race, preferring instead to distinguish between race as biology and race as a social construct. In this way, there is no consensus in criminology or outside of it as to how race might be conceptualized, in the way that, say, agreement might exist regarding other concepts, such as sex or gender. For a discipline that has long aspired to objectivity, this is startling. While the limitations of race as a concept have frequently been noted in the social sciences, alternative concepts, such as ethnicity, have also been susceptible to the essentialism which has characterized racial discourses. A cursory glance would indicate that racial perspectives on belonging are pervasive in criminology and might be considered to have hegemonic status in the discipline, racial schema presenting as placeless and timeless, despite there being no biological or genetic reality in races (Ladson-Billings 1998). Archeology, anthropology and genetic research all indicate that race is not a physical reality, but is rather a social construct or political phantasy (Chalmers 2014:48–49). So, how might criminology develop a post-race agenda and what opportunities might this provide?

Of course, the very notion of biological race and dominant racial categories are geograph-ically and culturally situated in the epistemologies of the global north (see Gossett 1973). The term Asian is itself a pre-modern signifier, which homogenized what was unknown and exotic places and mysterious peoples for European audiences. Raewyn Connell's *Southern Theory* (2007) makes a case for a radical reconceptualization of social science, arguing for a democ-ratization of knowledge on a global scale. This work not only problematizes the dominance of Northern theories, but also indicates that there are alternatives, which have been produced in

colonized and post-colonial societies. Drawing on Connell's work, Carrington Hogg and Sozzo (2015) have called for a de-colonization and democratization of criminological knowl-edge, which, they argue, has privileged the epistemologies of the global North. Such a project, it is contended, would assist in countering universalizing tendencies in the social sciences, which present concepts, methods, and ideas as timeless and placeless (Carrington, Hogg and Sozzo 2015).

So, what might such a project look like? In this paper, we examine the concept of biological race as an artifact of Northern thinking, albeit one of global significance. We argue that dominant understandings of race, and even concepts such as ethnicity, have dominated thinking about difference globally, influencing practices not only in criminology and other social sciences, but also the everyday functioning of law and criminal justice systems in many post-colonial societies of the global South. Outdated and inadequate terminology relating to racial and ethnic categories can generate simplistic or deterministic accounts of the behaviors and experiences of cultural groups and inadvertently reconfigure existing power relationships between such groups (Garland, Spalek and Chakraborti 2006). To illustrate this, we draw on the Australian experience, especially that relating to indigenous and migrant peoples. Further, drawing on peripheral epistemologies, we offer an alternative construct of human difference and diversity, which draws on these southern understandings of belonging.

Inventing Race

As indicated above, US Census categories sparked the critical reflections, which inform this paper. Both the US Census and National Crime survey allow respondents to provide data on racial origin, yet neither applies universal criteria (LaFree and Russell 1993:281–282). The US Census Bureau currently has six definitions of race. A question on race has been in all American censuses since the first one in 1790. Although categories have fluctuated over time, two have remained stable, these being black and white (Ladson-Billings 1998). North Amer-icans define as black anyone who has known African ancestors. Yet, "black," is ambiguous, especially owing to the historical significance of the "one drop" rule, which developed during and after slavery and defined a black person as any person with any known African ancestry (Botham 2009). Although these laws are no longer recognized, many Americans of "mixed" ancestry still assume a black identity. According to the US Census Bureau, you are defined as white if your ancestors were from Europe, Middle East, North Africa, or North East Asia. More recently, there are so-called "mixed" or "multiracial" individuals, who challenge traditional notions and assumptions about race because they cannot be easily placed into pre-existing racial categories. Rather than reject the idea of race, new categories have been created for such people (Shih et al. 2007).

Problems of classification also exist for "non-Black" minorities. "Hispanic" for example, can include a variety of ethnicities and nationalities and people who are classified as "white," "non-white", and "other" (LaFree and Russell 1993:282). Indeed, it would seem that census categories have been designed to tell who is white or, more significantly, who is not white. However, despite claims to such, whiteness is not a biological determination, but a political one. To take one example, Mexican ancestry was originally deemed white in the census, but over time, political, social, cultural, and economic shifts placed Mexicans out of that category (Ladson-Billings 1998). The British census uses an 18-point racial classification scheme. Here, as in the USA, the crude category of "Asian," compounds data on diverse religious

populations, including Muslims originating from the Asian continent. Indeed, Muslim populations, who represent a diverse range of nationalities and ethnicities in western countries, are often overlooked in criminological research and yet the term race is used with impunity (Garland, Spalek and Chakraborti 2006). On a broader level, we have very limited knowledge or appreciation of how class, gender, ethnicity, and generation intersect with the racilized self, largely because race, as it discussed, is essentialized and bounded. Citizenship, religion, nationality, and culture are frequently elided in dominant criminological discourses (Parmar 2016).

