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## **The war on antisocial behaviour rationeles underlying antisocial behaviour policies : comparing British and Dutch discourse analyses**

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## White Trash versus Moroccan Street Terrorists<sup>■</sup>

### An Analysis of Dutch and British Discourses on Ethnic Minority Immigrants and Antisocial Behaviour

#### *Abstract*

The Dutch press often associates antisocial behaviour with Moroccan teenagers. Based on a comparison of Dutch and British political and media discourses starting around 1990, this article demonstrates that the British media do not systematically link anti-social behaviour to ethnic minority youngsters, but to white teen-agers. The question then is how this issue of anti-social behaviour and ethnicity is constructed in political and media discourses in the Netherlands and the UK. And does this construction differ in accordance with the actual problems?

'We need to send in the troops to deal with that Moroccan scum on the streets. Then they can finally be arrested and kicked out of the country' (*De Telegraaf*, 15 September 2008, p.1). If Freedom Party (*Partij Voor de Vrijheid*<sup>1</sup>) politician Geert Wilders had his way, the Dutch authorities would be a lot tougher on kids hanging around on street corners. The Freedom Party politician commented to this effect in September 2008 when bus drivers refused to take their fixed routes in a neighbourhood in Gouda because youngsters had been giving them such a hard time there.

Although his drastic solution is not widely supported in the Dutch Parliament, Geert Wilders is not alone in his call for a tough approach to the Antisocial behaviour (ASB) caused by Moroccan teen-agers.<sup>2</sup> On the contrary, most Members of Parliament view the ASB of Moroccan teen-agers as a serious problem requiring severe measures. The repressive tone of the political discussion is evident from headlines like 'Parliament Favours Tough Approach to Moroccan Trouble-makers' (*Algemeen Dagblad (AD)*, 18 October 2008). In a letter to

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1 The Dutch political landscape is diverse. Mentioned in this paper are PVV (populist anti-immigration party), VVD (right-wing party), CDA (party in the middle) and PvdA (Labour party).

2 When references are made to Moroccans in the Netherlands, they often also pertain to the second generation.

Parliament, Wim Cornelis, Mayor of Gouda, wrote that politicians tend to be overly negative about how Moroccan teen-agers in his city terrorize people on the streets, and the media publish ‘increasingly alarming’ items on the problems (letter dated 7 October 2008). Mayor Cornelis wrote that he would much prefer to hear a different tone ‘with more normal proportions’ in the public debate.

These statements evoke a number of questions. Has the Dutch media discourse on ethnic minority immigrants and ASB really become that much more negative? How do politicians feel about the link between ASB and ethnicity?<sup>3</sup>

As is noted below, the British media do not predominantly link ASB to ethnic minority youngsters, but to poor white teen-agers. Is the problem essentially different there, or is it constructed differently?

These sub-questions lead to the main research-question: How is the issue of ASB and ethnicity constructed in political and media discourses in the Netherlands and the UK and does it differ in accordance with actual problems?<sup>4</sup> In an effort to answer this question, the political and media discourses in the two countries are analysed and compared and wherever possible, backed up by statistical data.

## 1 METHOD

Before to the main question can be answered, several terms need to be specified. Firstly, ASB. As various authors note, it is not easy to define objective criteria for ASB (van Swaaningen, 2008; van de Bunt, 2003; Devroe, 2008; Pakes, 2005). After all, the definition of the term depends in part on the level of tolerance in a society, which changes in time (Koemans 2008). The inevitable result of ambiguity about the definition is that ASB on the streets includes a wide range of acts such as refusing to curb one’s dog, aggressive conduct, graffiti and littering. In this article, the definition formulated by the European Commission (2000) is used as the guideline. It pertains to behaviour that in itself is not punishable by law, but its cumulative effect can generate a climate of tension and danger on the streets.<sup>5</sup> In the discourse comparison here, the Dutch term *overlast* is translated as ASB. Although it is not a literal translation,

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3 The term ethnicity is used here to refer to an identity based on shared social and cultural norms, ideas and practices.

4 References to the UK also pertain to Wales. This is also the case in the British literature on the Anti-Social Behaviour Order (ASBO). In Scotland, efforts are being made to cope with anti-social behaviour but several of the measures are different. This is why Scotland is not included here.

5 Anti-social behaviour in public space might be more correct, but the media refer to anti-social behaviour on the streets.

which would be *nuisance*, in practice it is the term used in similar situations (Koemans, 2009).

