

‘We are not Chemists’: On the Relevance of International Exchanges in Law and Criminology

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Travelling as a PhD student in law and criminology for research at partner institutions may raise questions of relevance. Though not always photogenic, such exchange trips are crucial to the success of contemporary global research.

Visiting a foreign institution as a PhD candidate in law or criminology is not something that is completely self-evident. We are not chemists so have no state-of-the-art labs to visit abroad; we are not junior doctors, so cannot do internships at foreign hospitals; we are not archaeologists flying out to exciting dig sites. All of this, of course, is over-simplified: those pursuing a PhD in chemistry, medicine or archaeology will likely spend just as much time behind their desks as we do. Conversely, PhD students in law and criminology may also – and often do – engage in fieldwork. One of us, for example, is currently gathering qualitative data for his [Australian case study](#).¹ Nevertheless, a persistent question law and criminology PhD students – and very likely other scholars too – are confronted with is this: *why* would you go abroad to stay at a foreign university? What is the added value? And, of arguably high importance to we PhD students in law and/or criminology – why should it be funded?

A visit to Monash University: the Australian experience

We are currently visiting the [Border Crossing Observatory](#) (BOB) at Monash University (Melbourne) as part of our PhD research projects on *inter alia* the phenomenon of ‘crimmigration’, about which we [previously wrote](#) on the Leiden Law Blog.² As visiting scholars, we are fully embedded in the academic community of both the BOB and the School of Social Sciences. This means that we are provided with office space on campus, engage in fruitful discussions with various experts in our respective fields of enquiry and get to meet Australian PhD students with whom we can reflect both on the substance of our research and on the commonalities and differences of conducting PhD research in Australia and the Netherlands. Whilst such interaction is inspiring in itself, one may still wonder whether this cannot be achieved by simply sending out a number of messages rather than flying over to – in our case – Australia. Below, we will briefly outline a recent seminar we organised together with the BOB on ‘crimmigration in the Netherlands’. This seminar, we argue, illustrates not only why PhD exchanges are useful but also why

¹ Van Berlo, P. (2017). The Protection of Asylum Seekers in Australian-Pacific Offshore Processing: the Legal Deficit of Human Rights in a Nodal Reality. *Human Rights Law Review*, 17(1), p. 33-71.

² Van Berlo, P. & Brouwer, J. (2016, May 11). The Spatial Dimensions of Crimmigration in the Netherlands. *Leiden Law Blog*.

they are particularly crucial to the prospective success of research projects on global phenomena such as ‘cimmigration’.

Exchanging ideas: Cimmigration in the Netherlands

On 14 March 2017, we presented our research to a mixed audience of experts, scholars and students during the [Postgraduate Seminar](#) on Cimmigration in the Netherlands which was co-organised by the BOB and Monash Criminology.

In his presentation, [Jelmer](#) outlined his ongoing research at the only Dutch prison exclusively for foreign national prisoners, located in Ter Apel. He explained how migration officers are stationed inside this prison in order to ensure these prisoners are deported when they finish their sentence, thereby fundamentally changing the purpose of punishment. Unlike Dutch prisoners, these foreigners do not qualify for conditional release. Instead, they can receive a sentence reduction if they agree to leave the Netherlands. It is hoped that this so-called [SOB-measure](#) will motivate foreign national prisoners to cooperate with their own identification procedure.³ Jelmer showed that prisoners who cannot be deported and thus have to serve their full sentence, perceive this SOB-measure as being fundamentally unfair, as they feel they are being punished for their foreignness and for being unable or unwilling to leave.

In turn, [Patrick](#) presented his research on the value of human rights in outsourced (or ‘[commodified](#)’) confinement.⁴ He coined his developing idea that although ongoing cimmigration and commodification pose challenges to the notion of human rights, the concept does not necessarily lose its meaning given that it has a multidimensional and multi-faceted value in various confinement modalities. In doing so, he provided a number of examples, including a prison in the Netherlands and [offshore immigration detention in the Australian-Pacific context](#).⁵ In relation to the latter he also explained how his current fieldwork contributes to the conceptual development and empirical application of his multidimensional human rights concept.

These seminars are, however, obviously not one-directional. That is to say, whilst it provided us ample opportunity to distribute our research ideas and findings amongst both scholars and students, it also resulted in constructive feedback and fresh ideas. This observation may appear a little surprising, trite or trivial even, but in practice one arguably often tends to overlook the crucial importance of such bidirectional flows of information for both the development of conceptual frameworks, ongoing data gathering and the organisation and presentation of research findings. In response to his presentation,

³ Brouwer, J. (2016, April 27). The SOB-measure: stimulating the deportation of foreign national prisoners. *Leiden Law Blog*.

⁴ Van Berlo, P. (2016, January 13). Privatising a migrant’s exclusion: the commodification of cimmigration. *Leiden Law Blog*.

⁵ Van Berlo, P. (2017). The Protection of Asylum Seekers in Australian-Pacific Offshore Processing: the Legal Deficit of Human Rights in a Nodal Reality. *Human Rights Law Review*, 17(1), p. 33-71.

Jelmer for example, was pointed towards a rich body of literature on the notion of ‘exporting risk’, which proved particularly useful to better understand the implications and legitimacy of deporting long-term residents. Patrick likewise received valuable feedback on his multidimensional research framework and in relation to his ongoing data gathering in Australia was put in touch with additional respondents whom he otherwise would not have been able to include in his research project.

Whereas presentations may therefore appear trivial at times, their inherent function of constituting a two-directional stream of information as well as their inherent networking function provide valuable tools for legal scholars and criminologists to diffuse, improve and develop their research output in general and their PhD dissertation in particular. Especially when exploring concepts with a genuine global outreach, such as ‘crimmigration’ which has gained scholarly attention in various parts of the world, participating in seminars and spending time with scholars at foreign institutions is crucial in expanding one’s views and understanding far beyond what an e-mail could ever achieve. In fact, it is exactly this type of ‘quality time’ that particularly benefits the qualitative research projects we are engaged in.

PhD visits abroad: dire necessity or snazzy perk?

What we are trying to point out here is obviously not that an exchange is a *condition sine qua non* for successful PhD research. At the same time, exchanges of PhD candidates in law and/or criminology are not just a fashionable perk either. As is often the case, the truth lies somewhere in the middle. For legal scholars and criminologists, PhD exchanges may have a substantial positive impact on the quality of one’s research, although such impact is not always as visible as in other disciplines. When grant providers request photographic material of our exchange or field work, for example for promotional purposes, a picture of us in front of a meeting room in the Robert Menzies building of Monash University indeed looks rather less snazzy than, say, chemists in high-tech labs, junior doctors performing surgery or archaeologists on dig sites. Though perhaps not impressively photogenic, it is these exchanges of ideas and experiences that have proven crucial to the development of our legal and/or socio-scientific research projects. For what it’s worth, this blog is intended to highlight and support this seemingly self-evident yet often overlooked truth.

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