All of this only highlights the problematic nature of dominant racial categories for "Asian" criminologies. In Asia, such categories may hold relatively little social relevance, especially in countries which have not experienced the levels of migration and cultural diversity evident in many former colonial states or settler societies. In such contexts, religious or other cultural ways of belonging may be significant in understanding phenomena such as crime. In contrast to the essentializing and fixed racial categories of the USA, Latin American countries have historically held more fluid understandings of race. "Mixed race," provides a blurring between Europeans, Indigenous peoples, and people of African Ancestry, creating "mestizo" cultures and relies less on distinct racial categorizations (Telles and Sue 2009). Yet, this system does not erase racism and discrimination, rather it shifts the burden of racial classification to one based on hues of skin color and socio-economic class (Telles 2014). While governments in South America have historically been less willing to officially classify populations based on race, some have recently added census racial categories (Loveman 2014; Wade 2010; Yashar 2015), despite racial identity being less relevant, culturally and politically, compared to class based forms of social organization.

In pre-modern times, the people who inhabited diverse global regions were typically accorded identity according to place and locality, religion, and language. Up until the modern period, race is a folk idea interchangeable with terms such as species, type, kind, and breed. The history of the concept "race" is recent and the term only emerged when population groups from different continents made contact with each other (Smedley and Smedley 2005). During the seventeenth century, "race" was used to refer to populations interacting in North America. Modernity resulted in a stronger focus on race. In contrast to religious identity, race was presented as an immutable scientific reality (Battiste 1998; Smedley and Smedley 2005). As an ideology, race provided an important rationale for slavery, which balked at the ideals of the American and French revolutions in terms of democracy, civil rights, equality, and justice (Smedley and Smedley 2005; Jackson 1989). European empires similarly adopted race to rationalize the contradictions and injustices of imperialism and the idea that the world's population could be divided into distinct racial groups was highly pervasive during the nineteenth century when European powers were dividing the world up into colonial spheres of influence. In this way, modern racial schemas while showing geographic variation, have been adopted globally and are integral to the social sciences.

Race and Criminology

There is no question of the significance of race in criminology, itself an enterprise embedded in nineteenth century scientific dogma. Without race, modern criminology is impossible (Peterson 2012; Phillips and Bowling 2003). Criminology has always posited race as a major correlate of crime (Parmar 2016). During the early period of scientific criminology, which roughly dated from the mid-nineteenth century until the end of the First World War, there was

much emphasis on etiology of crime as being influenced by genetic or physiological deficiencies, including racial ones (see, for example, Lombroso 1871). This interest in biology as a causal factor in crime has persisted. Wilson and Herrnstein's (1985) account of male delinquents as psychologically and physiologically atypical individuals with low IQs, provides an example from mainstream American criminology of the ongoing interest in race. Operationalizing "race" as a variable in crime causation remains an obsession of much quantitative criminology, especially in North America.

However, racial discourse is not always coded in crude genetic terms, especially in the current moment where racial ideas grounded in biology are viewed as abhorrent and racist. Yet, concepts such as "gangs" are linked to notions of blackness in much the same way that middle-class crime and victimization might be linked to whiteness (Ladson-Billings 1998), although the association is largely constructed in cultural terms. Race, and to a lesser extent ethnicity, are key socio-demographic variables used by empirical criminologists to describe victims of crime and offenders and, less often, criminal justice practitioners (Phillips and Bowling 2003:269). Faulty socialization has been promoted by conservative criminologists who have used African American crime to promote a punitive law an order platform grounded in a criminology of the other (notable here has been the work of John Dilulio 1989, 1994). Debates over the influence of race on crime tend to be realist to the extent that they are concerned with the accuracy of definitions of races and measures of intelligence and other variables, which suggest innate differences. There is much less debate about what is meant by racial groups and whether such groups can be considered discrete, measurable, and scientifically meaningful. Indeed, while "race" has been the subject of much recent debate in various disciplines in the social sciences and humanities, such debates are rarely visited in criminology, and it is our hope in writing this paper to introduce new audiences to old and emerging critical accounts of race.

While empiricist traditions have dominated much of criminological thinking on race, interpretive and critical traditions have produced notable strands of criminology which have provided a strong basis for criticism of racialized discourse. De Bois in *The Philadelphia Negro* (1899) examined African American crime in relation to economic and social impacts, including the prejudice and discrimination of the criminal justice system. Structural and ecological factors associated with African American crime were also raised by sociologist E. Franklin Frazier, writing in the 1930s and 1940s, challenging the notion that African Americans were a primitive and childlike race of people (Ruffins 2002). From the 1930s until the 1960s, criminology was influenced by sociological theories, especially social disorganization of Chicago School (see Green 1947; Lal 1987). This work, led Sellin (1930), to theorize that high arrest, conviction, and imprisonment rates for African Americans was partly the product of discriminatory processing and treatment within the criminal justice system. The 1960s witnessed an increasing volume of work which investigated this theme in relation to racial minorities and a subsequent decline in work which examined the etiology of race in relation to crime (LaFree and Russell 1993). Since the 1950s much criminological work on race has been directed at official statistics showing overrepresentations of certain minorities for some offenses. In this way, criminology has become stuck in a binary of trying to explain overrepresentation of minority groups in the criminal justice system either through suggesting there is a propensity to offend or with recourse to discrimination within criminal justice systems (Parmar 2016).

