



## Editorial Special Issue. Green Criminology

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### Introduction

The planet is facing an unprecedented environmental crisis because of human activity. Within the framework of criminological knowledge, Green Criminology addresses issues such as biodiversity loss; natural resource extraction and exploitation; deforestation; animal abuse; air, land, and water pollution; and the challenges posed by climate change.

Green Criminology emerged in response to the growing recognition of the severity and complexity of environmental issues and the inadequacy of traditional criminological approaches in addressing them (South, 2014). Green Criminology provides empirical and theoretical contributions to conventional criminology (Brisman, 2014), such as broadening the concepts of crime (based on the concept of harm), victim (extending it to non-human species, the environment, and the planet itself), and offender (pointing to structural as well as individual factors responsible for environmental collapse).

Green Criminology is currently booming worldwide, although it has had a broader trajectory in Anglo-Saxon countries in the past few decades (for a discussion of “pre-green criminology” originating from other traditions and/or non-English speaking countries, see Goyes & South, 2017). For this reason, the aim of this special issue is threefold. It seeks to 1) promote Green Criminology in Spain and Latin America; 2) analyze and make visible the different types of environmental harm, including a critical analysis of its causes and consequences; and 3) reflect on how the regulatory bodies, the justice system, and citizens respond, or should respond, to such harm.

### What is Green Criminology?

Since the term was coined by Lynch in 1990, Green Criminology has been defined in many ways, depending on the specific perspective adopted by those studying it. Beirne & South (2007) provide a broad definition of Green Criminology as “the study of those harms against humanity, against the environment (including space) and against non-human animals committed both by powerful institutions (e.g. governments, transnational corporations, military apparatuses) and also by

ordinary people” (p. 13). To avoid getting entangled in discussions about its conceptual definitions (Lynch, 2020; Sollund, 2021; White, 2013), for the purpose of this editorial we will consider Green Criminology a multidisciplinary field that examines environmental harm, environmental laws, and the criminal justice system’s response to environmental crimes and harm.

Environmental harm is a key concept in Green Criminology that refers to the adverse impacts caused by human activities on the natural world, ecosystems, and living organisms. It encompasses a wide range of actions, including pollution, habitat destruction, resource depletion, and climate change. Environmental harm can result from both legal activities, such as industrial emissions regulated by environmental laws, and illegal activities, such as wildlife trafficking or illegal dumping of hazardous waste (Lynch & Stretesky, 2014). These harms can have far-reaching consequences, affecting biodiversity, human health, and the stability of ecosystems. Unlike traditional criminology, which primarily focuses on crimes against humans and property, green criminology extends its scope to encompass harms against the environment and non-human species (Beirne & South, 2007; Nurse, 2017; Wyatt, 2022). Moreover, Green Criminology examines the efficacy of environmental laws and regulations in deterring and preventing environmental harm (Sollund, 2022, Wyatt, 2021). It scrutinizes enforcement mechanisms, regulatory gaps, and the role of corporate influence in shaping environmental policies (Nurse, 2022; Pons-Hernandez, 2022; Whyte, 2020). Additionally, green criminologists explore alternative approaches to environmental justice and sustainability, such as community-based conservation initiatives, ecological restoration projects, and indigenous environmental stewardship practices (Goyes, 2023b; Goyes et al., 2021).

Overall, Green Criminology provides a critical framework for understanding the interconnectedness of social, economic, and environmental systems and the ways in which human activities impact the planet. By shedding light on environmental crimes and injustices, Green Criminology seeks to promote more equitable and sustainable approaches to environmental governance and advocate for greater accountability and responsibility toward the natural world.

## Different approaches, one goal

The study of Green Criminology has been approached by researchers from a variety of perspectives, based on their focus on different aspects of environmental harm and justice. Here we cite a few to illustrate this diversity, while also highlighting how, at their core, all approaches share the same goal of understanding and addressing environmental issues.

One of these perspectives is eco-global criminology (White, 2011 and 2016), which examines transnational environmental crimes such as illegal wildlife trafficking, deforestation, and pollution that cross international borders. This branch emphasizes the global interconnectedness of environmental issues and the role of globalization in facilitating environmental exploitation. Another perspective is political-economy green criminology (Lynch et al., 2016), which analyzes how capitalist economic systems contribute to environmental degradation and inequality. It explores the relationships between corporations, governments, and environmental harm, highlighting issues such as corporate pollution, environmental deregulation, and the disproportionate impact of environmental harm on marginalized communities. Furthermore, conservation criminology (Gibbs et al., 2010) focuses on crimes against biodiversity and ecosystems,