In view of the dimensions of the concept of ASB, a discourse analysis is relevant. Whatever different meanings it might have can be addressed this way. In short, a discourse analysis is a method that examines the discussions and views in society, or in part of society, on a specific topic (Althoff, 2002). But for this concept as well, an unambiguous definition is no simple matter (Hijmans, 1996). The term *discourse analysis* is regularly a topic of discussion and has become a container concept that covers various forms of quantitative and qualitative research methods and techniques (Wester, 2006; Levi, 2006; Krippendorff, 2004). Some researchers see a discourse analysis as part of a content analysis, and others see it the other way around (Neuendorf, 2002; Gubrium & Holstein, 2000; Hammersley, 1997). The latter view has been selected here, in other words a content analysis that is a quantitative as well as qualitative text analysis. In this connection, the choice of words is examined and the structure of the text is analysed (Blommaert & Verfaillie, 2009).

A common denominator is that in a discourse analysis, the focus is on reconstructing the meaning structure of a problem. In this context, what needs to be investigated is the *natural material* of the actors representative of the meaning structure. In short, these are the actors of the politics-media-public triangle (Reiner, 2007; van Gestel, 2006; Althoff, 2002). Any distinction between these actors is basically artificial, since in the construction process of a concept like ASB, they constantly react to each other. The interaction and power relations are not part of this study. However, working from the idea that media and politics are the most dominant actors, this article focuses attention on these two actors.

In this article, first the media discourse is analysed.<sup>6</sup> Since it is digitally so accessible, this is done by studying the written word. This can be justified by noting that although it is diminishing, the press still occupies a dominant position in the media landscape (Beunders & Muller, 2005). A quantitative (how often does the term ASB occur?) as well as a qualitative (what is the tone of the news item?) analysis are conducted.

The Dutch media discourse is studied based on 22,000 newspaper articles in two nation-wide daily newspapers, *De Telegraaf* and *de Volkskrant*. These daily newspapers have been selected in part for practical reasons and in part because they represent the Dutch political spectrum.<sup>7</sup> To examine how the situation developed, the analysis focuses on five different years (1990, 1993, 1998, 2002 and 2008). The year 1993 has been selected because that is when

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6 The research has been conducted with the help of G. Claessen, A. van Eijk, A. van den Enden, M. Heemskerk, T. Waasdorp, M. Wensveen, undergraduate students at the University of Leiden.

7 Daily newspaper on the right are *De Telegraaf* and *AD*, in the centre *NRC* and more on the left *de Volkskrant* and *Trouw* (both of religious origin).

the first Integral Safety Report (*Integrale veiligheidsrapportage*) was presented, introducing ASB as a safety problem. The year 1990 serves as starting point, making it easier to see whatever changes in tone there might have been after 1993. In 1998 a new *Purple Cabinet II* (Liberals and Social Democrats without Christian Democrats) was appointed to replace *Purple Cabinet I*, and although there was no essential change in its political composition, there was now more of a focus on matters of safety. The year 2002 is a watershed because as is clear from a study by van Noije and Wittebrood (2008), from then on the Dutch start to perceive ASB as less serious. Lastly, 2008 has been selected because that is when the incident occurred in Gouda.

The question remains as to whether this content analysis grants sufficient insight into the underlying processes shaping the image of *the anti-social immigrant* in the media. This is why in addition, three reporters and three editors-in-chief at three nation-wide daily newspapers (*NRC*, *Trouw* and *de Volkskrant*) are interviewed.

The Dutch media discourse is then compared with a somewhat similar situation in the UK. This type of comparative study produces supplementary data that not only make it possible to describe the discourse but also to explain it. In the case of ASB on the streets, it is relevant to look at the situation in the UK. Ever since 1998, the approach to ASB has been a spearhead of the British government. Particularly after the introduction of the *ASB Order* (ASBO) in 1999, a great deal of attention has been focused on the issue of ASB. After Gordon Brown became Prime Minister in 2007, there was less of a focus on it (Donoghue, 2008).

To get a picture of the British media discourse, for purely practical reasons a different plan of action has been adopted. The quantitative as well as qualitative content analysis was conducted from 2000 to 2009, since that was when digital archives became available via various search engines. The largest number of articles on ASB in general ( $N = 1,000$ ) was published in 2004. Since not a single link was drawn with ethnicity in all those years, no comparison has been drawn over time. The study has however been expanded to include *The Guardian*, *Times*, *The Sun* and *The Independent* to do justice to the British newspaper landscape, which is characterized by greater extremes. In view of the limited scope of the study, unfortunately it was not feasible to conduct supplementary interviews with reporters there.

