Understanding Transnational Crime & Criminality:
Policy Responses to Transnational Organised Crime

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The perceived threat of 'Transnational Organised Crime' (TOC) has become an issue of acute interest to politicians, policy-makers and social scientists in the last decade, yet there is little consensus over the character, or even the existence, of this purported threat. Critics account for the increasing salience of TOC in terms of the need for military, security and intelligence agencies to reinvent their roles in a post-Cold War 'new world order'. They argue that the scope of organised crime remains contained within local territories and should be controlled through a combination of local crime control and social policy interventions. Conversely, others acknowledge the 'reality' of TOC and the increasing mobility and sophistication of criminal entrepreneurs. They identify an emerging 'global crime problem', enabled by rapid developments in information and transport technologies and an increasingly de-regulated global economy. In turn they argue for greater investment in international law enforcement including the provision of extraordinary powers for intrusive surveillance.

The following review of preliminary findings emerging from an ongoing research seminar series on 'Policy Responses to Transnational Organised Crime' funded by the *United Kingdom Economic and Social Research Council* confirms that, far from there being a broad consensus over the character or existence of TOC, this whole policy field is the subject of vigorous and controversial debate. The principal lesson emerging from this series is the need to adopt an open-ended approach to the 'threat' of organised crime in which commentators should experiment with alternative conceptions, etiological accounts and policy measures beyond the conventional preoccupation with law enforcement.

At the time of writing, the Series is half way through its 6 scheduled meetings. Hitherto, 12 papers have been presented and what follows is an interim report on key themes and findings emerging from the meetings of the Seminar and the key thinkers who have informed the Seminar discussions. The findings can be grouped into three basic themes: (i) the scope of transnational organised crime; (ii) the focus of policy debates about transnational organised crime; and (iii) implications for research and policy reform.

THE SCOPE OF TOC

This theme refers to the collection and interpretation of evidence on the patterns of TOC. It questions the incidence, prevalence and concentration of TOC. Within this theme findings can be summarised in terms of three interrelated tensions: the global versus local scope of organised crime; the external versus internal threat of organised crime; and the relations between licit and illicit markets and 'entrepreneurs'.

Global versus local: The purported process of globalisation and its consequences for (inter-)national security animates much of the discussion about organised crime. In the 'global village' criminal organisations exploit opportunities for cross-border crime generated by, *inter alia*: the construction of continental trading blocs such as the North American Free Trade Association and the European Union; developments in communications and transport technologies; and increasingly de-regulated international currency markets.

The knowledge-base for the emergence of a 'global crime problem' is premised on two basic measures: (a) The volume of organised crime; and (b) Intelligence reports on the activities of particular criminal organisations/individuals (Gregory, 1998).

Volume measures typically focus on arrest rates, asset seizures and the estimated costs of specific crime problems(3). Global measures of organised crime are provided by Interpol using estimates of profit turnover based on, for example, the production of drugs in metric tons and the distributor price of a particular drug per kilo. On this basis it is estimated that the annual turnover of illicit drugs traffic as $500 billion (Gregory, 1998: 135).

Conversely, in questioning the very existence of TOC, Hobbs (1998a,b; 2000) argues that as far as the British experience goes there has been a conspicuous failure to demonstrate the operation of offenders which fit the Hollywood image of ethnically-based, hierarchically structured, 'mafia' that orchestrate transnational operations like some 'shadow' multinational corporation. Instead, Hobbs reverses the logic of globalisation found in official narratives to demonstrate how this actually emphasises locality rather than transnationality in the form of organised criminal relations. Serious crime problems, as he prefers to call them, are only ever experienced locally. What is new in the character of these problems is the emergence of criminal networks or coalitions of criminal actors assembled for the purposes of particular

From the Editors...

This issue is the ninth and final edition of our editorship. We hope that you have found the newsletter to be thoughtful and stimulating these past three years. Our goal was to build on the history of the newsletter for publishing intelligent commentary on a wide variety of issues and from a wide variety of critical perspectives. In addition, we wanted to make the newsletter more international, if not global, than it had been previously. Toward that end, we solicited and encouraged the submissions of pieces from "down under," the Far East, Eastern and Western Europe, and South America.

