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Rehabilitation within pre-crime interventions: The hybrid criminology of social crime prevention and countering violent extremism

Theoretical Criminology

1–21

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DOI: 10.1177/13624806221108866

journals.sagepub.com/home/tcr



Charlotte Heath-Kelly 

University of Warwick, UK

Sadi Shanaah

University of Warwick, UK

Abstract

Criminological literature frequently argues that the rehabilitative penological paradigm of the 20th century ('penal welfarism') has been replaced by pre-crime, risk-based, 'new penology'. Under the conditions of social and economic neoliberalism, it is claimed, the commitment to rehabilitating individuals has been withdrawn. In this article, we explore the curious persistence of rehabilitation—enacted within crime prevention and countering-violent-extremism programmes. We show that rather than 'new penology' replacing 'penal welfarism', the history of social crime prevention programmes demonstrates the presence of a 'hybrid penology'. Here, rehabilitation was brought into the pre-criminal space and practised upon pre-delinquents. This pre-emptive rehabilitation of at-risk subjects pervaded preventive policy in both Western Europe and the socialist Former Yugoslavia. In both case studies, this logic of pre-crime rehabilitation then transferred into the counterterrorism sector—with ideological dissidence identified as the threshold for reform-oriented intervention. Rehabilitation remains with us, warped by the turn to pre-emption.

Corresponding author:

Charlotte Heath-Kelly, Politics and International Studies, Social Sciences, University of Warwick, Coventry, CV4 7AL, UK.

Email: c.heath-kelly@warwick.ac.uk

Keywords

at risk, counter-radicalization, counterterrorism, new penology, P/CVE, pre-delinquent, rehabilitation, social crime prevention, Yugoslavia, United Nations

When we think about ‘pre-crime’ interventions, the last thing we expect to find is an emphasis on rehabilitation. And yet, the policy paradigms of social crime prevention and countering violent extremism (which acts to reform the potential terrorist offender) both centralize rehabilitation—enacted *before* the crime. This begs the question of why Criminology has, to-date, separated rehabilitation and pre-emption—allocating them to different penological ‘eras’.

Criminological literature is profoundly interested in the anticipation and prevention of crime. Pre-emptive interventions are associated with a paradigmatic shift towards ‘new penology’—where the rehabilitative methods and ideals of the mid-20th century have been, it is argued, steadily replaced by risk-reduction under conditions of neoliberal economics (Feeley and Simon, 1992; Garland, 2001; Harcourt, 2011; O’Malley, 2010; O’Malley and Hutchinson, 2007; Rose, 2000; Wacquant, 2009). Here the preventative state orients towards risk-reducing incapacitation (Feeley and Simon, 1992) of potential offenders—and away from a rehabilitative ideal based on correcting individual offenders. As McCulloch and Wilson (2015: 3) describe: ‘Pre-crime distinguishes itself from crime prevention by the degree in which it uncouples the formulation of crime threat from past offending.’ With the disavowal of past offending as a guide to future criminal acts, the rehabilitation paradigm of ‘penal welfarism’ was made redundant.

Similarly, criminologists find pre-emptive criminal justice extremely prominent in the field of counterterrorism, where the urgency of public protection drives the turn towards anticipatory detection (and incapacitation) of extremists and potential terrorists. This is practised through the creation of inchoate/precursor offences to terrorism (Walker et al., 2022; Zedner and Ashworth, 2019), the incapacitation of potential terrorists through home detention (where insufficient evidence exists to prosecute) (Zedner, 2007) and the use of algorithms to manage the risks of international travel and financial transactions (Amoore and De Goede, 2005, 2008; McCulloch and Wilson, 2015).

But, in this rush to map the new era of precursor offences and pre-emptive interventions, do we overlook the continued importance of rehabilitation—even as it sits within pre-crime measures? Our article asks, how do social crime prevention and radicalization prevention assemblages complicate assertions that rehabilitation has been side-lined as a goal and method of crime policy? We focus on both policy areas to show that risk-reduction and pre-emptive penal methods have not always replaced the rehabilitative methods of penal welfarism. Rather, social crime prevention and Preventing/Countering Violent Extremism (P/CVE) programmes demonstrate a profoundly hybrid form of penalty. Both deploy risk assessment to identify individuals ‘at risk’ of delinquency and/or radicalization, and centralize many features associated with neoliberal penalty (such as deploying social assistance to achieve a public protection goal, see O’Malley, 2010: 6); *but* they also integrate substantial welfarist and rehabilitative components. P/CVE and social crime prevention deploy *anticipatory rehabilitation* through welfare-based

support packages, attempting to reform the risky individual through tailored interventions *before* they turn towards crime. Here the goal of public protection (undertaken through managing risk) is simultaneously balanced against welfarist logics of reforming the individual for their own benefit (contra Feeley and Simon, 1992: 452 and 455), *safeguarding* the potential offender from ‘radicalization’ and/or becoming delinquent, by meeting their socio-economic and psychological needs.

We trace the history of this hybrid penology back to crime prevention forums in international organizations, particularly the United Nations. Since the immediate post-war years, Justice Ministers and criminological experts attending crime prevention colloquia of International Organizations¹ were exposed to Marc Ancel’s formulation of ‘new Social Defence’ (Heath-Kelly and Shanaah, 2022). As per the tradition of ‘old’ Social Defence theory, securing society from *future crime* remained a paramount objective of the ‘new’ policy paradigm (Ancel, 1965 [1954]). But Ancel’s openness to ‘penal welfarism’ (the era where rehabilitation of offenders was centralized) led to the creation of a humane, welfare-based approach to the *pre-emptive* reform of delinquents. The UN and Council of Europe both promoted this hybrid penology to their member states, fomenting the creation of social crime prevention programmes in many. Here, ‘*pre-delinquents*’ were identified according to risk factors for a criminal future but then ‘rehabilitated’ *before* they committed a crime; the central motif of ‘hybrid penalty’.