When the results of the two media analyses turned out to be so different, the decision was made to also analyse the political discourse in the hope of explaining the observed difference in the media discourses and gaining greater insight into the construction of the problem.

The information on the Dutch political discourse is based on a qualitative literature analysis of Parliamentary documents, Cabinet plans and speeches made in Parliament covering the period from 1993 (starting with the first Integral Safety Report) to 2009. To gain a complete picture, nine Members of

Parliament from nine different parties were interviewed in 2008.<sup>8</sup> They were each their party's spokesperson on the ASB of youngsters. So the entire Dutch political spectrum got to have a say. What is more, interviews have been conducted with two City Council members, one from the People's Party for Freedom and Democracy (VVD) in Amsterdam and one from the Labour Party (PvdA) in Rotterdam, and two policy staff members, one from the Ministry of Justice and one from the Ministry of Home Affairs. They were selected because of their regular contributions to the public debate and central role in the policy-making on this topic. Other City Council members in other cities were also approached for an interview but either refused or failed to respond altogether. The topics discussed in the semi-structured interviews include how to define ASB on the streets and how the problem developed in the course of time.

The British political discourse is constructed on the basis of British academic literature and *White Papers* from 1998 to 2008. Government policy is elaborated upon in these public documents, as in the plans of action of the Dutch government (e.g. Lower House 2007-2008, 28 684, no. 130).

Unfortunately, British Members of Parliament are not as easy to approach as Dutch ones. Their assistants referred us on to the ASB Unit of the Home Office. The head of the unit, the official government spokesperson on this topic, was interviewed in June 2008. The opinions of various British politicians have been studied by examining official press releases. To supplement this information, there were conversations with various policy staff members at the national research conference *Situating ASB and Respect* in London on 22 April 2009.

After a comparison of the discourses in the two countries, the available statistical data have been studied. It is possible that the problems in the two countries really do differ, so it is only logical that the reactions should differ as well. To fill in the gaps in the statistics, semi-structured interviews have been held with fourteen academics, policy staff members and police chiefs. These respondents were selected via a snowball method.

## 2 THE MEDIA DISCOURSE

### 2.1 The Netherlands

In 422 of the 22,000 newspaper articles that mention ASB, the ethnicity of the individuals is registered or a link is drawn between ethnicity and ASB. This is only the case in 5% of the cases in 1990; by 2008 the percentage increased to almost 35%. However, in more than 60% of the cases, no mention is made of ethnicity.

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8 Anonymity was agreed upon and they were all immediately willing to do an interview.

Press coverage on ethnic minorities and ASB has also become harsher. In the course of time, articles on ethnic minorities have more frequently come to have a negative headline, and the tone of the contents is now more negative. The contents are categorized as negative if a link is drawn between ASB and words like *fear*, *degeneration*, *danger* and *crime*, perhaps in combination with negative value judgements such as calling the people involved *scum* or *trouble-makers*. What is more, it is increasingly common for the articles to be illustrated. These results are relevant because the importance the reading audience attributes to a subject has to do with the articles' tone, headline and illustration. In establishing a certain image, it is also important where an article is placed in the newspaper. According to this study, the placement has remained more or less the same, with 10% on the first page and about 30% on the third page; these are the most prominent pages, where the most important domestic news is reported.

The qualitative analysis shows that in most cases, specifications of the ethnicity of perpetrators of ASB mainly pertain to people of Moroccan descent. Only three explicit references are made to youngsters from the Netherlands Antilles. In 2001 references are mainly made to ethnic minority youngsters in general without any further specification. A link can easily be made to the events around September 11 and the rise of anti-Islamic feelings (European Monitoring Centre, 2005). As Snel notes (2003), ever since then the debate on integration has become harsher. Particularly regarding incidents like those in the Diamant Street neighbourhood in Amsterdam and the Oosterwei neighbourhood in Gouda, explicit references are made to Moroccan youngsters, often in combination with comments about a tough approach and a zero-tolerance policy.