including illegal logging, poaching, and habitat destruction. It seeks to understand the drivers of these crimes and develop strategies for biodiversity conservation and ecosystem protection. Additionally, green victimology (Hall, 2014) examines the impact of environmental harm on human and non-human victims, including communities affected by pollution, wildlife populations threatened by habitat loss, and ecosystems degraded by human activities. This branch emphasizes the need for justice and restitution for all victims of environmental crimes (Hall, 2017). Other perspectives include constructivist green criminology (which posits that environmental harm and crime are socially constructed phenomena influenced by cultural norms, power dynamics, and societal perceptions; Brisman, 2012), non-speciesist criminology (which rejects the hierarchies between humans and non-human animals, examining crimes against animals and ecosystems while advocating for their rights and protection; Beirne, 1999), and green cultural criminology (which investigates the intersections of culture, environment, and crime, exploring how cultural practices and representations influence environmental harm and responses to ecological issues; Brisman and South, 2013). For more comprehensive lists of the different branches of green criminology, see White (2013) and Sollund (2021).

A variety of methodological strategies (from legal and historical analysis, to qualitative and quantitative approaches) can be used to examine environmental crime and harm, mirroring the breadth of methodological practices found across the broader discipline of criminology. However, the existing literature in green criminology has tended to favor theoretical and conceptual research. Lynch et al. (2017) estimate that less than 10 percent of all published research on green criminology is empirical in nature, in contraposition with mainstream criminology, where most of the research relies upon empirical evidence and analysis (Kleck et al., 2006). As explained by Lynch & Pires (2019), the underutilization of empirical research in green criminology has important implications. Since most mainstream criminological research is empirical, green criminologists typically find it difficult to publish their research in top-tier criminology journals, which reduces their potential impact in the discipline at large, and making it easier for traditional criminologists to dismiss green criminology research. At the same time, the lack of empirical research affects the possibility of testing relevant hypotheses, which in turn slows down the advancement of the discipline itself.

Overall, while all these different approaches overlap in their focus on environmental harm, they each bring unique perspectives and methodologies to the study of ecological issues. The nine articles included in this special issue exemplify this diversity, as they examine topics ranging from the exploration of the concept of “environmental victimhood” to illegal waste dumping or illicit trafficking of species from a variety of theoretical approaches and using an array of methodological designs.

## Green Criminology in Spain and Latin America

The study of Green Criminology in both Spain and Latin America represents a thriving area that addresses the complex intersection of environmental issues and criminal justice. This section offers an overview of the literature, with the acknowledgment that this exploration may not encompass all aspects of the existing research.

In Spain, developments in this field have been recent, despite the fact that, back in the early

1980s, and following the implementation of the 1978 Spanish Constitution, Rodríguez Ramos (1981) argued that criminal law could only offer an indirect protection of the environment, and called for the development of further research in the field of “criminology of the environment” before using the criminal law to regulate environmental issues. Scholars working on these issues nowadays have delved into topics such as green victimology, animal abuse, harms of aquatic ecosystems, noise pollution, wildlife trafficking and climate change, among others, while emphasizing the socio-economic and political contexts that underpin environmental crimes and harm (García Ruiz & South, 2020; García Ruiz, 2022; León Garrido, 2022; Morelle-Hungría & Serra, 2023; Pons-Hernández, 2021; Varona, 2022 y 2023).

In the past couple of years there have been noteworthy efforts that increase the visibility of this discipline in Spain. In 2022, the Marine Policy Journal published a special issue titled *Criminal sanctions and IUU fishing: the case of Spain* edited by Teijo and Urbina, which includes eight articles analyzing the regulation and enforcement of IUU fishing in the country. In 2023, García Ruiz & Morelle-Hungría published a textbook in Spanish on Green Criminology, which facilitates access for Spanish speaking scholars to the contents of the discipline. In November 2023 the Universitat Oberta de Catalunya and the Professional Association of Criminologists of Catalonia organized a one-day symposium on Green Criminology<sup>1</sup>, highlighting the work of several Spanish green criminologists. Similarly, the Newsletter of the European Society of Criminology published an article where Pons-Hernández & Brisman (2023) reflected on the palpable increase in the number of Southern European researchers focusing on green criminology issues, including Spanish scholars.