This hybrid penology—where rehabilitation operates in the pre-crime space—has characterized juvenile delinquency prevention schemes since the mid-20th century, as we show in this article. More interesting, perhaps, is the repeated tendency for these crime prevention programmes to then broaden their remit, expanding to the prevention of terrorism, sabotage and revolutionary activities. The urgency of preventing terrorist acts has enabled policymakers to transfer the logic of pre-emptive rehabilitation to P/CVE, opening a new kind of welfare-based rehabilitation of *potential* offenders—acting to mitigate the ‘risk’ of their ideological commitments before they engage in terrorism. We argue that the roots of Social Defence enable this sector-transference, as Social Defence criminology has always maintained a commitment to public protection and security rather than the allocation of appropriate punishments to individuals.

We explore the cases of Yugoslavian social self-protection policy and P/CVE programmes in Europe to demonstrate how social crime prevention can be turned to matters of national security, usually when the nation is experiencing (or perceives) significant threat from terrorism or subversion. Here, pre-criminal rehabilitation becomes an expressly political tool—deployed to ensure an acceptable level of ideological conformity in the population and to identify those persons who might need political re-education and additional support to reduce the risk they (supposedly) pose to the public. This is neither the reform of convicted offenders, nor solely the application of risk assessment to disrupt potential attacks; it is a hybrid penology of reform and rehabilitation—applied to those identified as potentially dangerous. For liberal democratic states, this application of hybrid penology is particularly difficult to square with commitments to freedom of thought and expression, given that P/CVE associates an individual’s ideological commitments with vulnerabilities and risks to be reformed by the state.

Crime prevention and the curious persistence of rehabilitation

The criminological literature on social crime prevention, and ‘community safety’—as it is known in several nations, emphasizes its distinctions from traditional penal-welfarist strategies of the 20th century. Rather than practising ‘prevention’ through the categorization and rehabilitation of offenders (Garland, 1985, 2001), crime prevention and community safety programmes were heralded as markers of the ‘new penology’, refiguring penalty around the identification of risky sociological groups statistically prone to developing criminal careers (Crawford, 2014; Feeley and Simon, 1992). The transition to risk-based pre-emptive strategies has been understood by many as the consequence of economic and social change, specifically the rise of the neoliberal model of private–public partnerships and the entry of the insurance industry into questions of policing (Garland, 2001; O’Malley, 2010; O’Malley and Hutchinson, 2007).

Garland’s (2001) incisive analysis of preventative partnerships highlights the neoliberal context for their rise (see also Crawford, 2006). The growth of crime prevention/community safety partnerships resulted from, he argues, the ‘advanced liberal’ state’s retreat from understanding individuals as perfectible and redeemable. Instead ‘crime events’ were centralized in late 20th-century criminal policy, as the result of self-interested behaviour—which, in the neoliberal discourse, is fundamental to human nature and un-correctable. As such, neoliberal penalty simultaneously moved away from rehabilitating offenders while also expanding risk-based crime prevention structures: expanding public–private crime control partnerships as well as local social controls within neighbourhoods determined to present criminogenic risk (Garland, 2001: 15–18). For Garland, local crime prevention partnerships are a key component of neoliberal penalty (alongside the return to retributive sentencing) because they devolve to local neighbourhoods the function of extending social controls:

There is, at the same time, a new commitment, especially at the local level, to a quite different strategy that one might call *preventative partnerships*. Today’s most visible crime control strategies may work by expulsion and exclusion, but they are accompanied by patient, ongoing, low-key efforts to build up the internal controls of neighbourhoods and to encourage communities to police themselves.

(Garland, 2001: 17, emphasis in original)

Similarly, Gordon Hughes argues that the neoliberal turn in crime policy has led to the ‘criminalisation of social policy’—with risk-based, crime prevention partnerships swallowing the space previously afforded to social policy:

The promotion of crime control *in* and *by* the community, and by means of multi-agency partnerships of the agencies of both the state and civil society, represents a major shift in how we think about the governance of crime specifically and social order more generally [...] There is no doubt that the decades since the 1980s, particularly in Anglophone countries, have seen the rise of neoliberal modes of governance and the retreat from, or reworking of, ‘social’ strategies of collective risk management [...] Such developments have also resulted in a profound merging of the previously distinct policy realms of social policy and criminal justice.

(Hughes, 2002: 3, emphases in original)

René Van Swaaningen (2002) agrees with the contentions of Garland and Hughes, arguing that crime prevention in the Netherlands has fundamentally restructured welfare programmes around the profiling and monitoring of 'risk groups'. He highlights that the Dutch implemented crime prevention schemes in 1979, but that the political climate of the 1980s rapidly turned the project towards neoliberal crime control. With the integration of schools, social workers and Halt Bureau (non-criminalizing youth courts) into the crime prevention system, the project shifted to profiling and intervening upon suspect situations and groups before crime occurred (2002: 262). This culminated, Van Swaaningen shows, in the 1994 Montfrans report—where the 'client follow' database was developed to use information from schools (including on truancy) to determine early intervention upon possible delinquents. The Montfrans report also resulted in special police units observing Moroccan youths hanging around shopping centres, as part of their crime prevention mandate (2002: 267–268).

As such, many analyses of social crime prevention programmes and community safety initiatives have centralized the turn away from rehabilitation and towards risk-based, neoliberal paradigms in crime policy. And yet we argue that, within many social crime prevention programmes, a commitment to rehabilitation has simultaneously continued to exist. This is not the rehabilitation of *offenders*, post-hoc, but the anticipatory and individualized reform of *potential* offenders, identified through crime prevention structures. Despite the claim of Feeley and Simon (1992: 455) that 'the new penology is neither about punishing nor about rehabilitating individuals', social crime prevention structures developed a particular focus on rehabilitating the *pre-delinquent*.