Consistent with our "internationalization program," the final issue of the editorship includes contributions from Great Britain, Canada, and Japan. Adam Edwards shares from his report and remarks on transnational crime prepared for the United Nation's Tenth Congress on the Prevention of Crime and Treatment of Offenders, held in Vienna, this past April. Matthew Yeager, also in attendance at the meetings as an "expert observer," shares his impressions and critique of the Congress. David Potter and Stephen Richards offer their thoughts and suggestions on the exportation of critical criminology, in response to articles from the last issue.

In this edition, we also hear from Ray Michalowski, Marty Schwartz, Steve Russell, Ellen Leichtman, and Bruce Arrigo. They continue the conversation that occurred over the Division's listserve about the status of critical scholarship and publication. In a related piece on critical scholarship, Richard Wright reports on the upcoming Critical Criminology sessions at the 2000 ASC meetings in San Francisco, especially in the context of the intersections of class, gender, and race. Finally, in a similar vein, Mick Hallett interviews Hal Pepinsky on peacemaking, self-control, ritualistic abuse, and more.

In turning over the editorial duties and chores to the next group of editors, we wish them well and the very best. We also call upon our membership to make their jobs lighter by taking the time to write from time to time.

Finally, we would like to thank the Department of Sociology, Anthropology, and Criminology at EMU for the paper, the ink, the high speed duplicator, and the occasional work study student. Thanks also to the many authors who volunteered manuscripts and helped this newsletter come together as it does.

Please direct future articles and enquiries about the newsletter to the new editorial collective:

Barbara Sims, Penn State

Mary Bosworth, Fordham University

Michael O. Maume, Ohio University

Rick Matthews, Ohio University

Full contact information is provided on the back page of the current newsletter.

The Critical Criminology Homepage is maintained by Jim Thomas. It contains more information about the division along with links to a wide variety of data, current statistics, legal resources, political writings, teaching and mentoring information, and the Division's parent organization — The American Society of Criminology.
http://sun.soci.niu.edu/~critcrim/

Division membership is available through Sarah Hall at the American Society of Criminology: 1314 Kinnear Rd., Suite 214 Columbus, OH 43212. (There's also a membership form reprinted on p 21.) Subscription to the newsletter for non-members is $10 yearly, available from Sarah, who also handles information

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Division News

DIVISION AWARD NOMINATIONS

The Critical Criminology Division of the American Society of Criminology is calling for nominations for the 2000 awards. Nominations should include supporting documentation such as vita, samples of work (if relevant), and a detailed statement justifying the nomination.

MAJOR ACHIEVEMENT AWARD:
Signifying singular contributions to the development of critical criminology scholarship or pedagogy over time; or, contributions of an exceptional recent accomplishment (major scholarship or something exceptionally innovative).

CRITICAL CRIMINOLOGIST OF THE YEAR AWARD:
Recognizing a scholar who has symbolized the spirit of the Division in some combination of scholarship, teaching, and/or service within the past year.

STUDENT PAPER RECOGNITION:
Recognizing graduate and undergraduate papers that best exemplify the spirit of the Division. Student papers may be sent via email on disk (MS-DOS compatible), or hard copy (FOUR COPIES REQUIRED).

All nominations should be sent to David Friedrichs, Dept. of Sociology/Criminal Justice, University of Scranton, Scranton, PA 18510-4605. <friedrichsd1@UofS.edu>

DEADLINES: OCTOBER 1, 2000

From Paul...
...A Thanks to Gregg & Stuart

Seeing a little open space here in the final issue of our editorship, I wanted to take the opportunity to say thanks to my co-editors Gregg and Stuart. They had the idea three years ago to apply for the editorship and try to resuscitate the newsletter. At that point in time, I had interviewed at Eastern and been offered a job, but was still months away from arriving in Ypsilanti. I had met both of them for the first time at the interview, but they suggested we go at this as a team; 'it'll be a fun project'.

Working on the newsletter with them has been a good experience. There's been positive feedback about the *Critical Criminologist* itself and it's been a great point of contact with Gregg and Stuart. (The latter point is not to be underestimated if you've ever spent time in Ypsilanti.)