Another option is to focus on racism and racial outcomes, as opposed to race or intent to act in a racist manner. In particular, racist practices of marginalization and exclusion should be a

focus of critical research, as this might avoid dubious truth claims regarding racial groups. The simplest definition of racism is that it refers to discrimination based on a person's race. However, there is more to racism than discrimination. Racism is often perceived as an irrational and intentional deviation of consciousness from an otherwise neutral and rational social order. This perspective on racism allowed for a broad audience to acknowledge racism, but it also presents racism as limited in occurrence and significance (Dunbar 2014). To understand racism, you must recognize that it involves a complex calculus of intergroup privilege, power, and oppression. In rejecting individualistic accounts of racism, sociologists have used the term institutional racism to highlight everyday social processes which produce and maintain disadvantage. The term recognizes that racist beliefs can be built into social institutions and, as is the case here, academic practices, racism not merely being a product of individual actions.

Yet, Parmar (2016) argues that the concept of racism is taken for granted in criminology and that criminology has contributed to the "hollowing out of the concept of racism and a culture of racial equivalence, whereby a multitude of disparate scenarios and interactions are referred to as "racist" and thus deemed equivalent" (Parmar 2016). One example of this is that racial or ethnic identities or processes of racialization are often assumed in criminological literature to be produced in a top-down manner. That is, powerful (typically "white") individuals, groups, or institutions construct such identities and those who are racialized have limited means to resist such categorization, owing to structural constraints or because they lack consciousness of their condition. If they do respond, it is less action than reaction and such reactions are the primitive and naive responses of dupes who play into the hands of their oppressors (Knepper 2008). There is a lack of research examining how racial categories are organized and maintained. To what extent has criminology participated in knowledge creation that results in a preservation or normalization of racial hierarchies (Jackson 1989; Guess 2006)? When racialization is considered as a practice of power, the question must be asked "which groups does it benefit to use racial distinctions?" Gilroy seeks to remove "race" from anti-racist discourse by historically locating the notion of "race" and its links with broader historical paradigms informing the construction of self. In particular, he examines the role of science in perpetuating and articulating pre-enlightenment myths, so that biology provides a basis for a new understanding of self in what might be considered a meeting of science and superstition (Gilroy 1992, 1998). It is our contention here that a first step towards avoiding complicity in racism is to develop ways of speaking which avoid static racial terminology or at least acknowledge the limits of racial terminology.

Critical race theory examines the structural aspects of racism. The idea of racialization has been an important concept in criminology, owing to the influence of social constructionism. Racialization' was coined by Balibar and Wallerstein (1991) to refer to discrimination of individuals and groups based on perceived racial attributes. Racialization refers to a process where individuals or groups are identified as belonging to races and possessing racial characteristics. Social structures and institutions can also be stratified along racial lines as a part of such a process. A racialized group is a population mistakenly believed to be a biological race. The process can happen from without and within a group; however, racialization is typically something done detrimentally to others as part of a power relationship. This noted, it can be instilled with positive attributes by subordinate groups resisting marginalization. Racialization is also a practice employed by dominant groups as a form of self-racialization. The term avoids abandoning racial categories entirely, recognizing the reality of the groupings, but reconstructs understandings of them. While race is something that someone has,

racialization is something done by a social agent, in a particular context (Hochman 2017). Race is not real, but racialization is a real process that produces radicalized groups. This provides an account of the ontology of radicalized groups, as distinct from races. Racialized groups are produced through an interaction of various factors (including social psychological, cultural, biological, geographic, political, and economic), which are context dependent (Hochman 2017).

Racialization may refer to the how criminal justice processes are involved in the construction and mobilization of racial meanings and identities and the extension of racial meaning to a relationship, identity, practice or group which was previously non-racially classified (Knepper 2008). The classic work on racialization of crime was Hall et al. (1978), who showed how a new ("new" to the UK, but borrowed with all its fearful and racialized connotations from the USA) form of crime, "mugging," came to be seen geographically and ethnically as a "black crime" requiring extreme political and policing interventions. Indeed, the validity of such findings, which show an overrepresentation of minorities for certain offenses, has been reinforced since the 1970s by self-report studies, which suggest widespread discrimination in law enforcement (Phillips and Bowling 2003). The significance of racialization to understanding contemporary justice practices has remained a core of critical criminology examining racialized punishment (Alexander 2010; Cole 1999; Currie 2013; Embrick 2015; Tonry 2011; Wacquant 2001, 2010) and victimization (Green et al. 2001; White 2000; Mulholland 2013; Disha, Cavendish, and King 2011) and specific forms of criminal activity, such as terrorism. What is missing here is attention to how racialization processes are facilitated or maintained through criminal justice systems (Parmar 2016).

Race and Ethnicity

The contemporary debate among philosophers and biologists regarding the metaphysics of race has not had much impact in the social sciences beyond anthropology. While sociology has drawn a clear distinction between race and ethnicity, showing a preference for ethnicity, criminology has mostly ignored ethnicity. In the humanities, which have been more ready to interrogate the notion of race, current debate centers around the problem of whether races exist. The metaphysics of race is about whether race exists or not and in which sense it may have a reality (i.e., biological or social) (Lemeire 2016).

Anti-realists claim races do not exist on biological grounds, while realists believe they do exist. When the category race is stripped of biological assumptions, it becomes vague and transhistorical, but there is some scholarship to indicate race existed as a social category in pre-modern times (Hochman 2017). Social realists would have it races are constructed, but these constructions have a social reality in that perceptions related to race have an impact on the social practices of individuals and groups and affect an individuals' life chances (Lemeire 2016). Further, races are socially real, in that they can be identified by socially constructed properties, or social kinds that group people together (Diaz-Leon 2015). Racial predicates are arbitrary ways of grouping people, which refer to superficial differences and are not, therefore, biologically meaningful. However, when race is referred to as a social kind, it becomes a vague and transhistorical category, indistinguishable from a range of other categories (Hochman 2017).