In UK social crime prevention policy of the 1990s, important nuances in the use of crime prevention were noted by John Muncie (2002). While acknowledging the authoritarian tone of New Labour's crime prevention agenda (which centralized a notion that 'failed families' produce the majority of crime), these are initiatives that usually target youth and, in this context, the discourse of community safety became increasingly 'welfare-ized/safeguarded'. Youth began to be described as 'at risk' of becoming offenders, and crime prevention was framed as an appropriate protective intervention, to save youths from a life of crime and all its consequences for them. Muncie (2002: 149–151) shows how the crime prevention discourse of the Home Office in 1997 framed recipients as young people in need of *help* to change their behaviour—leading to skills training, parenting classes for their guardians and holiday play schemes.

While Muncie frames these interventions as the cynical efforts of the neoliberal UK state to expand social control, by appropriating the discourse of welfare and support, it is appropriate to reflect on the appearance of individualized, cognitive and behaviourally oriented programmes for youths—and their parents. The discourse of youths 'at risk' of becoming criminals, and who require multi-agency support to deter them from this path (for their own good, as well as for the security of others), has been with us for a long time. It first emerged in international crime prevention fora of the United Nations (and later the Council of Europe), which centralized the commitment to reforming individual *pre-delinquents* through engagement with multi-agency partnerships—as a way to integrate non-criminalizing measures into crime reduction strategies (Heath-Kelly and Shanaah, 2022). This work originated in the United Nations, after the efforts of the League of

Nations to foster cooperation on international crime policy imploded—due to the close association of its International Penal and Penitentiary Commission with Nazi Germany (Redo, 2012: 108–109). In the immediate post-war era, the United Nations took over the work of the League of Nations on crime policy and, inspired by the European scholars and organizations of the ‘Social Defence’ movement (and their centralization of human rights in penal reform), established the ‘Crime Prevention and Rehabilitation of Offenders Programme’ within the UN Social Defence section.²

The programme brought together delegations of Justice Ministers, criminologists and state officials from around the world, for a quinquennial congress. Here, the latest research on crime prevention and rehabilitation would be shared and motions passed on matters such as prison standards and death penalty reform. The ‘Social Defence’ philosophy was so attractive to the United Nations (and later, the Council of Europe) because, once humanized and reformed by the Justice Marc Ancel, it offered a meeting point for positivist and welfarist approaches to crime. Ancel’s (1965 [1954]) formulation dispatched with the ‘security measures’ of old Social Defence (where offenders could be detained indefinitely on account of their perceived dangerousness) but did not veer towards the abolitionist alternative. Instead, the scientific commitments of positivism were turned towards a rehabilitative programme through which crime could be prevented—both through interventions on offenders, and *before* the crime.

As such, the United Nations’ and Council of Europe crime prevention fora blurred the penal-modernist and ‘new penology’ frames because they maintained a commitment to reforming and rehabilitating the individual—but often placed that rehabilitation *in advance* of the crime. As early as 1951, the United Nations’ Social Defence section organized the ‘European study cycle’ meeting in Brussels, which emphasized that the roots of juvenile delinquency lie in social and medical factors—making them amenable to detection and prevention, in advance of crime developing (Graven, 1953). The United Nations ‘Crime Prevention and Rehabilitation of Offenders’ congresses similarly utilized the discourse of ‘pre-delinquency’ to describe a form of rehabilitation that would occur before criminal careers could begin. In 1955, the first United Nations ‘Prevention of Crime and the Treatment of Offenders’ congress directed all member states to address ‘pre-delinquency’ and to implement rehabilitative interventions that would redeem, correct and normalize those juveniles who had not yet committed offences:

The discussion and study of the Congress should include not only those juveniles who have committed an act regarded as a criminal offence by the law of their country but also those whose social situation or whose character places them in danger of committing such an act, or who are in need of care and protection [...] It was concluded that the attention of the Section should be directed primarily to pre-delinquency: the prevention of juvenile delinquency where no prior law violation had occurred [...] participants, taking account of what was being done towards prevention in their own countries, should consider how preventive work might be developed in relation to: (1) the community; (2) the family and school; (3) the social services; and (4) other agencies.

(United Nations General Assembly, 1955: 2)

Similarly, the 1965 congress discussed partnerships of local organizations through which ‘pre-delinquency’ could be anticipated, identified and reformed (UN Social Defense Secretariat, 1965; see also Heath-Kelly and Shanaah, 2022; López-Rey, 1957). Mirroring this commitment to reforming the pre-delinquent across the Atlantic, the European Committee on Crime Prevention (CDPC) followed suit—issuing its ‘Social Change and Juvenile Delinquency’ report. This framed certain children as ‘in danger’ of becoming delinquent and requiring community-based protection measures (European Committee on Crime Problems, 1979).³

Focusing on juveniles allowed crime prevention discourse to demonstrate concern for public protection and security, by intervening to change a future-adult criminal career, but also to maintain a commitment to rehabilitating that individual showing signs of being ‘at risk’ of criminality. Examples of this hybrid penology are found throughout Europe and North America, including ‘wilderness adventure therapy for delinquent and pre-delinquent youth’ (framed as an intensive therapeutic intervention that could deliver personal growth and behavioural change (Bandoroff, 1989)), and ‘intermediate treatment’ in the 1960s and 1970s United Kingdom (which involved placing pre-delinquent youth in community education and leisure programmes (Cawson, 1985)). The most notable social crime prevention programmes emerged in France after the Bonnemaison Commission Report of 1982, which developed ‘anti hot summer activities’ for youth in deprived neighbourhoods (including municipality organized holiday camps) to prevent them turning to crime (Baillergeau and Hebberecht, 2012; De Maillard and Germain, 2012). As Adam Crawford (2002) notes, these French crime prevention programmes identified (‘at-risk’) groups at the margins of French society and attempted to re-integrate them through reforming their characters—deliberately performing prevention in a non-repressive way.

These localized examples, as well as the broader international discourse on social crime prevention, demonstrate the longstanding hybridity of penological paradigms. Rather than rehabilitation being replaced by the emergent ‘new penology’, a significant undercurrent of individual rehabilitation has persisted in social crime prevention discourse and practice (albeit, brought before the crime).