At the moment, I'm taking up Jim Thomas' challenge from an earlier newsletter to take critical criminology to the internet. The skills I've acquired putting together the newsletter are going into building my webpage. Please check it out at Http://www.PaulsJusticePage.com

I had a graduate seminar collect web resources on non-repressive responses to violence. Those links are collected on part of the page. A graduate student of mine has just done a review of state restorative justice legislation that should be posted on my site by the time you read this newsletter.

Thanks & peace,

Paul

The Division's Journal, *Critical Criminology*, should be back in publication by the end of the year. The Division is currently soliciting applications from members who would be interested in serving as Editor or Editors. This opportunity is open to past editors as well as newcomers. Many details will depend on the specific arrangements worked out with the new publisher, but experience and institutional support are helpful.

Contact Marty Schwartz: schwartz@ohio.edu

jobs. Traditional crime families and their extended kinship relations have, certainly in parts of the UK, disintegrated through the disturbance brought about by slum clearance housing policies and broader processes of urban renewal. From this perspective globalisation is important insofar as it accentuates the diverse and specifically local contexts of organised crime. The knowledge-base for this argument is the conduct of qualitative case studies, especially ethnographies, of particular localities in order to reveal and elaborate the actual formation and reproduction of relations between criminal actors and organisations as they are shaped by the changing political-economies of certain localities.

External versus internal threat : The other dimension to the knowledge-base of those identifying the existence of a global crime problem is the surveillance of particular criminal organisations and their activities in and across different nation states. On this basis, Myers (1996) argues that three Chinese organisations pose the most potent threat to global security, Jamieson (1995) asserts that 'by the mid-1990s there could be few regions of the world untouched by Italian Mafia pressure or influence, and Voronin (1996) estimates that 40-50% of the Russian economy is controlled by organised crime. Common to this perspective is the articulation of TOC as, predominantly, an external threat to western economies by the 'usual suspects' of Russian Mafia, Cosa Nostra, Colombian Cartels, Jamaican Yardies, Chinese Triads etc (NCIS, 1993, 1999). In these terms the perception of organised crime as an external threat forms part of the long-standing intellectual tradition of 'criminologies of the other' (Garland, 1997; Edwards, 1999; Edwards and Gill, 2000). The notion of security is, from this perspective, defined in opposition to external, alien, actors, cultures and organisations. In his appraisal of the impact of this perception on security policy in the European Union, Bigo (1994) identifies an emerging 'security continuum' in which the process of European integration is legitimated, in part, through the identification of threats to (Western) European economies and, therefore, the 'need' for greater international cooperation amongst EU members in fortifying the external borders of the Union against attack.

Conversely, Block (1991), Hobbs (1998a) and Rawlinson (1998) challenge this image and its consequent reduction of the complexity of organised crime to a crude conception of alien conspiracy. Their work can be understood as part of the competing intellectual tradition of 'criminologies of the self'. From this perspective organised crime is understood in one sense as a response to the demand in western societies for illicit services and, in another, as an indication of the limits encountered by nation-states in exercising sovereign authority over their domestic populations. The common theme here is that the source of organised crime is endogenous.

Licit versus illicit markets and entrepreneurs: The disconnection of illicit and licit economies is exemplified by the language of the 'underworld' and the 'black' (sic) market. This perception of illicit entrepreneurs operating beyond and outside of the legitimate economy can be understood as a logical conse-

quence of the perception of criminal organisations as external interlopers. It has, however, a more profound impact in obscuring the interdependencies between legitimate and illegitimate entrepreneurs. Block (1991), for example, identifies the services provided by criminal organisations to 'upperworld' businesses in dumping toxic waste, whilst 'money laundering can be regarded as a service provided by the official financial sector to conventional organised crime' (Ruggiero, 1998: 121).

Ruggiero (1998) identifies the existence of such 'grey markets' in the trafficking of human beings and illicit arms trafficking where 'official actors' not only employ the services of conventional organised crime but actually compete with criminal organisations to provide these services to other businesses or even set up on their own.

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THE FOCUS OF POLICY DEBATES ON TOC

The second theme arising out of the Seminar Series addresses the impact of these competing perceptions of the scope of TOC on the focus of debates over the appropriate policy response. Two interrelated tensions have been identified between: a focus on organised as distinct from other, corporate and 'street' crimes; and on the dispositions of organised criminals as opposed to the opportunity structures enabling the commission of organised crimes and/or the social contexts generating or disturbing the reproduction of organised crime relations.