Garland, Spalek and Chakraborti (2006) observe that even when a constructionist position is adopted, a researcher still has to operate in environments where such an understanding is

absent. For example, agencies regularly adopt racial categories that make it difficult to collect accurate data on specific minority communities. Research, even that pertaining to be social constructionist, rarely adopts a problem analysis approach, which might critically examine the production of knowledge about minorities within criminology and how this is facilitated by the production of arbitrary categories of race or ethnicity. For Lemeire (2016), the issue is not so much whether or not races exist, but if it is epistemically and morally justified to use racial distinctions in public policy and scientific research. He argues, the issue is, to what extent do racial distinctions provide the metaphysical ground that is required for the epistemic practices of various scientific displaces? Races exist, but rather than refer to biological kinds they refer to social kinds (Lemeire 2016). To what extent is it meaningful to classify people using racially derived levels, such as African? Race might be useful in some disciplines, but we must examine how it is used in criminology and why is mostly applied to understand settler societies. Race is used to differentiate different groups thrown together socially and to homogenize other groups (Lemeire 2016). If race talk is deeply oppressive, no argument regarding whether race is a biological or a social construct would be sufficient to merit its continuation in practice. In this way, some argue that we need to eliminate race from thought and practices regardless of our metaphysical position on race.

If, alternately, it was found that race talk was morally required and carried epistemic benefits, anti-realist arguments would lack justification. Those who consider race to not be real, but consider that it is sometimes necessary to speak of "races," might be better to deploy an alternative terminology, depending on the group and context (Hochman 2016). To engage in a political project to address racial inequality, it seems necessary to be able to coherently talk about race and the role it plays in social life. In this way, it has been argued that we need to retain it as a concept. Belief in racial categories is associated with efforts to eliminate racial injustice. It might follow that anti-realism is morally obliged to replace race with something else (Hochman 2017).

In an attempt to address problems associated with racial terminology, ethnicity has been employed as a substitute for race, mostly in sociology and to a lesser extent in other social sciences, such as criminology, where the term has failed to gain significant traction (Phillips and Bowling 2003; Walsh and Yun 2011). Ethnicity employs a notion of cultural heritage to explain differences in human capacities and outcomes. The term is a little more complex than race, because it usually involves grouping people who share a common cultural, linguistic, or ancestral heritage. Anthropology argued that culture is what makes people human. Culture is externally acquired and is transmissible to others and is not something that is innate or biologically acquired. Humans are not born with any propensity for a particular culture, cultural traits or language, only the capacity to acquire it and to create culture. Culture molds who we are and what we believe (Smedley and Smedley. 2005). As such, ethnicity presents as a concept with positive associations, whereas race tends to be a marker that is imposed on individuals or groups by others. In this way, ethnicity might usefully reflect ways of belonging in diverse global contexts, despite the fact that race dominates much of the way we think about socio-cultural heritage. In contrast to race, ethnicity is not static, but it is constantly in flux, being shaped by a range of social, economic, and political forces. Moreover, ethnicity is only one source which people or groups may draw upon in terms of establishing an identity. All people are ethnically located, but some ethnicities are marked more than others at particular times and places (Jackson 1989).

While ethnicity is regarded as more helpful than race by many social scientists trying to understand the differences between social groupings, it also presents some conceptual problems. For example, is there a shared ethnicity common to all people who are born and grow up

in a particular nation or place? Can a person have multiple ethnic identities? Here ethnicities come to resemble Anderson's (1983) imagined communities, in which people who exist within the symbolic and material boundaries of an ethnic group will mostly never have any interaction with their fellow members, yet there might exist among such people a sense of shared values and community. The problem with ethnicity is that it comes to represent everything that is cultural and is too elastic to provide definite or consistent meanings.

The borders of ethnicities are constantly being negotiated and, as such, are subject to constant shifts of meaning and practice (Ratcliff 2004: 30). In dominant discourses, race tends to be conceived in terms of black and white groups, while ethnicity is often used to refer to immigrant groups. Ethnicity can be primordial or situational and is constantly changing. In the latter two cases, there is no single or true answer to a question about one's ethic identity. Ethnic identity can be a product of self-identification or labeling by others. To have an ethnic label has implications for one's social interactions and different identities can be asserted or given in different situations (Bartlett 2001). Ethnicity as it has been applied in the social sciences is often also viewed in terms of bounded groups, with immutable boundaries, and there is a failure to consider the fluidity of ethnic identity and the cultural hybridity of the post-colonial period. Often ethnic categories are applied in a way that replicates racial terminology and are too broad to be meaningful (i.e., Asian, mixed, Chinese), with static categories failing to capture the diverse ways in which peoples' identities are aligned. Nationality is sometimes presented as a proxy for ethnicity and visible markers of ethnic difference are taken for granted (Parmar 2016). At another level, supposed ethnic attributes such as "Asianess" have been used to explain lower levels of crime in both the USA and UK. As Webster (1997) argues, such attributes homogenize dynamic and differentiated cultures and are not valid predictors of behaviors, instead concealing the internal diversity of the groups to which such attributes are applied. Further, "any notion of 'community' (having shared values, something in common) predicated on the identifier 'Asian' or any other ethnic attribute is dubious because of the cross-cutting religious, regional and class factors" (Webster 1997: 78). There have also been attempts to create or identify characteristics of a pan-indigenous knowledge system, it being argued that indigenous knowledge is largely holistic and emphasizes a series of relationships between the social and physical environments (Hart 2010). But such schemes threaten to universalize and reify Indigenous knowledge as static, failing to appreciate its localized and adaptive qualities. Ultimately, terminology such "ethnic minority" and "BME" (black and ethnic minority) fail to shed light on "hidden" peoples or hidden practices of victimization and racialization (Garland and Chakraborti 2004). Symbolic or optional aspects of ethnicity are often overlooked, despite their importance in understanding processes racialization and othering.