The tradition of green criminological research in Latin America is presented in great detail by Goyes (2023a). In his article, Goyes explains how Latin American criminologists started exploring the concepts of environmental harm and ecological destruction in the 1970s and 1980s as a reaction to centuries of colonization, Western-led natural resource exploitation, and Western cultural imperialism. He states that “Latin American criminologists were studying environmental crimes and harms before the advent of green criminology as a branch of criminology. Not only did Latin American criminologists precede Anglophone scholars in the inclusion of environmental crime in criminology, but they also inspired it.” (p. 97). As early as 1981, Latin American criminologists were advocating for the consideration of behaviors such as environmental pollution and degradation of nature as modalities of white-collar crime, and highlighted the role that governments and corporations played in ensuring that such actions remained unpunished (Arreaza de Márquez & Burgos Finol, 1981, cited in Goyes, 2023a). Unfortunately, this criminological tradition was not continued past the 1990s until about a decade ago (Goyes, 2023a).

In the last few years, Latin American green criminology has made a triumphant comeback. Several edited volumes and publications have given voice to criminologists from all over the continent examining a wide array of environmental challenges including deforestation, illegal mining, animal abuse, water extraction, and pollution, often highlighting the role of extractive industries, weak governance, and social inequality (Arroyo-Quiroz & Wyatt, 2018; Goyes et al., 2017; van Solinge, 2013 and 2020). Additionally, there is a strong emphasis on the importance of indigenous knowledge and environmental justice movements in advocating for sustainable practices

<sup>1</sup><https://symposium.uoc.edu/102122/detail> (retrieved March 21, 2024)

and resisting environmental exploitation (de Oliveira et al, 2023; Goyes, 2019). In fact, the term Southern green criminology has been proposed as “the criminological and sociological study of environmental harms attentive to the legacies of colonisation, the North-South/core-periphery divide, and the dynamics and contexts of the global South” (Goyes, 2023a, p. 100). Other researchers have focused on analyzing and proposing preventive strategies against poaching and trafficking of fauna and flora in Latin America (Arroyo Quiroz et al, 2021; Becerra et al, 2022; McAllister et al, 2009; Pires & Clarke, 2011 y 2012; Regueira & Bernard, 2012; Shanee, 2012), as well as IUU fishing (Cisneros-Montemayor et al, 2013; Constantino et al, 2022; Vegh Weis, 2023). Interestingly, much of this research is published in conservation or ecology journals, not criminology ones, highlighting the interdisciplinary nature of the discipline.

There are some initiatives that deserve highlighting in terms of their potential to promote Latin American green criminological research. Two edited introductory texts have been published, one in Spanish (Mol et al, 2017) and one in Portuguese (Budó et al, 2022), which provide an overview of the state of green criminological knowledge drawing from studies from the Global South. In addition, the Interinstitutional Seminar on Green Criminology in Mexico<sup>2</sup> (Seminario Interinstitucional de Criminología Verde en México), organized by UAT, CRIM-UNAM and ITESA, coordinated by Arroyo Quiroz, Carpio Domínguez, and Castro Salazar, and now in its third edition, consists of a series of free online webinars where scholars from different disciplines present and discuss green criminological issues from a variety of perspectives.

However, very few of the research mentioned in this section have used an empirical approach which, as seen earlier in this paper, is a pervasive issue in the green criminology literature in general. The same trend can be observed in the Spanish and Latin American context. This is possibly one of the main highlights of this special issue, as its call for proposals purposefully encouraged submissions of manuscripts presenting empirical research, although theoretical manuscripts that clearly represented an advancement of the discipline were also welcome. Consequently, the distinctive compilation of articles featured in this special issue shares, for the most part, a common theme centered on the examination of green criminology matters within the contexts of Spain and Latin America. Furthermore, most of these articles exhibit a discernible empirical orientation. Without additional preamble, we proceed to present the nine articles included in this volume.

## Papers included in this special issue

Three of the papers included in this special issue focus on the illicit trafficking of species, albeit from different perspectives. The article by Carpio-Dominguez, Vargas-Orozco and Villareal-Sotelo investigates the illegal trafficking species in northeastern Mexico using Social Network Analysis. Semi-structured interviews with owners of illicitly obtained exotic pets were conducted. The article highlights illegal wildlife trafficking as a complex social network involving civilians, criminal groups, and public servants. Networks in northeastern Mexico are noted for their small civilian structures primarily focused on wildlife trafficking, contrasting with criminal groups and public servants involved in broader illegal activities like drugs and arms trafficking. Illegal wildlife trafficking persists in northeastern Mexico, making the region strategically important for studying and

<sup>2</sup><https://www.crim.unam.mx/eventos/scverde3/> (retrieved March 21, 2024)

addressing such issues. Further research is suggested to analyze species-specific networks and their connections to other forms of criminality. The article advocates for government actions supported by academic studies and intelligence, emphasizing the need for green criminological research and public awareness campaigns to combat illegal wildlife trafficking nationally.