We now move to discuss a country case study, where participation in the UN crime prevention congresses led to the reorganization of a justice system around Social Defence and, later, the extension of that social crime prevention system (and its hybrid penology) towards national security ends. The case studies used in the article serve to demonstrate the utility of hybrid penology—both for crime policy and national security ends.

Yugoslavia: From Social Defence to national defence

Yugoslavian criminologists were significantly involved with the United Nations Crime Prevention and Treatment of Offenders congresses (López-Rey, 1957). After being expelled from the Soviet Comintern in 1948, Yugoslavian political elites undertook judicial reforms to depoliticize the administration of justice and curb the powers of public prosecutors. As described by Cohen (1985: 325–326), the Party ‘decided to play a less direct and coercive role in the political system’ in the 1950s, creating an opportunity for change in the legal system.⁴ Concomitantly, Yugoslavian criminologists were

permitted to engage with international ideas and even research funding from western nations, unlike those in Soviet Union's 'insular' intellectual environment—with Louise Shelley (1979: 143–144) emphasizing that the contrast between the two 'reveals the full extent of differences that can exist in regard to social science in Eastern Europe'.

These openings of the 1950s coincided with the United Nations' turn towards the Social Defence principles of Ancel. Through engagement with the United Nations crime prevention congresses, Yugoslavia steadily adopted a national crime prevention system under their 'self-management' policy, which localized responsibility for order and crime control within cooperatives.

In both theory (Ancel, 1965 [1954]) and Yugoslavian practice, a wide range of social and public sector actors were positioned as agents of crime prevention through self-protection committees of their local area or employer, contributing to the protection (or 'defence') of society from future crime. This interaction was borne out of robust academic engagement between criminologists in Belgrade with Social Defence theorists like Marc Ancel, through Yugoslavian participation in the United Nations Congresses on Crime Prevention and the Treatment of Offenders. The Yugoslavian criminologist Nikolas Srzentić joined Ancel to produce an edited book on the adaptation of Social Defence criminology for the Yugoslavian context (Ancel and Srzentić, 1962) and made early Serbo-Croat translations of 'new Social Defence' texts, emphasizing the influence of one on the other. Yugoslavian criminologists also hosted conferences of international Social Defence organizations (such as in Belgrade, 1961) and attended UN crime prevention congresses. Eminent Yugoslavian criminologists Milan Milutinović and Nikolas Srzentić were both present at the Third UN Congress (Stockholm 1965)⁵ and the archives of Martin Wright (head of the Howard League for penal reform non-governmental organisation (NGO)) contain a picture of Martin with Dragomir Davidović (a Yugoslav criminologist who has written about self-management policing in Yugoslavia (Davidović, 1993)) at the UN's 1980 Caracas conference. So Yugoslavian delegations were a common feature of international conferences on Social Defence and crime prevention throughout the 20th century, and Social Defence influenced the 1958 revisions of the Yugoslav criminal code (which developed the epistemology of criminal offences around the danger they posed to social values and introduced both education and 'security' measures to sentencing options) (Stajic, 1962: 36–46). Within a socialist framing of deviance, Yugoslavian criminologists and policymakers developed multi-agency welfare-based methods to reform pre-delinquents and identify potential subversives in advance of crime.

Indeed, Yugoslav engagement with 'new Social Defence' led Marc Ancel (its leading figure) to write about a Yugoslav exceptionalism, emphasizing their break with the Soviet authoritarian 'misrepresentation' of Social Defence:

A quite different situation exists in Yugoslavia, which is evolving a national communism free from subjection to Soviet Russia. [...] after the break with the Cominform in 1950 Yugoslavia adopted, in 1951, a Criminal Code of great interest and very considerable originality. This code was carefully revised in 1959, being deliberately orientated towards certain principles of social

defence [...] In this way the new criminal law of Yugoslavia, while remaining resolutely 'socialist', occupies a position in some respects half-way between the soviet system and the Western systems: this illustrates the vigorous penetration of ideas of social defence in an environment which doubtless differs greatly from that in which these ideas were evolved, but which is concerned with the problem of human progress.

(AnceI, 1965 [1954]: 86–87)

AnceI could not be more complimentary of the efforts of Yugoslavian policymakers and criminologists to rewrite their criminal code around Social Defence, while retaining their own socialist voice. The prominent Yugoslavian criminologist Milan Milutinović was crucial to these efforts to integrate crime prevention within the activities of local municipal boards who delivered 'social self-protection'. He is held—by Vodopivec—to have revised and softened the materialist criminology of socialist states through his academic work, such that Yugoslavian criminology no longer blamed the continued experience of crime in a socialist society on continuing capitalist influence from history, or spies. Instead, socialism, Milutinović argued, contained its own 'social contradictions' which produced crimes (Vodopivec, 1980).

Yugoslavia, for Milutinović, was developing a whole-of-society informed crime prevention under the banner of 'self-protection'—but with particular emphasis on what we would now call multi-agency, anticipatory interventions on persons considered pre-delinquent. Calling this type of prevention 'individual prevention', Milutinović (1984: 314) explained that its goal was to 'save' or 'protect' (safeguard) people who 'have not yet committed a crime, but who could, judging by the relevant elements, engage in such behavior'. He pointed to the existence of various forecasting instruments designed to detect such individuals and although he discussed their potential negative effects in terms of interference in one's life (1984: 316), he nevertheless asserted that 'forecasting can be very useful for the implementation of individual prevention, especially for the prevention of crime of persons who are in the pre-delinquent stage' (1984: 332). The academic further highlighted that individual prevention is mostly focused on juveniles and pointed to the important role of the so-called social work centres in Yugoslavia. The first such centre was established in 1956 and by 1967 the centres were legally tasked with implementing social protection in the country. In these centres the personalities of young people were studied by 'teams composed of various experts: psychologists, sociologists, social workers, pedagogues, doctors, special educators, psychiatrists and others' so that 'the necessary measures can be taken—social, therapeutic and others, in order to prevent uncommitted crime' (1984: 318). By 1981, 74 centres covered the territory of the Socialist Republic of Serbia (1984: 317).