Countering this, Phillips and Bowling (2003) attempt to de-homogenize "Asian" youth, presenting diverse identifies for different groups of youth in Britain, such as conformists, experimenters, vigilantes, Islamists, and ethnic brokers. They also observe that police and public discourses to explain Asian criminality in Britain refer to a loosening of family bonds of control and a generational split between a respectable parent culture and unruly youth culture. But there is also a discursive distinction created between deserving and undeserving ethnic groups. Afro-Caribbean cultures are denigrated and Asian cultures are idealized through the device of imagined family structures associated with these groups. They conclude that ethnicity comprises multiple identities, the nature and character of which shift over time through cultural flux and experimentation.

Perhaps, more significant than deconstructing the ethnicity of minority groups are attempts to de-homogenize whiteness. Historically, it may be possible to identify different strands of whiteness such

as British, Jewish, or Irish (Jackson 1989). And yet, race appears in criminology as a category only when there is a focus on "non-white" groups. Whiteness is the often invisible norm. As with all ethnicities, whiteness is contingent and fluid, rather than merely being a reified category (Webster 2008:296). With its presumed biological essence, notions of race have not only created difference, but race has differentiated populations along normalizing scales, with the category white being the norm by which other groups are measured and compared, but criminology has largely been silent on diverse white ethnicities. White is most often an empty signifier without content, its only capacity being to racialize visible minorities. During the second half of the nineteenth century, racial sciences produced complex schemes, typologies, and sub-divisions of whiteness (Webster 2008: 297). For example, the Irish were the "niggers" of Europe, but their white skin still privileged them relative to persons of non-European ancestry. More recently, terms such as "white trash" have differentiated those designated white, but who were also considered disadvantaged or degenerate (Webster 2008). Whiteness is a socially significant structure, which mitigates life chances, including the impacts of the criminal justice (Guess 2006). And yet another problem is the general difficulty in social science in conceiving whiteness or white ethnicity other than in terms of privilege, power, and superiority over other ethnicities (Webster 2008:294).

Indigenous Australians and Criminal Justice

Racialized societies see racial groups as biologically discrete and exclusive, hierarchical and consider culture to be inherited. Both physical features and behavior are seen as innate and differences among races are considered profound and unalterable. In such societies, racial classifications are stipulated in legal and social systems (Smedley and Smedley: 2005). As will be shown here, Australia, is a racialized society, although this is a characteristic it shares with other former colonial societies such as the USA. What is notable here, however, is that race has not always existed in Australasian cultures and there is much to indicate that indigenous Australian peoples had no equivalent concept to understand and organize difference and belonging.

Australian criminologists and political activists cannot escape adopting a racial terminology which divides the Australian population into black and white groupings and largely ignores the complex ways in which race is experienced and practiced in diverse Australian contexts. Questions of race and crime in Australia largely revolve around indigenous peoples. This is in contrast to the global north where indigenous peoples are relatively invisible in discussions of race and crime and are mostly absent in criminology textbooks. Indeed, in the US indigenous social problems have more often been framed as welfare, as opposed to criminal problems. However, criminal matters are significant as indigenous communities suffer the high rates of imprisonment and killing by police, despite much attention being focused on African American communities (Belko 2004). Similarly, Aboriginal people in Australia are vastly over-represented within the criminal justice system, usually in relation to violence and public disorder offenses (Hogg and Carrington 2006). This is partially explained by the highly visible presence of many indigenous groups in rural and urban centers, which places them at risk of increased levels of policing (Hogg and Carrington 2006; Broadhurst 2002). Higher rates of offending in indigenous communities can also be understood as a consequence of colonial processes, which have led to the dislocation of indigenous people from their land (Reynolds 1989; Hogg and Carrington 2006; Cunneen 2001).

Given the high proportion of indigenous people residing in rural and remote communities, such places are often viewed as sites of racial conflict and/or crime in the Australian context. With respect to this, crime outside the city in Australia is not so much spatialized as it is racialized. The crime problem in rural Australia is largely interpreted as a product of indigenous pathology or "race" relations (see Scott and Hogg 2015). Ironically, the racialization of crime in Australian contexts provides a contrast with the global north, where inner city crime has been characterized as a racial phenomenon, associated with Afro-American populations. This immediately suggests that dominant ways of thinking about crime in the global north, especially the notion of rural areas being relatively crime free and bucolic sites, may be inappropriate in the Australian context (see Scott, Barclay and Hogg 2007). Further, many of the theories used to explain crime in the global North, which have attempted to explain crime in highly urbanized settings, may also be inadequate to explain the racialization of crime in the Australian context. In the global North, the issue of racism in rural and isolated areas is often overlooked (Garland and Chakraborti 2004). Rural minority ethnic households are largely invisible in northern research, either as a result of urban-centrism or because they are numerically insignificant (Garland, Spalek and Chakraborti 2006: 427).