The article by Pons Hernandez conducts a qualitative content analysis to explore wildlife trafficking in Spain, examining species affected and associated damages. Data are primarily sourced from Guardia Civil (SEPRONA) press releases and Wildlife Trade Portal (WTP) records. Additional information from governmental and non-governmental reports, academic articles, and journalistic reports supplemented the analysis, offering insights into specific cases. Pons underscores Spain's significant role in wildlife trafficking, serving as a hub for origin, transit, and demand. It emphasizes the immense impact on diverse species and the crucial position Spain holds within the supply chain, particularly as an entry point to the EU. Through the lens of green critical non-speciesist criminology, the study advocates for a broader consideration of harms associated with wildlife trade, urging recognition of non-human animals as victims. The work stresses the urgency of expanding research on wildlife trade in Spain, irrespective of the species involved, due to the substantial damage inflicted by both legal and illegal activities.

The study by Ibañez Alonso and van Uhm addresses the complexity of markets, including legal, semi-legal, and illegal segments, by proposing a conceptual framework to understand the interplay between these circuits. It introduces the concepts of wildlife laundering (moving illegal goods into the legal market) and black-washing (moving legal goods into the illegal market), illustrated through case studies on European eels and black caviar. Data collection was conducted through semi-structured interviews with a variety of actors, as well as participant observations. The research highlights the involvement of legal actors in facilitating the movement of highly demanded wildlife between legal and illegal circuits. Furthermore, it explores the mechanisms and conditions facilitating these processes, emphasizing gaps in regulation and control mechanisms. By expanding the notion of wildlife laundering and black-washing, the study contributes to understanding commodity transformation across legal and illegal spheres, with implications for green criminology. It underscores the importance of examining legal-illegal interfaces and challenges traditional definitions of crime, particularly within the context of environmental harm.

The next four articles included in this special issue offer diverse insights into the complexities of environmental crime and harm, shedding light on legal, regulatory, and sociocultural dimensions. An analysis of the criminal and administrative regulations on animal abuse at the federal and state level in Mexico is conducted by Castro-Salazar, Arroyo-Quiroz and Torres-Alfaro. Their study reveals that, in Mexico, the classification of animal abuse crimes relies on animals' legal categorization, fostering speciesism and unequal protection. They call for legal reforms at federal and state levels to ensure equal protection for all animals, challenging the current Mexican federalism framework to allow more comprehensive governmental responses to animal abuse. Additionally, they found that the Mexican Federal Penal Code (CPF) views wildlife as mere property, lacking acknowledgment of their sentience, contrasting with more advanced considerations in other Latin American criminal codes. Urgent legal reforms are proposed to recognize animals as sentient beings, transcending welfare considerations to advocate for species justice. Finally, they observed that certain Mexican states face vulnerabilities to animal abuse due



to regulatory gaps, especially in cultural activities, necessitating standardized laws across states. While state administrative laws encompass a broader range of offenses, they conclude that criminal law intervention is vital to effectively prevent and address animal mistreatment, highlighting the significance of interdisciplinary approaches to address the complex human-animal relationships.

In his article, Porfido explores the concept of “environmental victimhood”. Using the case-study of San Cristobal de las Casas and The Coca-Cola Company, the author explores the complexity of vulnerabilities affecting environmental victims. The paper provides a careful analysis of a situation where The Coca-Cola Company legally exploits the Huitepec aquifer in Mexico, causing in the process a series of changes in societal behavior that are harmful to the local population. However, these harms are not perceived as such by those experiencing them: quite the contrary, they have become culturally ingrained and valued among the locals. The author questions whether the classic interpretation of the concept of environmental harm, often used in the green criminology literature, is enough to capture some aspects of environmental victimhood such as its cultural dimensions and the imbalance of power between corporations and local communities. A call for a dynamic understanding of environmental victimhood is made, particularly considering the impact that the determination of who is (and ought to be) a victim can have in any remedial actions, such as restorative justice, seeking to redress social and environmental harms.

The nuances of the use of restorative justice to respond to the harm caused by environmental crimes is discussed by the paper by Varona. In-depth interviews with individuals convicted for crimes against animals and ecosystems, as well as field notes and interviews with correctional officers, are used to examine perceptions of harm and the role of restorative justice to address it. While there are individual differences regarding harm acknowledgement and motivation to remediate harm caused, with techniques of neutralization at play minimizing the magnitude of perceived harm, the author found a general positive perception of restorative justice and its values among participants. Varona suggests integrating restorative approaches into correctional and alternative sanction programs, considering the need for voluntary participation and community support to make it possible.