Fascinatingly, Milutinović (1984: 405–406) went on to explain why systems of crime prevention overlap with measures for national defence in the 1973 Yugoslavian 'social self-protection' code—elaborating that the citizenry must play a role in preventing all negative phenomena, *including the chance that enemies might try to sabotage the socialist project*. He explained the overlap between social self-protection and national defence as:

the national defense must, for its part, in all circumstances rely closely on social self-defense, on its protective mechanism within its structure, in order to protect against intelligence and other hostile subversive activities that seek to undermine the defense capabilities of the national defense and armed forces [...] the national defense must completely protect itself from such intentions of the enemy forces, from all types of their enemy activities—intelligence, sabotage, terrorism, political subversive, psychological propaganda and others [...]. That is why the Eleventh Congress of the SKJ [League of Communists of Yugoslavia] calls for the building of national defense and social self-defense as ‘interconnected functions of our political system’.

(1984: 405–406)

The Law of Self Protection (1973) codified the involvement of ‘all social forces in the performance of social affairs, even security tasks’. In our research into the implementation of local security and safety partnerships in 1970s Yugoslavia, we spoke to noted Slovenian criminologist Gorazd Meško—who once worked as a police officer who engaged with the partnerships. Meško told us that the partnerships were extremely localized, involving priests, school representatives, postal workers and local police. But, he noted, Communist Party officials and state security officials were also present—emphasizing the overlap between social and national security in the former Yugoslavia. Meško remarked that ‘enemies were everywhere, and even within society. Indeed, many of those regarded as enemies in the 1980s are now running the country!’⁶ But how and why did social crime prevention turn towards national security in the Former Yugoslavia?

Analyses of political and ideological developments under Marshall Tito confirm that, during the early 1970s in particular, Yugoslavian elites drove a ‘dialectical’ agenda (Johnson, 1972), which simultaneously reached towards local, democratic self-management as the achievement of real socialism—while maintaining that threats to Yugoslavian unity existed from Stalinism, ‘Western alien ideologies’ and ‘backwardness’ (Oleszczuk, 1980: 567). The self-protection system enabled the regime to implement greater social control to guard against ‘enemies of the revolution’, nationalist secessionist movements and Soviet infiltrators—without contradicting its economic liberalization ethos. Amusingly, we find here the dialectical relationship between economic liberalization and extension of social control that characterizes *neoliberal* penalty for Garland, Harcourt and Wacquant; albeit, Yugoslavia was a *socialist* country.

Rather than suggesting a direct relationship between political/economic creed and the extension of social control, political context plays an important role in the story of Yugoslavian self-protection. The rhetoric of enemies, directed at western countries and internal class enemies like ‘technocrats’, enabled the Yugoslavian leadership to affect a political balance: placating the ‘thousands of Stalinists’ at the top of the party, while simultaneously aligning the country’s foreign policy with the West (Oleszczuk, 1980: 567–570). It must also be noted that Yugoslavia was undergoing a sustained period of pressure from Croatian émigré separatist movements, who (since 1962) had progressed from bombing international Trade Missions of Yugoslavia to bombing targets within Belgrade itself, and organizing the infiltration of small armed units into the country (Tokić, 2020). On average, Croatian separatist groups undertook an act of political violence every five weeks between 1962 and 1980—leading Yugoslavian President Josip Broz Tito to label Croatian terrorism as ‘perhaps the

greatest threat to the [Yugoslav] regime and to the survival of the federal state' (Tito quoted in Tokić, 2020: 2). The salience of the threat increased significantly after 1968, when the Soviet Union invaded Czechoslovakia. Fearing that the same would happen to Yugoslavia (which had a difficult, unproductive relationship with Moscow), the publication of a document alleging collaboration between Croatian separatist groups and the Soviet Union in 1970⁷ raised fears of subversion and invasion significantly.

Indeed, in 1976 Robert Dean of the Central Intelligence Agency wrote that the Soviet invasion of Czechoslovakia—combined with Croatian demands for more autonomy from the Yugoslav republic—fomented the integration of 'territorial defence units' within the social self-protection system. These units would deliver popular resistance against invading forces and would be self-managed, in accordance with the self-management legislation that localized organizational responsibility and command. Territorial defence organizations were to be organized by each republic, 'reviving the partisan war concept, as well as the premium it placed on exploiting the psychological factor of ethnic identification in military activity' (Dean, 1976: 24). A political battle then ensued between representatives of the national territorial army and representatives of the Croatian region, each determined to retain/obtain maximum control over these territorial defence organizations. Beyond these political manoeuvres, Dean makes it abundantly clear that the territorial defence programme—and its integration into the self-protection system—did not only plan for the potential invasion of Yugoslavia by the Soviet Union, but also served a political rationale in defence against *indigenous and ideological threats*:

The system is designed to galvanize society against a variety of indigenous ideological threats. Broad popular participation in defence training and organization provide a framework for socialization in the values of cohesive Yugoslavism and self-management, for the sublimation of national and ethnic differences, and for the reinvigoration of socio-political organizations.

(Dean, 1976: 27)

Here, the integration of national defence into social self-protection led to 'values training'—where, from 1974, university students were schooled on the 'Foundations of National Defence of the Socialist Federal Republic of Yugoslavia' (Dean, 1976: 27) to counter the 'indigenous ideological threats' emanating from regional political agitation and separatist terrorism.