After the content analysis, supplementary interviews have been conducted with three reporters and three editors-in-chief.<sup>9</sup> In concrete cases, they are the ones who decide whether or not to mention the ethnicity of people who engage in ASB. Generally speaking, in principle the respondents do not specify the ethnic descent of any individual in the articles. In *Trouw*, the rule is that ethnicity is only specified if it is an indispensable part of the story. The editor-in-chief gives examples such as race riots or honour killings. The style book of *de Volkskrant* states that ethnic descent is not specified unless it is necessary for the proper understanding of a story.<sup>10</sup> As the editor-in-chief of *de Volkskrant* notes, 'This policy of ours implies that not specifying someone's background does not automatically mean that person is of ethnic minority descent. A person's ethnic descent is only mentioned if it is relevant.' But as the chief reporter at *NRC Handelsblad* rightly comments, 'What is relevant? In a society with relatively limited ethnic tensions, there won't be much reason to specify someone's ethnic background.' According to her, one possible explanation

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9 These were the editors-in-chief who responded affirmatively to a request for an interview.

10 Public handbook for *de Volkskrant* reporters, stipulating spelling and linguistic rules.

for references being more frequently made to ethnicity in 2008 than in 2009 could be that greater ethnic tensions in Dutch society have indeed made ethnic specifications more relevant. The chief reporter at *NRC Handelsblad* notes that in an extremely mixed society, like in New York for example, there is often no reason to state a person's ethnic background since it does not add anything to the story. Most respondents see the danger of a vicious circle, with media references to ethnicity leading to more tensions in society. In deciding whether or not to include references to ethnicity, reporters take this into consideration.

## 2.2 The UK

What is immediately striking about the British media analysis is that not a single link is drawn between ASB on the street and ethnic minorities. The people exhibiting the ASB are 'lost boys' (*Guardian*, 2005), 'white hoodies' (*The Sun*, 2009), 'thugs' (*Independent*, 2007) and 'council scum' (*The Sun*, 2005). If any ethnic background is mentioned at all, it is white.

Even in an article on a study showing that a fifth of the ASBO (ASB Order) recipients are of ethnic minority descent, the ethnic background of the trouble-makers is not specified (*Times*, 2006). An article in the tabloid *The Sun* notes that the names and faces of ASBO recipients have appeared on posters and it is clear to see that they are all black, but this link is not drawn in the article (*The Sun*, 2009).

Flint (2006, p. 333) also notes that 'much of the imagery and discourse around antisocial behaviour has focused on white working-class communities'. Although several specific references are made to white youths, no continuous link to lower-class whites is evident from my analysis. Here again the failure to specify ethnic descent does not automatically mean the person in question is native British. It should be noted that ethnicity is also a concept that is difficult to categorize, which might be why no specification is noted (Prior & Spalek, 2008). A 16-point classification system has been in effect in the UK since 2003, though use is often made of the informal 5-point scale *black – white – Indian – Chinese – mixed*.

Although crime is not exactly the topic of this study, a quick scan of the digital archives shows that a link is not often drawn between crime (in this case the gun crime frequently in the news) and ethnic minorities. For example, in an article headlined 'Gun Crime Soars', *The Sun* does not make any mention of the statistical over-representation of young black perpetrators (*The Sun*, 2002). This over-representation is however evident from *The British Crime Survey* (Moon, 2009).

### 3 POLITICAL DISCOURSE

#### 3.1 The Netherlands

Documents from The Hague irrefutably show that combating the ASB of youngsters on the street was a spearhead of the Balkenende IV Cabinet (which is no longer in power). Early in March 2008, Ministers Vogelaar, Hirsch Ballin, Rouvoet and Ter Horst published a joint action plan called Bad Behaviour and Degeneration (*Overlast en verloedering*). 'Come down hard on bad behaviour' was the accompanying slogan supporting the Cabinet's intention to reduce ASB by 25% in 2010 as compared to 2002 (Lower House 2007-2008, 28 684, no. 130).

Although ASB is not defined as a form of crime, the Cabinet does link it to the growing problem regarding safety in the large cities (Proposed bill: Measures to Combat Soccer Vandalism and Severe ASB, Lower House 2007-2008, 31 467). It is also striking that wherever mention is made in the action plan of the ASB of inner city youngsters, the issue is linked to underlying integration problems and specific references are made to Moroccan and Antillean youngsters (Lower House 2007-2008, 28 684, no. 130, 5). A NOS / NIPO survey conducted in 2008 in 23 municipalities shows that in two thirds of the municipalities, youngsters of Moroccan descent are over-represented in cases of ASB. The survey is based on a questionnaire presented to the Mayor and Aldermen Boards of nineteen medium-sized and four large municipalities. It should be noted that the questionnaire was sent to the respondents in the autumn of 2008, in other words at the time of the problems in Gouda. This might have influenced the responses.