There are inherent problems to be accounted for when considering indigenous Australian justice which reflect the way indigenous belonging is experienced and interpreted. Aboriginal is a racialized term employed to control and homogenize heterogeneous peoples and to align with indicators of well-being and belonging that people given this label they have not created and which may be in conflict or exclude their own localized indicators of well-being (Chalmers 2014). There are numerous indigenous cultures on the Australian mainland, which the colonial misnomers of "Aboriginal" or "Indigenous" tend to obscure. Chalmers (2014) is highly critical of conceptual frameworks which conflate culturally distinct and diverse indigenous Australian cultures using antiquated colonial terms such as "Aboriginal." The term "Indigenous" is amorphous and often used to construct a counter discourse of dominant accounts of racial belonging.

While conservative law and order discourse presents "Aboriginal" people as symptomatic of crime problems in rural Australia and in some inner city enclaves, the counter discourse of the left, which often describes indigenous belonging in terms of "community" defined by geographic boundaries, fails to appreciate the complex social interactions and networks which inform belonging. There is no such thing as a universal community—communities always have boundaries, which define not only what is included in the realm of community, but that which exists outside it. Without such boundaries, belonging would be meaningless. Further, communities are not havens of reciprocity and mutuality, but are hierarchical formations, structured through power differentials. In this way, terms such community replicate some of the problems inherent in racial discourses which reify complex socio-cultural articulations.

Community conjures images of kinship, integration, and common purpose. The notion of community is nebulous and often takes on romantic connotations. While the idea of community has symbolic impute, it is also a political construct built on a broad terrain of history and politics. In Australia, this terrain is marked by historical and contemporary dislocation and in spite of political efforts to present a coherent political voice at a national level, at local levels Indigenous people are often politically divided, this fracturing being, in part, a product of the colonial and spatial politics whereby Indigenous peoples in Australia were displaced from traditional groupings and cultures and separated onto reserves and missions. More recently, the provision of social housing, often located in places with lack of transportation and other resources, has ensured continuing social marginalization and cultural alienation.

According to Chalmers (2014), elements of racial thinking are formalized for Indigenous peoples because *their* race subject to legal definition, administration, and control in the Australian context. Legislation has been fundamental in the creation of racial discourse in the Australian context. Sixty-seven different legal definitions of Aboriginality have been deployed in Australia since British invasion. At the Federal Government level, 65 pieces of legislation employ the word race and 20 laws make specific reference to "the Aboriginal race of Australia." Section 51 (xxxvi) of the Australian Constitution allows the federal parliament to make laws for "the people of any race for whom it is necessary to make special laws." All this operates to essentialize a pan-Aboriginality, obfuscating diverse ways of belonging and knowing.

A "Southern" Account of Belonging

While documentation and analysis of racist practices will continue to inform criminological accounts of race-based societies and the racialization of criminal justice, an account of belonging may provide a useful alternative to race when trying to understand social organization and how it informs crime. A vast literature has examined notions of belonging in the social sciences (May 2011). In psychology and psychoanalysis, this has been devoted to separation experienced by babies and children, while in social psychology there has been interest in conformity to groups and the impacts of exclusion. Sociological theory has been interested in the way individuals belong to collectives and states and the various impacts that occur when people are displaced as a result of social, economic, or political processes (Yuval-Davis 2006). People can belong in variety of ways to different objects and attachments. Belonging is a dynamic process, not essential or fixed, but it may become reified as a product of power relations (Yuval-Davis 2006).

Yuval-Davis (2006:197) argues that we need to distinguish between belonging and the politics of belonging. Belonging is about emotional attachment, feeling "at home" and feeling "safe and secure." When it is threatened it is prone to naturalization and can be politicized. The politics of belonging refers to specific political projects which articulate particular ways of belonging for specific groups, which are themselves constructed through such projects. A social realist account of race may facilitate political projects of belonging. Belonging is not just about individual social location and identity, but also how persons are valued and judged. As noted above with the example of communities, belonging is a political project which involves "boundary maintenance." It divides the world's population into categories, which are articulated in terms of "us and them." notably here in racial terms. In this way, belonging can provide an alternative to race, which is inclusive of both empiricist and interpretive traditions within criminology.

In post-colonial spaces, subjectivities, including notions of belonging, home and place are marked by the often conflicting spheres of migration and dispossession. Non-indigenous belonging is associated with legends of pioneers, ownership and achievement, and is linked to a racialized social status that confers privileges (Moreton-Robinson 2003: 23–24). In racialized societies, descent becomes the dominant mode through which belonging is defined and organized. Belonging, as constructed in an Australian context, is informed by discursive constructions of race which originated in colonial politics. The federal government defines an Aboriginal as someone who is of Aboriginal descent, identifies as an Aboriginal person, and is accepted as an Aboriginal person in the community in which they live (AHRC 2008). At the

heart of the definition is the racially aligned criterion of descent, inking Aboriginality to biological features of genetic lineage. To be Aboriginal is to be biological descended from pre-invasion peoples (Chalmers 2014:47). While this may limit the possibilities for cultural exchanges and progressive alliances with non-Aboriginal peoples, post-modern theorists have argued that in conditions of diaspora, multiple and hybrid cultural identities emerge which provide possibilities for counter hegemonic discourses (Moreton-Robinson 2003: 28). Racial categorization also involves excluding non-aboriginal people from participation in pre-invasion ontologies, which Chalmers argues included less restrictive identity categories that were more inclusive of outsiders (Chalmers 2014:47). Terms such as black and white can exclude individuals and groups from political struggles (Modood 1997).