Like the values-education components of contemporary P/CVE programmes, the law of self-protection made universities responsible for values defence and the ideological training of citizens, such that they would become less vulnerable to subversive ideological influences and propaganda. It also rendered local political units responsible for the prevention of political crime (including the prevention of disbelief among citizens in the existing constitutional order):

The goal is to prevent groups and individuals from acting counterrevolutionarily in the area of the local community against our self-governing order. Citizens will, in particular, prevent: committing crimes against the people and the state; damage to the reputation of the state, its organs and representatives, coat of arms, flag and armed forces of the SFRY [Socialist Federal Republic of Yugoslavia]; spreading false and alarming news and rumors that provoke unrest, unrest,

insecurity and *disbelief among citizens in the existing constitutional order* and political SFRY; *violation of patriotic and national feelings of citizens, etc.*

(Bejarović, 1975: 359, emphases added)

Here we see the extension of hybrid penology (reform/rehabilitation efforts, prior to crime) to serve national security goals. Socialist Yugoslavia effectively developed a proto-P/CVE discourse, organized around the vulnerability of certain citizens to enemy propaganda, through its crime prevention structures ('social self-protection'). This overlap between crime prevention, national defence and values defence was anticipated by Tomanović in 1969, who wrote of Yugoslav self-protection that:

[the system must prepare people] for participation in the defense of one's freedom, self-governing rights and in the protection of sovereignty, independence, security and defense of the country; to participate and act through various forms *for the suppression of propaganda*, espionage, diversion and other forms of activities of the external *and internal enemy*.

(Tomanović, 1969: 420–421, emphases added)

The overlap demonstrates how social crime prevention, oriented around the profiling, monitoring and reform of pre-delinquents, can swiftly shift towards the detection of counter-revolutionary attitudes and activity. The organization of local political units (communities; industries) in the prevention of crime—through attention to the 'risky' behaviours of compatriots—can turn to incorporate national security goals, as and when the regime decides. While multiple political factors underwrote the transformation of crime prevention into a national security tool, this turn was adequately subsumed within Social Defence criminology—which is oriented towards public protection and security. Rather than framing criminal justice as a matter of determining appropriate penalties for an individual's crimes (as classical criminology attempted), Social Defence centralizes the protection [defence] of society from future harm. This security-like mandate enables it to transfer easily between the policy domains of crime prevention and preemptive national security interventions on possible subversives.

Our second case study, the transformation of Western European crime prevention into P/CVE structures, demonstrates a similar repurposing of hybrid crime prevention endeavours—rehabilitating subjects according to their *potential* deviance, in the fields of crime and national security.

The modern era of hybrid penology: Western European social crime prevention turns into P/CVE

As noted previously, social crime prevention has a long history in Europe, stretching back to the establishment of partnerships between schools, social services and police (the SSP system) in Denmark in the 1970s, and the French response to urban riots in the early 1980s. The French government commissioned prominent Mayor Gilbert Bonnemaïson to investigate the causes and appropriate response to the 1981 riots in Lyon. His resulting

report broke apart the existing political consensus that ‘prevention’ should be associated with structural welfare provision and support, and ‘repression’ with police action against identified criminals. Instead, the Bonnemaison report introduced a middle way—the use of local authority partnerships to deliver targeted, supportive interventions on groups living in deprived neighbourhoods (Baillergeau and Hebberecht, 2012; Wyvekens, 2014).

Over the 1980s and 1990s, social crime prevention spread across Western and Northern Europe. National crime prevention agencies were set up in many European nations to coordinate the programmes undertaken at local levels to identify groups of pre-delinquents and to steer them away from crime with mentoring and support (Van Swaaningen, 2002). While the UK demonstrated a strong preference for ‘situational’ crime prevention (based around the reduction of opportunities for crime through urban design and CCTV infrastructure) throughout the 1980s and early 1990s, the rise of the New Labour Party was partly engineered through a strong critique of the governing Conservative Party’s inability to deal with rising crime and disorder (Koch, 1998). Once elected in 1997, New Labour wasted no time in bolstering local authority powers and responsibilities for partnership working against delinquency and crime.

As has been detailed previously in this article, social crime prevention represents a hybrid penological form—sitting midway between the ‘penal welfarist’ and ‘new penology’ paradigms. These programmes operationalized the category of ‘pre-delinquents’, directing multi-agency partnerships to identify those prone to delinquency by virtue of their socio-economic backgrounds, drug use and truancy. A mentoring and welfare-based response was then enacted, to reform the patterns of behaviour and the socio-psychological needs underpinning them.

These localized, and hybrid, crime prevention programmes in the Netherlands and the UK were crucial for the early development of P/CVE in those nations and, in particular, the development of the ‘radicalization discourse’. The established discourse of crime prevention and localized preventive interventions made it possible to ‘think’ counter-radicalization, in the aftermath of 9/11. Consider that the programmes that preceded P/CVE were the ‘exit programmes’ of the 1990s—designed to rehabilitate current members of extremist/banned groups (Bjørge, 2009), rather than to anticipate who might become a member in future. ‘Radicalization’ reframes (what was once called) ‘recruitment to terrorism’ as a cognitive-behavioural process affecting individuals with particular socio-economic/migration/mental health profiles—one which is interruptible through social policy programmes of intervention (Home Office, 2020).

Radicalization prevention in Europe has centralized the provision of individually tailored welfare packages for people considered at risk of radicalization (European Commission, 2020: 7–8; Home Office, 2020). Following the trajectory of many social crime prevention programmes, multi-agency panels dealing with ‘radicalization’ assess an individual’s risk to the public and allocate educational support, social services intervention, treatment for mental illness, suitable accommodation or even tailored mentoring from a theological expert or youth worker to reduce ‘risk’. While these interventions are oriented towards public protection (and thus fit O’Malley’s (2010) description of neo-liberal adaptations of welfare programmes towards the mitigation of risk), they also profoundly centralize the ethos of individual rehabilitation for the pre-offender’s own benefit

(something thought to be lost from ‘new penology’ (Feeley and Simon, 1992: 455; Garland, 2001)).

European P/CVE programmes all frame their pre-criminal interventions as ‘safeguarding’ the *potential offender* from harm, alongside their commitments to public protection (Heath-Kelly and Strausz, 2019; Home Office, 2020; Mattsson et al., 2016). The United Kingdom boasts the most substantial P/CVE infrastructure of any European state, delivering pre-criminal radicalization prevention programmes through the Prevent Strategy (HM Government, 2011), while implementing the post-hoc rehabilitation of terrorist offenders through the prison-based ‘Healthy Identity Intervention’ (HII) and Desistance and Disengagement Programmes (DDP).⁸ As such, the rehabilitation of extremists happens both pre-crime in the community (through Prevent and its mentoring intervention, the Channel programme), and post-hoc through prison services.