Since ethnicity is not registered separately, these statements are based on estimates.<sup>11</sup> A reduction in ASB is however noted in seventeen municipalities, though half of them do speak of a small anti-social core group becoming even more problematic.

Almost all the Mayor and Aldermen Boards that were approached caution against the stigmatization of the Moroccan community and emphasize that the problems occur in all the segments of the population. It is specifically noted in ten municipalities that the tone of the political debate on the bad behaviour of young Moroccans has been unnecessarily harsh. The Mayor and Aldermen Board in Amsterdam says for instance that 'all kinds of claims are made in the Parliamentary debates on the ASB of Moroccans'. The Board in Leiden feels the problems are always exaggerated in the debates in The Hague to make them seem far more serious 'than the actual situation warrants'.

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11 There is evidence of this problem in the Centraal Bureau voor de Statistiek (Statistics Netherlands) figures on anti-social behaviour, which also do not separately register ethnicity, though the *Veiligheidsmonitor* (Safety Monitor) does.

Interviews with Members of Parliament from nine different political parties confirm in part the observation of local politicians that a small core group of Moroccan trouble-makers is getting tougher. Although the interviews explicitly pertain to the broader problem of ASB on the streets, it is striking that all the interviewed politicians start talking about Moroccans and bad behaviour themselves. Regardless of their political affiliation, the Members of Parliament draw a link between ASB and Moroccan youngsters. As one of them says, 'I read in the mail I get from my constituents that groups of Moroccan kids on the street make them feel unsafe. As MP you have to speak to that, otherwise you undermine your own credibility.'

All the respondent note that it is no longer taboo to link ASB and ethnic minorities and it is time to call things by their name. One said; 'For a long time we tried to gloss over it, but young Moroccans really are a specific problem group. Let's not beat around the bush any more.'

The views on how to approach the problem are however politically tinted. As a right-wing Member of Parliament notes for example, 'It is important to register ethnicity in cases of ASB so the approach can be designed accordingly. Moroccans expect a more repressive approach, because otherwise they'll just think the police are a bunch of wimps.'

Some MPs qualify the *exaggerated* picture of 'Moroccan street terrorists' and refer to groups of white Lonsdale kids and soccer hooligans, who also exhibit ASB. But as one Member of Parliament states, 'The role of Moroccan youngsters in the problem of ASB is sizable. This is also because we pay more attention to it now. We have given it a name. The integration policy has been a failure.' Another MP explicitly accuses the media of stirring up problems. 'There is no leniency any more in the discourse on Moroccan youngsters and ASB. The media present a distorted picture.'

A few years ago Jan Stikvoort, Police Chief in Central Holland, accused Parliament of blowing up the problems with Moroccans. 'When people including politicians make rash statements without any qualifications and are quoted in the media, a whole unwarranted media hype is created. Things are improving and there has been a decrease in the number of criminal charges that are filed. We are not denying there is a problem, but it is not nearly as serious as people say (*de Volkskrant*, 4 October 2008).

### 3.2 The UK

As is noted above, ASB has mainly become an issue in the UK since the introduction of the ASB Order. The ASBO is a restraining order enforced via a civil judge for a maximum period of two years (Burney, 2005). If the ASBO is violated, the case comes before a criminal judge, who can sentence the perpetrator to a fine or a prison sentence of a maximum of five years (Squires & Stephen, 2005). As is the case in the Netherlands, ASB is viewed in the UK

as an urgent social problem that affects urban liveability and makes people feel unsafe (van Stokkom, 2007). This similarity is also evident from the interest on the part of Dutch politicians in the British measure. Various Dutch municipal and national politicians cite the success of the ASBO in combating ASB (Huisman & Koemans, 2008). The ASBOs are however regularly criticized in the UK, where references are made to 'violations of human rights' and 'encouragement of intolerance' (Pakes, 2004; Millie, 2006). Up until 2007, ASBOs were nonetheless issued in about 7,000 cases (Newburn, 2008). But it is unclear whether this means they are indeed effective (Harradine, 2004). Despite regular requests from Parliament, no large-scale evaluation research results are available on the ASBO (Waiton, 2008). Local differences in implementation and faulty registration make research into the effects of the ASBO extremely difficult to conduct (Prior & Spalek, 2008).