Organised versus corporate and 'street' crimes: Within both the research and policy communities the conventional tendency has been to treat organised crime as a specialist area that is distinct from other forms of crime and, by implication, their methods of control, prevention and reduction. As part of his argument about the formation of grey or 'dirty' economies, Ruggiero (1998: 127) identifies the need to examine the interface between formal and informal economic practices and, therefore, transcend the artificial distinction between organised crime 'proper' and corporate or white-collar crime.

The implications of this shift in focus are substantial as they imply the need to focus on the nexus of relationships between different types of crime and criminal careers: how is it that individuals become organised and embark upon organised criminal careers? What are the processes through which individuals are recruited into such careers? What are the factors, other than incapacitation, that disrupt and/or curtail these careers? Is it actually accurate to talk about organised criminal *careers* as opposed to the episodic participation of individuals in particular 'jobs' and criminal alliances?

This focus on the biographies of organised criminals suggests the importance of examining the nexus between 'serious' and 'street' crimes, given the 'apprenticeships' served by organised criminals in the commission of volume crimes. In turn this implies an important policy connection that can be made between organised crime specialists and the broader community of crime prevention, crime reduction and 'community safety' practitioners.

Criminal dispositions versus opportunity structures and social contexts: The preoccupation of official narratives on organised crime with the attributes of serious criminals and criminal organisations can be understood as part of a long-standing criminological concern with the 'dispositions', or motivational drives, of offenders (Clarke, 1980, *passim*). Over the past two decades, however, there has been a growing interest in complementing, if not replacing, this focus on manipulating dispositions, whether through combinations of punishment and welfare and deterrence and rehabilitation, with a focus on reducing the opportunities for committing crime. Clarke has developed an elaborate framework for the 'situational crime prevention' of volume crimes such as household burglary, theft of and from automobiles and forms of inter-personal violence.

It is argued that such crimes can be reduced by highly focussed interventions in the immediate situational environments in which they occur, so as to increase the risk of apprehension on behalf of offenders, increase the effort of committing the crime and reduce the rewards and proceeds from such crime. More recently, this framework has been developed further to accommodate the opportunity structures of crime that are generated by people's 'routine activities' and everyday lifestyles (Felson, 1994; Clarke, 1997). Levi (1998) suggests the application of situational crime prevention principles to the identification and manipulation of opportunities for organised crime is an important form of policy innovation and learning. The application of opportunity reducing techniques implies an investment in identifying the stratagems and mechanisms employed by networks of organised criminals to, for example, communicate with each other and with nominally licit entrepreneurs, traffic illicit goods and services and launder the proceeds of crime. Situational methods could, in principle, be adopted to disrupt these interconnections (Klerks, 1999).

There is, however, a vibrant debate over the intended and unintended consequences of situational prevention for displacing, diffusing and deflecting crime from those targets which are protected towards those currently lacking the resources and technologies to adopt prevention methods. To this end it is argued that situational crime prevention can potentially accentuate the victimisation of the most vulnerable and disadvantaged who are unable to acquire or receive situational methods. A further challenge leveled at the situational approach is that it fails to address the broader social contexts that can enable or preclude the reproduction of criminality and victimisation. Hobbs (2000), for example, argues that organised criminal activity needs to be examined in terms of the specific 'locales' inhabited by particular 'fraternities' - alliances, 'firms' and familial/kinship networks – of criminals.

A fore-grounding of social context in the analysis of organised crime reveals a diversity of local experiences each with crucial implications for policy reform, transfer and learning in the governmental response to this problem. Hobbs (1998), for example, draws a distinction between the dynamics of serious crime in two English localities, the East End of London and the North East of England. In the East End, criminal networks are more protean, reflecting the impact of social, economic and political restructuring on the disintegration of traditional communities - in particular the effect of slum clearance and urban renewal policies that have 'emptied-out' once cohesive local communities, displacing them to the Essex and Kent hinterlands of the East End. Conversely, local communities in the North East of England have been reproduced over many decades undisturbed by the housing allocation policies or the high turnover of migrant populations experienced in the contemporary London metropolis. As a consequence, criminal fraternities in the North East of England have a greater longevity than their London counterparts.