Channel (Home Office, 2020), HII and DDP are all described as providing intensive tailored support, designed around theological mentoring, psychological support and welfare packages. Research access to practitioners of all three programmes is closely guarded, but several studies have gained interviews with Channel mentors who practise ‘anticipatory rehabilitation’ in terrorism prevention—emphasizing the complicated enmeshing of risk assessment with pastoral reform (Elshimi, 2015; Pettinger, 2020). Whether an individual receives an intervention in prison or in the community (as a non-offender), the programmes are organized to increase the ‘protective factors’ that will limit ‘vulnerability to radicalisation’ (Home Office, 2020) and/or disengagement from terrorism and re-engagement in society.⁹

Of course, this ‘rehabilitation before the crime’ came from social crime prevention. Security officials have made no effort to hide the links between P/CVE and crime prevention. For example, in Dutch Parliamentary papers from August 2005, the Minister of Justice updated his parliamentary colleagues on the threat posed by radicalization—after the murder of Theo van Gogh by a jihadist attacker in 2004. He situated the briefing in the integration of Muslim communities to Dutch culture, which was found to be problematic and in need of ‘strengthening measures’ to improve the ‘binding’ of these communities to society. He also, however, outlined that measures to counter ‘radicalization’ would build upon municipality efforts to counter juvenile delinquency—including:

strengthening the approach to prevent juveniles from dropping out as much as possible through Operation Young; a multitude of measures in the field of education, including the aforementioned promotion of active citizenship [...] but also increasing safety in schools, the establishment of a radicalism reporting point at the Inspectorate, offering a training program for mentoring and coaching teachers and pupils as well as the reception of pupils at risk.

(Donner, 2005)

Additionally, his letter to the House of Representatives makes interesting reference to the indeterminacy of radicals from disaffected youth who appropriate radical rhetoric for attention. Rather than meeting the grievances of radicals (regarding national policy), the Minister recommended seeing their rhetoric as comparable to the political activism associated with a ‘stage of life’. He wrote that ‘such expressions as such are often

indistinguishable from expressions that really come from the radical ideology' (Donner, 2005). In this way, a paternalistic frame usually reserved for juvenile delinquency was transferred to security discourse—treating radical political activity as a 'stage of life' from which persons can emerge, with the support of local services.

A similar transformation in understandings of political violence, and its prevention, is evident in the case of the UK. After the London bombings of 2005, the New Labour government placed the 'Prevent Strategy' in the remit of the newly formed Department of Communities and Local Government (DCLG). DCLG also held responsibility for implementing the government's broader 'localism' strategy (Hammonds, 2018: 138–150) and for overseeing local crime prevention agendas. In 2006, DCLG funded a study into radicalization and counterterrorism responses called 'Bringing it Home'—undertaken by the Demos organization. The resulting report advocates supporting Muslim communities to stand up to extremists (the culturalist, 'empowering communities' frame), but it also directly identifies the relevance of youth engagement initiatives for counter-radicalization work—echoing the framing of radicals as misguided youths, in need of local interventions and support, in the Dutch discourse:

Youth programmes and activities have long been used as a way of channelling these energies in a positive direction and developing key life skills, such as team working, problem-solving, conflict resolution and so on. Working at the community level can generate alternative forms of activism for young people who would potentially be drawn into violent extremism. Community organisations offer a sense of belonging, in the absence of which membership of violent groups can seem attractive [...] As well as providing activities to keep young people occupied and off the streets, these programmes could also include special counselling and religious support services for those who are particularly vulnerable to recruitment to extremist and terrorist groups.

(Briggs et al., 2006: 74–77)

The overlap between crime prevention and the Prevent Strategy was then later endorsed by both the Secretary of State, John Denham, and the Head of the Office for Security and Counterterrorism (OSCT), Charles Farr, in their comments to the House of Commons Communities and Local Government Committee's 2010 review of Prevent.¹⁰ Both defended the Prevent programme against claims that it inappropriately spied on Muslim communities, emphasizing that it involved standard crime prevention practices and information governance protocols. Denham stated that:

There is a legitimate aim, which I would say would be recognised in all sorts of crime prevention areas, of trying to identify particularly young people who may be in danger of being drawn into more serious crime. It is something that would be absolutely taken for granted if we were looking at gun and knife crime or other areas of crime. The attempt to identify those who are vulnerable and steer them in one way or another is a legitimate aim. [...] What were sometimes presented as things specific to the *Prevent* programme were simply information sharing protocols which had been in place, in most cases, for many years before the *Prevent* programme had been established.

(Denham quoted in House of Commons Communities and Local Government Committee, 2010: 17)

It has also been noted that counter-radicalization intervention programmes (upon those deemed to be most vulnerable) borrow significantly from pre-existing structures for monitoring and rehabilitating dangerous offenders. William Hammonds, a researcher with the Change Institute during the New Labour era, has written that Channel (the UK's counter-radicalization interventions programme) was explicitly based on the MAPPA (multi-agency public protection arrangements) structure introduced in the 2003 Criminal Justice Act for sex offenders, kidnappers or other offenders thought to pose a risk to the public (Hammonds, 2018: 193). MAPPA sought to rehabilitate and monitor convicted offenders in the community, but Channel borrowed this framework for interventions/monitoring and *brought it into the pre-crime space*. Channel does not deal with terrorist offenders (as MAPPA deals with convicted offenders). Instead, Channel deals with those people deemed vulnerable to radicalization through their words and actions, as reported by their families or by public sector workers (Home Office, 2020). Rehabilitation has been brought prior to the criminal offence, in terms of the 'public protection' epistemology.