Cunneen and Tauri (2017) have documented how indigenous researchers and activists have been at the forefront of challenges to the truth claims of dominant western social science paradigms over the last two decades. Indigenous ways of knowing, including notions of belonging, have been forgotten, marginalized, de-valued, and de-legitimated by forms of knowing which claimed to be scientific and, as such universal and placeless (Battiste 1998). Santos (2007, 2014) has termed the marginalization and repression of alternative ways of knowing "epistemicide" and called for "cognitive" justice in the face of epistemic violence. She observes how the colonial process was intimately bound to the subjugation of indigenous knowledges, such as law.

Chalmers (2014) problematizes the idea of "aboriginality" in the Australian context, especially legal definitions, which draw on colonial racial criteria and contrasts these with local Yanyuwa (Northern Australian) ways of understanding belonging. In Yunyuwa, no word equates with race, despite it now being a concept for Aboriginal people and of Aboriginal people, who have been racialized. He argues it is more useful to examine local criteria for belonging, which in the case of the Yanyuwa is a two-stage process based around situating a person firstly in a social context and then in an environmental context. This process means that when one changes from an outsider to having a position in the Yanyuwa society they can relate appropriately to other people and the environment around them. This process of customary adoption applies to all people. Yanyuwa belonging has some shared characteristics with other indigenous Australian cultures, especially with regard to the emphasis on the relationship of the body with the land (Moreton-Robinson 2003 23–24). This southern account of belonging offers a fluid alternative to the biological essentialism of race. Below we further examine southern ways of belonging with reference to the Maori and Pasifika peoples of Australia.

Maori and Pasifika and Criminal Justice

In January 2013, a violent dispute broke out between two families in Logan City, Australia. It was branded in the media as a race and turf war between "feuding Aborigines and Pacific Islanders."[1] Federal, State, and Local Government rushed to fund reconciliation and social cohesion initiatives in response to these so-called "race wars," often bringing in experts from outside these groups to "fix" the problems. This reporting of these events reflected the homogenization of Maori and Pacific communities in mainstream Australian discourses and extended the anti-social narrative attached to these communities, which typically presents them

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[1] https://www.bing.com/videos/search?q=logan+city+douglas+street+fights&&view=detail&mid=18A74B9BFADE6B015DE918A74B9BFADE6B015DE9&FORM=VRDGAR

in terms of violent activities and other forms of social disorder. In this way, discourses associated with these communities share many mainstream conceptions of indigenous Australian cultures which are features of crime talk in Australia.

According to the Australian Bureau of Statistics 2011 Census, Maori and Pasifika peoples make up 1.3% of the total Australian population. However, similar to Australian indigenous populations, they are over-represented within the Australian criminal system (Ravulo 2015). Maori are the indigenous peoples of Aotearoa/New Zealand and Pasifika communities comprise those from the Polynesian, Melanesian, and Micronesian island nations within the South Pacific Ocean. Despite being grouped together, these nations are heterogeneous and even within their own communities they have unique and diverse cultures and languages and, indeed, distinct ways of understanding and doing belonging.

Literature relating to Maori and Pasifika offending in Australia is scant, particularly in comparison with the Aotearoa/New Zealand context where Maori academics in particular have examined the causal factors of indigenous overrepresentation in prisons there (Tauri and Webb 2012; Quince 2007). Much of this work has focused on the enduring impact of colonization and systemic challenges for Maori. In Australia, a review of the extant research provides an insight into why the overrepresentation exists. Shepherd and Ilalio (2016) cite post-migration challenges as contributing factors. They posit that acculturation stressors, due to the cultural differences between the former and adopted countries, can cause cultural dislocation and flow on to negative educational, family, and financial outcomes. Ravulo (2015) highlighted that such factors could also lead to deficit theorizing and stereotyping and suggests that a more positive relationship between Pasifika communities and law enforcement agencies may assist to curtail the disproportionate statistics. A clear and consistent view across all of the available literature is that any examination of Pasifika offending in Australia needs to be culturally nuanced (Armytage and Ogloff 2017; Shepherd and Ilalio 2016; Ravulo 2015). Orthodox risk factors from Western literature rooted in disciplines such as criminology and psychology, may manifest differently for culturally diverse groups, and these have yet to be explored from the perspective of Pasifika belonging and integration (Shepherd and Ilalio 2016).