In the further study of the British political discourse, it is once again clear that nowhere in the documents is a link drawn to ethnicity. In the study by Jacobson (2008) on what motivates British politicians to address the issue of antisocial behaviour, not a single reference is made to problems pertaining to ethnic minority youngsters. They cite a need to improve the quality of life and renovate certain neighbourhoods. They also speak of problems pertaining to inner city youngsters and the danger of youngsters degenerating from antisocial to criminal behaviour. But the question of integration is not mentioned once in any of the political or policy documents (Garret, 2006). To supplement this information, the head of the ASB Unit is interviewed. She confirms that ethnicity does not play a role in any way in the political debate on ASB. The only way she can account for this fact is by noting that no data is available on ethnicity and ASB. It is clear that there are considerable differences between the British and the Dutch discourses on ASB. But as is noted above, there might well be differences in the problems themselves, so it is only logical that the responses should differ as well. And there is more than enough reason for a closer look at the figures on ASB.

#### 4 REALITY CHECK

##### 4.1 The Netherlands

The question remains as to the relation between the media and the political discourses described above and the available statistical data. Earlier studies on four national daily papers in 2001 and 2004 show that Moroccans are more frequently and more prominently referred to in the press in connection with crime than is justified on the basis of the police figures (Sibon, 2004). But does this also hold true for ASB?

The Integral Safety Monitor (*Integrale veiligheidsmonitor*, Netherlands Statistics et al. 2008) indicates a fall in the number of cases of ASB in the Nether-

lands since 2002. The figures have remained the same in the past two years. Ethnicity is not mentioned separately in this connection. In cases of anti-social and criminal behaviour, the police and the courts solely register a person's place of birth and nationality, so there is no way of identifying second and third-generation immigrants born in the Netherlands and with the Dutch nationality. And they are precisely the ones the media focus on the most. Several studies conducted by the Research and Documentation Centre of the Ministry of Justice (e.g. Blom, 2005; Jennissen & Blom, 2007) and combining various files<sup>12</sup> confirm that first and second-generation immigrants from Morocco are more frequently crime suspects than the native Dutch. But they also show that generalizing statements about the link between ethnicity and crime like 'people from ethnic minorities are more apt to be criminals' are often incorrect (see also Engbersen, 2007). These research data pertain to crime and do not include any specific information on ASBs.

In a supplementary long-term qualitative study, de Jong (2007) focuses on Moroccan boys who hang out on street corners and exhibit ASB. He concludes that they view their stigma as *fucking Moroccans* as something they will never be able to escape. This is why they develop a kind of heroic identity as boys who are tough and wild. With anti-social and criminal behaviour, they reinforce the sense of *us against the rest of the world*. Other studies show though how well integrated these boys often are and how strongly they identify with the Netherlands (Stevens, 2009).

After a talk with the Mayors of ten municipalities with many residents of Moroccan descent, Minister Ter Horst acknowledges that in general, there has been a reduction in the ASB of Moroccan-Dutch youngsters (*De Gelderlander*, 22 October 2008). However, a smaller group has turned from anti-social to criminal behaviour. This picture is also confirmed in the NOS/NIPO survey referred to above (2008).

In conclusion, ASB does appear to be linked to young Moroccans in the national Dutch political discourse. At the municipality level, the discourse is more differentiated and notes that ASB occurs among all the segments of the population. In the media discourse, Moroccans are more frequently referred to as trouble-makers nowadays than in the past. And these references are deliberate on the part of editorial boards. How much truth this construction of Moroccan trouble-makers has to it is not easy to say based on statistical data. But it does not appear to be a well-balanced reflection of the complex issues at hand. According to the figures, for instance, ASB is decreasing, though the number of news items continues to grow. As is noted above, in addition

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12 This report describes for the first time the background features of people registered nationwide by the police as crime suspects. The data are the result of a joint research project by the Research and Documentation Centre of the Ministry of Justice (Wetenschappelijk Onderzoek- en Documentatiecentrum WODC) and Statistics Netherlands (Centraal Bureau voor de Statistiek CBS).

to a comparison with the official figures as a way of testing the present-day discourse, a comparison can also be drawn with the somewhat similar situation in the UK. What is most striking about the British statistical data on ASB and ethnicity is that they are non-existent (Garland, 2006).