The hybrid criminology model, where rehabilitation is brought prior the crime, was carried over from social crime prevention programmes. References to the functional similarity of CVE and crime prevention are now emerging in academic discourse but are identified as 'synergies', which could benefit the development of P/CVE (rather than the criminological archetype that made P/CVE thinkable in the first place) (Bjørøgo, 2016; Hardy, 2022). So, while the overlap is noted, the genealogical significance of crime prevention as the archetype of P/CVE is not recognized.

Conclusion

Criminology's limited engagement with P/CVE serves to sustain a prominent narrative that P/CVE and/or counterterrorism measures are oriented towards surveillance and repressive policing tactics (Zedner, 2021)—rather than also employing individualized rehabilitation and welfare support to meet needs. The provision of housing, mental health, educational and social services support within P/CVE does not insulate it from critiques about its discriminatory effects. But it does reveal the presence of hybrid penology, employing individual rehabilitation programmes alongside pre-emptive, risk-based calculation of potential threat.

Intervening in this lacuna, this article has explored the emergence of hybrid penology after the Second World War, its development through national crime prevention programmes and the tendency for social crime prevention to expand into the national security sphere when states perceive threat from subversives or politically violent groups. The article has posed a significant question to claims about the replacement of rehabilitation methods by risk-based penology, made in criminological literatures. Rather than one penology replacing another, we show that a hybrid model of 'anticipatory rehabilitation' has developed across the 20th century—culminating in the development of P/CVE interventions to reform those non-offenders deemed 'vulnerable' to radicalization.

To conclude, this exploration of 'hybrid penology'—where rehabilitation of individuals is undertaken in the pre-criminal space—raises significant questions of criminological theories that assert a unidirectional transition from rehabilitation penologies to

pre-crime risk assessment. Here we have shown the historical trajectory of ‘mixed logics’, whereby a curious persistence of penal welfarist logics accompanied the development of risk-based crime prevention policies. Individual rehabilitation was moved into the pre-criminal space, via the figure of the pre-delinquent. We have also outlined the development of Yugoslavian self-protection systems, which implemented multi-agency crime prevention in a socialist context—undermining arguments that associate pre-crime with neoliberal or advanced liberal economic systems. Finally, we have shown that ‘hybrid penology’ reaches its zenith in the modern era of P/CVE policies, which awkwardly balance the pre-emptive assessment of terrorism risk with a commitment to ‘safeguarding’ and rehabilitating those ‘vulnerable’ to becoming terrorist offenders.

Rehabilitation, it seems, has never gone away. It remains with us, warped by the transformation of crime and security policies towards risk and pre-emption. While anticipatory rehabilitation in the social crime prevention environment remains ethically ambiguous—in that it profiles marginalized groups for interventions, while claiming that it fosters better life chances for them—an additional problem besets P/CVE, in politically liberal societies at least. Alongside traditional markers of potential juvenile trajectories (like truancy, drug use, petty crime), P/CVE integrates a range of ideological, political and religious factors into its depiction of the at-risk youth who requires an intervention. Risk assessment typologies like the Vulnerability Assessment Framework (VAF) and the Extremism Risk Guidance 22+ (so named because there are 22 factors depicted, but there could be more) highlight ‘over-identification with a group or cause’, ‘a need to redress injustice’ and ‘political/moral motivation’ as signs that a person could require rehabilitation through pre-emptive P/CVE programmes like Channel (Augestad Knudsen, 2020). These ideological, political and religious markers are, however, enshrined within liberal protections of free speech, free belief and freedom of association.

The securitized environment of terrorist threat can, as we have seen, influence states to import hybrid penological tools into their national security repertoire. Significant questions remain, however, about the appropriateness of identifying non-criminals for behavioural, cognitive and political rehabilitation.

Declaration of conflicting interests

The authors declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article.

Funding

The authors disclosed receipt of the following financial support for the research, authorship and/or publication of this article: this work was supported by the H2020 European Research Council (grant number 851022).

ORCID iD

Charlotte Heath-Kelly  <https://orcid.org/0000-0002-5237-4691>

Notes

1. We refer here to the United Nations and the Council of Europe.

2. For a full discussion of the United Nations' adoption of Social Defence theory, readers should consult: Clark (1989); Ferracuti (1963); Heath-Kelly and Shanaah (2022); Joyce (1967); López-Rey (1957); and Redo (2012).
3. Many other such reports were to follow (see Heath-Kelly and Shanaah, 2022).
4. Although as Cohen shows, political influence upon the judiciary continued in more selective and focused fashion.
5. UN records also demonstrate that Srzentić attended Geneva in 1955; Milutinović in Tokyo 1970; and that Yugoslavia sent official delegations to all UN crime prevention congresses with the exception of London 1960.
6. Research interview with Gorazd Meško, 2 October 2020.
7. Tokić (2020: 120–121) fluently details the international politics of the time, and the efforts of Croatian separatist groups to exploit the climate of fear towards their end of an independent Croatian state.
8. Limited information on HII and DDP programmes is available at: <https://lordslibrary.parliament.uk/extremism-in-prisons-are-uk-deradicalisation-programmes-working/> (last accessed 20 December 2021).
9. See <https://lordslibrary.parliament.uk/extremism-in-prisons-are-uk-deradicalisation-programmes-working/> (last accessed 20 December 2021).
10. This review preceded the official review of the Prevent Strategy, which followed soon after but was initiated after the election of the Conservative–Liberal Democrat coalition government.

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Author biographies

Charlotte Heath-Kelly is Professor of International Security at the University of Warwick, UK. She currently leads a European Research Council funded project, exploring the dissemination of P/CVE policies around Europe and their reliance on social crime prevention modalities.

Sadi Shanaah is a Research Fellow on the ERC funded ‘Neoliberal Terror’ project, held at the University of Warwick. His most recent publications include ‘What drives counter-extremism?’ in the journal *Terrorism and Political Violence* and ‘The long history of prevention: Social Defence, security, and anticipating future crimes in the era of “penal welfarism”’ in *Theoretical Criminology*.