Theoretical expositions that are amenable to empirical verification have conventional scientific merit; they also produce a Spencerian tragedy (a beautiful theory slain by an ugly fact). One of the major difficulties in comparative work is the danger of ideological interpretation. The exportation of mono-cultural hypotheses to other and alien jurisdictions may be inappropriate: the application of Occidental explanations to Oriental countries is a form of intellectual colonialism. There is some merit in testing Western ideas in other contexts but what is dangerous is the possibly erroneous belief that such theories have necessary explanatory power.

Sociological accounts have tended to dominate criminological interpretations, particularly the notion of culture conflict. Many lands have been settled by a variety of peoples, and it is for such situations that we seek explanations. Some lands were settled by annexation, some by conquest and others by peaceful infiltration. For those already living there, population incursions have a variety of effects. It is only with the recent advent of immediate transmission of information that such issues receive consideration. The reporting of these issues may well sensitise the existing population and create concerns that would not otherwise exist. On the converse side one might say that the existing population has a right to know what is taking place and to be heard in policy decision-making. In practical terms we might note that the ease of modern communication, such as emails and social networking, has significantly reduced the sense of being cut off from the original society.

One can say that the theoretical importance of works on crime and the foreign-born gives new perspectives to conventional theories. It is most unlikely that a universal theory of race and crime is possible for so complex a situation. What may be done is to explicate features of...
the situation. Theoretical expositions of the effects of migrations do not commonly take account of the substantial positive contribution made by exceptional migrants. Their knowledge, insights, dedication and fresh perspectives make them welcome additions.

An extended consideration of the theories of migrant criminality has been given by Wortley (2009). After debunking the migrant-criminal myth he went on to outline some theories to account for low immigrant criminality. He did conclude that greater contact and interchange between academics and policymakers would be of enormous benefit, as would the collection and collation of migrant information.

It is the intention here to point out that there is a most complex array of themes deserving of consideration in interpreting this work. Such themes have been well documented elsewhere, but the point is emphasised that the reasons for considering the problem of migrant crime in Australia are of historical as well as contemporary interest. It deserves the strongest emphasis that the issues discussed in this book may be applicable to other minority groups. It is also certainly not intended to convey the impression that these ideas are applicable only to the foreign-born. In fact, the converse applies.

In all of this, one is mindful of where hypocrisy might intrude. The ways in which concepts are defined may be intended to subvert the harm that they cause, or the methods that they wish to conceal. A former Minister for Immigration described solitary confinement as ‘single cell occupancy’, thereby making it sound attractive rather than negative. He also held that sleep deprivation is not torture: this has parallels in a recent foreign head of state holding that ‘waterboarding’ is not torture. One wonders if such utterances, were they to be visited on the ‘definers’ or their immediate family, would be regarded with such equanimity.

Methodology and confounding effects

Transnational migration often confounds two variables – a movement from one country to another and a shift from a rural to an urban community. Further, among examples of the consequences of international migration are issues such as language and dietary changes, both of which have powerful effects that may be synergistic. Although there are no known national statistics on the incidence of the foreign-born in the various legal systems there are, however, instances of local reports. The issue is clearly one of relevance.

Tonry (1997) outlines some of the salient questions that one should pose with respect to immigrant crime. For example, with