## 4.2 The UK

Isal (2006) also notes the absence of any data on ethnicity in the registration of ASBOs. It is clear from the qualitative research on various police forces that they do record the age and sex of suspects, but not their ethnicity. In itself, this is striking because ever since 1999 (Race Relations Amendment Act), the government has been obliged to record the effects of its policy on various ethnic groups. Concern is expressed in the report about the possibility that ASBOs might be issued disproportionately often to members of ethnic minorities. An explicit reference is made in the report to the danger of police racism. Here trouble-makers are thus referred to as potential victims. A completely different approach than the one in the Netherlands, where the emphasis is on members of ethnic minorities as trouble-makers.

Prior and Spalek (2008) cite the possibility of an over-representation of ethnic minorities in the ASBOs that are issued. According to them, this might well be indicative of institutional racism. They feel it is something that should definitely be noted and a cause for concern that no statistical data is available on the ethnicity of people who file complaints or might exhibit ASB themselves. They have conducted interviews with experts and official agencies to address the question of whether official measures are used disproportionately on ethnic minorities. For example, because their *different* or *erratic* behaviour might be viewed as anti-social and measures can be taken without really being warranted. In view of the earlier accusation of institutional racism within the British judicial system (MacPherson, 1999) and their own results, the researchers deem it possible that measures against ASB may have further criminalized ethnic minorities. Since there are no statistical data, this line of reasoning can not however be empirically supported. This is why the researchers' conclusions, as they are quick to note themselves, are rather hypothetical. Based in part on data from the *British Crime Survey*, Fitzgerald and Hale (2006) note that members of ethnic minorities are more frequently stopped and searched and disproportionately over-represented in British prisons. Whether this is also the case for ASB is not recorded (Moon, 2009). In the Offending, Crime and Justice Survey, which does record cases of ASB, they are similarly not classified according to ethnicity. There has been a decrease though in the amount of what is perceived as ASB (Roe & Ashe, 2008).

One of the few statistical studies conducted on the ASB of ethnic minorities pertains to the King's Cross neighbourhood in northern London (Young, 2006). It is clear from this study that 37% of the ASBOs there were issued to men of

African or Caribbean descent, although they only constitute 8% of the population. The study does not show however whether this disproportional representation is due to discriminatory practices or simply to the fact that these men do indeed exhibit proportionally more ASB. A study by the *Youth Study Board* (see National Audit Office, 2006) examining the ASBOs issued in one year shows that 22% of the ASBO recipients are black or Asian, so they receive ASBOs 2.5 times as frequently as the rest of the British population. In summarizing, the over-representation of blacks in the British judicial system is statistically demonstrated and there has slowly come to be more of a focus on the possible problems involving ethnicity and ASB.

Several of the police managers who are interviewed note that in certain ethnic minority communities, ASB is perceived differently than in white neighbourhoods. 'They are more tolerant of ASB,' the head of the Safety Division at Leeds City Council notes. 'The kind of conduct people file complaints about in white neighbourhoods, they simply do not see as anti-social.'

The senior police officer of the West Yorkshire police has a different explanation for the lack of complaints filed about ASB. 'Some ethnic minority groups have absolutely no faith in the authorities. They have had traumatic experiences with the authorities in other places and would never file a complaint because they would not expect the police to actually be able to do anything.' This is why there are now *cold spots* where no complaints are filed, but it is unclear whether there really are no problems with ethnic minorities in these neighbourhoods. As the head of the Birmingham ASBO Unit notes, 'Very few complaints are filed about ASB in most ethnic minority communities, but we simply do not know whether this means there is no bad behaviour there or the tolerance level is lower or there is less faith in the police. This situation cannot go on any longer. Research is called for. Also to see whether there is any evidence of police racism.'

Another explanation is given by the former head of the Leeds ASBO Unit, who notes that in the British discourse, the ASBO itself is such a controversial measure that it is attracting negative attention. 'There simply is not any space for a discussion on the possible problems related to ASB and ethnic minorities.'

## 5 COMPARATIVE ANALYSIS, DISCUSSION AND CONCLUSION

What is immediately striking in the comparison is that in the UK and the Netherlands alike, politicians and the media view ASB as a big problem that is on the rise, even though the ASB that is actually experienced is decreasing or remaining at the same level. What is more, ethnic minorities are over-represented in the judicial systems of both countries, but there are no clear figures on a comparable situation regarding ASB. The studies that are available, particularly the qualitative ones, do indicate an over-representation. Of course it is true that the data given here have not all been collected using the exact

same methods. Due to practical problems (time and money) and differences in registration, one-on-one comparisons are not feasible but an effort has been made to create situations that are as comparable as possible. Daily newspapers of the same kind have been selected and whitepapers and plans of action in the political discourse have been compared. Supplementary triangulation (interviews and content analyses supplemented by available statistical material) has made it quite feasible to illustrate a certain discourse.