An understanding of Maori and Pasifika ontologies and epistemologies is critical here (Airini and Mila-Schaaf 2010; Vaioleti 2006). In Aotearoa/New Zealand, insider research has been useful in informing policy and practice. For example, Pasifika health researchers in Aotearoa/New Zealand have offered culturally specific models and frameworks to conceptualize Maori and Pasifika views on health and well-being (see Suaalii-Sauni et al. 2009; Masoe and Bush 2009). These include the Cook Islands Tivaevae, Maori Te Whare Tapa Wha, Samoan Fonofale and Fa'afaletui, and Tongan Kakala models. Despite representing different cultures from the Pacific, they illustrate that some traditional fundamentals are common across all: they are all collective and high-context cultures; spirituality is a central dimension of their being, inextricably linked to land and chieftain titles; and that custom was the traditional system of governance, passed on inter-generationally via oratory. The Pasifika models propose a holistic perspective of health and well-being (Pulotu-Endemann et al. 2007), acknowledge the relational/collective self (Suaalii-Sauni and Mavoa 2001), and underline the importance of extended family and community (Lilomaiava-Doktor 2004). These traditions and ways of belonging may be at odds with the dominant emphasis in Australian cultures upon individualism, secularism, democracy, low-context communication, and written instruction.

Maori and Pasifika peoples believe themselves to exist only in relation to others ("the relational-self") as opposed to the construct of self, as existing independent of any other. The relational-self highlights the importance of relationships grounded in collectivism.

Relationships are with both the animate and inanimate, and the interstitial space between a person and other people/objects is referred to as the *va*. The philosophy of "*teu le va*" means to value, nurture, and maintain social and sacred relationship spaces (Anae 2010). It provides a framework for belonging and connectedness where people are intimately linked to others and their surrounding environment. These relationships are meaningful, reciprocal, and respectful and align closely with restorative models of justice.

In light of the above, the epistemological underpinnings of the Australian criminal justice system and the racializing practices that flow from it can serve to disregard and exclude Maori and Pasifika ways of being, thinking, and knowing and further marginalize members of these communities. As Mila-Schaaf (2009) contends, it is necessary for Maori and Pasifika scholars to "*interrogate, deconstruct, and criticize*' the basis of colonizing ontologies, and resist their attempts to "tell us who we are, and how we ought to know the world and see ourselves within it' (Mila-Schaaf 2009: 25). Not doing so will have dire consequences, such as a continued overrepresentation in the criminal justice system. An explanation of belonging from a Maori and Pasifika perspective may provide grounds for an alternative lens to view race as well as criminal offending. The '*teu le va*' philosophy is built upon the tenet of mutual understanding. The Samoan Head of State, Tui Atua Tupua Tamasese Taisi (2009: 91) argues that if people "*seriously want better outcomes for Pacific young people and their families, then policy settings that influence them need to be congruent with their world.*"

> *Policy settings are for human beings, and need to be congruent with the worlds of those human beings. People should draw on the strengths, understandings, and meanings of their worlds and have their own role models leading. If this approach is adopted, Pacific peoples will offer rich new paradigms, greater diversity and colour in practice, and the warm connections of humanity with land, sea and spirituality* (Tui Atua 2009: 91).

Conclusion

Following modernity, race became a dominant construct through which individual and collective expressions of belonging were expressed. As a political project and strategy, the hegemony of race seems assured, as it is used by the powerful to express status and racialize, but also presents as a means to organize and resist power for those who have been racialized. In this way, notions of race, whether biologically or culturally expressed, are likely to persist in the popular conscious, despite scientific evidence indicating that biological race is nothing more than a political fantasy. And while race has been discredited in disciplines such as sociology, criminologists have yet to develop an adequate language to account for human differences, both real and constructed, and, the power practices that criminologiocally produce and maintain such differences. This is surprising given that criminologists need to account for how people come to belong or are integrated into groups and social structures, especially given the importance of social integration in understanding crime and criminality (Phillips and Bowling 2003).

Certainly, in this environment, interpretive and critical traditions in criminology have a role to play in documenting racialization. The focus of this criminology should be less about who we are, but how we are. There is, however, a greater challenge for empiricist criminology given that official data is defined racially and there is a tendency to uncritically accept dominant ways of doing and thinking race and, therefore, participate in processes of

racialization. In contrast to race, which offers a static and universalist representation of cultural processes and identities, criminologies of belonging may offer a more fluid and open means of accounting for human diversity, processes of integration and social conflict. For example, they might better account for intersectionality and acknowledge that while parts of the researcher self can be linked to marginalized subject positions, other aspects can be linked to dominant articulations of power:

> However, if we are to create knowledge that moves beyond essentialist discourses, then it seems legitimate to suggest that we must move beyond an essentialist view of the researcher, and take on board the complexity of subject positions that a researcher occupies and how these might influence the research process. The many different aspects to a researcher's personal biography, such as gender, age, social status or sexuality, and how these may influence their work have been significant features of feminist and anthropological work (Garland, Spalek and Chakraborti 2006: 432).

In Yanyuwa culture, there is the possibility of becoming and the boundaries between "us" and "them" are less distinct. In exposing the provinciality and parochiality of dominant knowledges, Yanyuwa and Pasifika accounts of belonging offer a challenge from the global peripheries for criminologists despairing the failure of rehabilitative projects and for those who would seek to limit the impacts of racialized stigma on those caught up in criminal justice processes. Processes by which groups are racialized and criminalized have always been closely entwined, but the criminological project is also more broadly about belonging to the extent that it involves formalized processes of social marginalization, inclusion, and exclusion.

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