The essential point here is that a failure to tailor policy responses to the locally specific contexts of organised crime is likely to promote a 'naïve' emulation of crime control strategies and techniques. At best this will fail to address the real causal dynamics of crime in these different contexts and, at worst, prove counterproductive in taking scarce resources away from local welfare and crime control agencies thereby actually creating greater uncontrolled, unregulated, space for illicit entrepreneurial activity (Stelfox, 1999).

IMPLICATIONS FOR RESEARCH AND POLICY REFORM

Under this third theme of the preliminary findings it is possible to identify four basic implications for the research-policy relationship in formulating and implementing responses to organised crime: the tension between strategies of enforcement, prevention and regulation; between public and private responsibilities for security; between the contribution of government 'expert' and professional agencies and multi-agency partnerships; and between the 'efficiency', accountability and ethics of policy reform.

Enforcement versus prevention and regulation: The official preoccupation with prosecuting organised criminals, dismantling criminal organisations and seizing criminal assets is a form of supply-side criminology in which an understanding of 'what works' is limited to strategies of law enforcement, surveillance, mutual legal assistance and external border controls etc. Given this it is unsurprising that the overriding concern of official agencies is with the identification of the perpetrators of specific offences, since this is the sole basis on which evidence might be gathered towards successful enforcement. So, for example, even in the United States, where the Racketeering Influence and Corrupt Organisation (RICO) statutes criminalise membership of criminal organisations *per se*, prosecutors still have to prove the commission of some number of predicate offences.

If, however, the focus is switched away from offenders, enforcement becomes less compelling as, to put it simply, it is difficult to prosecute a network, situational environment or social context. To this end a number of thinkers are becoming increasingly interested in the regulation of black (sic) and 'grey' markets so as to minimise their externalities, in particular the social damage they inflict (Taylor, 1999: 233-4). In these terms it is possible to identify a continuum of actual and potential interventions

ranging from the enforcement to the regulation of interdependent licit and illicit markets.

For example formal regulation is exercised over various dangerous products, such as tobacco, alcohol and petroleum that may be legally traded for a number of reasons; traders have to buy licenses, are subject to regulations, forms of inspection and goods sold are frequently subject to specific taxes. Failure to comply with regulations may ultimately lead to a loss of license. Of course, by definition, illegal traders cannot be formally licensed as such, but there are a variety of circumstances in which they may actually receive an informal 'license' to trade from local police or other regulators. Examples of this can be found among street traders, local drug dealers or fences, especially where those concerned act as informers for police. Of course, traders at this margin are particularly vulnerable to having their licenses revoked and being sanctioned. Thus the threat of this may act as a more subtle form of control than prosecution or even cautioning. Further toward the pole of non-enforcement and regulation traders escape sanctions entirely. The idea of 'accommodation and collusion' reflects the fact that regulatory agencies possess inadequate resources to pursue policies of full enforcement and/or it is acknowledged that the object of regulation is not amenable to enforcement.

Regulatory capture refers to a process in which the traders have subverted the regulators to ensure non-enforcement. In extreme cases of ownership/control the regulators will actually share in the profitability of the market. An exemplary instance of this being the involvement in nightclub security staff in dealing illicit drugs for consumption on their premises in many English cities.

In between these positions there are other possibilities: markets may be licensed to operate under certain circumstances, or regulators may collude in specific or occasional breaches of law or regulation. Again, the point needs to be made that these possibilities arise in all markets whether legal or not. What determines the specific outcome at any one time in particular market will be an array of factors relating to the political, economic and moral narration of the threat they pose.

Public versus private responsibilities for security: The shift in understanding organised crime from enforcement to alternative forms of prevention and to regulation has been accompanied by re-framing policing and control. Considered as a process rather than an institution, policing encompasses the activities and security capacities of statutory authorities other than the police, such as local authorities, schools, health authorities, housing providers etc., private businesses and non-governmental organisations (NGOs), pressure-groups, tenants and residents associations, special interest groups etc.