It is still striking how different the approach to ethnic minorities is in the two countries in the press as well as among politicians and policy-makers. In the British media and political discourse on ASB, ethnic minorities do not play any role at all. Instead a link is drawn between ASB and poor white youngsters. In the Netherlands though, the recent focus on Moroccan ruffians has mushroomed in the press and among national politicians.

This is very puzzling indeed. How can there be such a sizable difference between the British and Dutch discourses on ASB and ethnic minorities when the problems and policies are so similar? In the Netherlands, the explanation given by various local politicians, policy-makers and researchers is that the image that has emerged of ASB in the media and political discourses is an erroneous one. Moroccan youngsters are associated with ASB with disproportionate frequency. Moreover, Minister Ter Horst herself has observed a decline in the ASB of this group, although a small group has only become tougher.

The British respondents also been asked to explain the difference. All of them indicate that British institutions and media are afraid of being accused of racism. The reasons why are the above-mentioned report on institutional racism at the London police force and the British colonial history. Due to the collective sense of guilt about the plight of ethnic minorities in British society, trouble-makers from this group are treated more like victims than as a kind of folk devils, as is the case in the Netherlands according to some respondents. What is more, there is not a lot of focus on this issue in British politics or the media because the ASBO measure is controversial enough in itself and tends to attract most of the attention.

Of course there is nothing new about this observed sense of guilt. In the past, various researchers (Isal, 2006; Matthews, 2007; Mille, 2006; Spalek, 2006) have noted the great sensitivity in the UK when it comes to matters of ethnicity and crime and ASB. Frank Bovenkerk makes the same observation in an interview in *de Volkskrant* (6 June 2009): 'In the UK as well, political motivations determine what criminologists measure and what they don't. Because of the colonial past, they have an enormous sense of guilt towards anyone who is black. If there are figures that demonstrate a connection between ethnicity and crime, the only interpretation is that it is due to police racism.'

This explanation is interesting because of course the Netherlands has a colonial past as well, be it a more recent one with different flows of immigrants than the UK. So don't we have a sense of guilt any more, or didn't we ever have one? Racism barely plays a role of any importance in the Dutch debate

on crime and ASB. Only in very rare cases, like the judgment of the *Running coloured man* (1976), has a suspect been released because police officers at the Warmoesstraat police station were not permitted to apprehend him on the basis of the colour of his skin. Sometimes, for example with the expansion of preventive searching, the possibility is mentioned that youngsters who hang around street corners and look like they might be Moroccan are more apt to be checked than youngsters who look like they are native Dutch. A report by Jansen & Janssen, an agency that critically follows the police, devotes attention to this possibility ([www.bureaujansen.nl](http://www.bureaujansen.nl)). But this agency also observes that the Dutch police behave more properly than for example the British.

Another explanation can be that the British situation in the inner cities cannot be compared with the Dutch. In what has traditionally been a class society in the UK, the socio-economic differences between the neighbourhoods are much greater than in the Netherlands. Furthermore, the structure of the problems is not the same (Nicholas, 2007). There is a larger group of white people whose socio-economic position is poor. This is due in part to the de-industrialization of certain shipping and mining towns, resulting in mass unemployment. Another factor is that British cities are more segregated than Dutch ones. This leads to problems that go beyond ASB, as is evident from the race riots in the summer of 2001 in Coldham, Bradford, Leeds and Burnely (Waddington, 2007). Perhaps British institutions and media are aware of how explosive the situation can be in the cities and exercise a form of self-censorship. Or has the UK become such a mixed society that it is no longer relevant to mention ethnicity, as the editor-in-chief of a leading Dutch daily once said of New York? Although this seems unlikely since the European electoral success of the extremely right-wing British National Party in June 2009. It is clear from the vehement reactions that in The UK as well, immigrants and ethnicity are still important themes.

Having said this, it is still odd that the media and political discourses in the two countries differ so much. A riddle like this deserves further investigation. The study of less formal channels such as Internet forums gives a broader picture of the discourses. A comparison of the Dutch discourse with those in other European countries such as Germany or France could have an added value. It could enhance the clarity as to which of the two is unique, the Dutch or the British discourse. The additional information would bring us closer to a theoretical explanation of the mystery. Up until then, it is important to be aware of the Dutch barometer. Because the mercury might not be showing the right stand of today's society.