The perception of harm is also explored by Puente Guerrero, along with possible explanations of protective vs harming behaviors toward the environment. Her article emphasizes that everyday actions causing environmental harm, despite their negative impact, are frequently viewed as acceptable or even desirable. It suggests that understanding the reasons behind people’s engagement in these practices is crucial for developing effective preventive and intervention strategies. The author responds to Robert Agnew’s call to adapt and apply leading crime theories to the study of ordinary acts that contribute to ecocide (Agnew, 2020). Using data from the Social Survey 2018: Households and the Environment in Andalusia, the author applies General Strain Theory to analyze the role that environmental strain plays in individual behaviors that either protect or harm the environment. While subjective measures of environmental strain seem to be positively related to greater involvement in protective behaviors, this is not the case for objective measures of environmental strains. Puente Guerrero discusses these findings, suggests possible explanations, and presents avenues for future research.

The last two articles in this special issue analyze local environmental issues and their causes, and offer practical solutions based on the perspective of Situational Crime Prevention (Clarke,

1980). Illegal dumping of solid waste in Mérida (Spain) is the focus of the study by Arenas. Field raids, interviews with key social agents, and analysis of secondary sources such as SEPRONA statistics, data from environmental associations, and municipal ordinances were employed to quantify dumping points and understand perceptions of the phenomenon, which can be explained is explained by theories of criminal opportunity. Findings show that illegal dumping of solid waste is widespread in peri-urban areas, with official records failing to capture the full extent, as evidenced by research data. The phenomenon is characterized by concentrated hot spots, as well as a belt of debris surrounding the city, where offenders exploit areas with minimal surveillance and easy access. The cost-benefit analysis favors illegal dumping due to minimal travel and management costs. Additionally, waste left abandoned is rarely cleaned or collected by local authorities, contributing to a climate of permissiveness and impunity. Key actors recommend multilevel measures to address the issue, including political intervention to promote civic awareness and waste disposal policies. Situational preventive measures are outlined, although the author favors long-term solutions that require coordinated efforts among stakeholders, currently lacking according to research findings.

Last, the paper by Pires and Marteache investigates timber theft in protected parks, focusing on split-rail theft at Humboldt Redwoods State Park in California (USA), using script analysis and mixed methods design that included incident data collection, field observations, and informal interviews with park rangers. The study delineates the crime-commission process into four stages: preparation (obtaining tools and personnel), pre-activity (entering the park and approaching intended targets), activity (cutting timber into posts) and post-activity (transporting and disposing of poached timber). It then identifies, for each stage, a series of strategies based on situational crime prevention. The authors argue that crime script analysis can inform effective prevention strategies and be extended to address similar timber and flora issues globally. Finally, they emphasize the importance of evaluating implemented responses for evidence-based interventions.

## Conclusion

While significant strides have been made in the study of green criminology in Spain and Latin America, there remains ample room for further advancement. The interdisciplinary nature of this field allows for a comprehensive understanding of the complex dynamics between environmental harm, social justice, and criminal behavior. By acknowledging the unique environmental challenges faced by these regions, researchers can develop tailored interventions to mitigate environmental crimes and promote sustainable practices.

The nine articles featured in this special issue significantly advance our understanding of green criminology in several ways. Firstly, they amplify the visibility of green criminology literature authored by Spanish and Latin American scholars, while also highlighting issues specific to these regions. Notably, having most of these articles published in Spanish increases accessibility for Spanish-speaking scholars, facilitating their engagement with the discipline of green criminology. Secondly, the articles offer a diverse array of perspectives and methodologies, enriching our understanding of environmental crime and harm. From legal and regulatory analyses to qualitative interviews and interdisciplinary approaches, the methodological diversity underscores



the complexity of environmental issues. Furthermore, most of the articles contribute to empirical green criminology, offering valuable insights derived from factual data and observational studies. Fostering empirical research when investigating these issues can help advance the field, while improving the potential impact of the studies in this discipline.

Despite these contributions, challenges persist for green criminology in Spain and Latin America. One significant challenge is the need to bridge the gap between research and practice, necessitating collaboration with practitioners and governmental institutions to implement interventions proposed by the research. By addressing these challenges and promoting collaboration between researchers and practitioners, green criminology can effectively contribute to the prevention and mitigation of environmental crime and harm in Spain and Latin America. Moreover, the importance of green criminology transcends geographical boundaries, as environmental issues increasingly demand global attention and cooperation. As such, fostering greater collaboration between scholars, policymakers, and civil society actors is essential for addressing environmental crimes effectively and safeguarding the planet for future generations. In a world where environmental degradation poses unprecedented threats to ecosystems and human well-being, the study of green criminology serves as a vital tool for promoting environmental stewardship, justice, and resilience on a global scale.

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