In turn this re-framing of policing has provoked a broader debate about the appropriate division of responsibilities for security between 'public' authorities and 'private' citizens and organisations (Garland, 1997). Skeptics of this emerging new division of security labour, certainly in western societies, have regarded it as a strategy used by public authorities to shed responsibility for security and further 'rationalise' public expenditure. Advocates note the historical importance of informal modes of social control, the power of peer pressures and community sanctions, and the consequent need to escape a debilitating faith in the expertise of the 'professional' public bureaucracy. Whilst this debate has been conducted largely in terms of the response to 'street' crimes and 'incivilities', there are clearly important implications in the field of organised crime for the division of responsibilities between police and other public authorities that will always be subject to the constraints of scarce public resources and private organisations and citizens with unequal access to actual and potential security resources.

'Go-it-alone' government versus multi-agency governance: This question of responsibility for security relates to a broader debate, again within western societies, on the declining capacity of states to command, so that notions of 'sovereign government' are increasingly replaced by ideas of 'governance', which is more of a process of co-ordination, steering, influencing and balancing the interactions of public and private groups (Kooiman, 1993). In turn, this shift has been explained in terms of the 'knowledge' and 'power' problems facing state authorities. The first arises because social and economic sub-systems are so impenetrable to outsiders that state authorities cannot learn how they work or, if the state is able to control or regulate these sub-systems, the information required by the state is as diverse and complex as that possessed by the 'regulated' and their roles become blurred. Even if this knowledge problem can be resolved, however, the problem of power remains: state authorities rarely possess adequate powers and instruments of policy with which to intervene in the processes of the sub-systems (Mayntz, 1993).

This problem is compounded by the fact that, if these knowledge and power issues apply to legal social and economic activities, then they clearly apply in much greater force when the state seeks to control illegal social activities. State officials are, of course, hampered in their ability to acknowledge these problems for fear of being seen to forfeit the 'right to govern'. It is in this sense that much of the official discourse on TOC in particular, and crime control in general, is infused with the 'punitive populist' discourse of 'wars on drugs', the 'fight against crime' and the need to be 'tough'. What this means is that the gulf between the symbolic terms in which policies are discussed and their real impact is probably greater in the area of crime than in any other area of governmental responsibility (Sheptycki, 1998).

The increasing recognition of these problems has lead to some tentative experiments with the idea of 'joined-up government' (JUG) in which complex social-political problems, like

TOC, are understood as multi-faceted and in need of multi-agency responses. In place of the increasingly specialised division of labour within modern governments that produces highly insular departments, the idea of JUG emphasises the importance of governing the diverse determinations that generate complex problems such as crime. So, for example, it is seen as important to recognise, interpret and govern the strategic relations between crime *and* education, crime *and* housing, crime *and* health provision, crime *and* employment opportunities etc. In other words, crime, transnational, organised, or otherwise, is regarded as an emergent product of a complex web of interdependent social relations. It is these relations that need to be researched and governed, rather than some notion of crime – whether transnational and organised or otherwise – that is abstracted from this real social context. Nowhere is this more pressing than in the highly emotive politics of transnational organised crime.

Efficiency versus accountability: A ubiquitous tension in the policy response to crime and criminality is that of the need to get something done and the need to continually examine the political and ethical implications of crime control. Policy makers and public administrations under pressure to respond to perceived problems of crime are, often, impatient with such critical reflection'. Yet if the potentially counterproductive effects of policy responses discussed above are to be avoided there is a need for greater reflexivity in questioning the very terms of policy debate.

Subjecting the very terms of debate about TOC to critical scrutiny is not a pedantic obstacle to interventions against 'obvious' threats but a pre-requisite of good government. Insular policy-making circles are not noted for their success compared with those open to broad ranging debate and assistance to policy in the longer term can only be given by work that does not simply accept as axiomatic the prevailing definitions of the scope, focus and dynamics of organised crime.

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NOTES

 1 Adam Edwards is the Director of the UK Economic and Social Research Council's Research Seminar Series on 'Policy Responses to Transnational Organised Crime', (Grant No.: R451 26 4796 98).

[2] The author thanks the UK Economic and Social Research Council for their support for this seminar series and the participating members of the series for their contributions. The interpretation of these contributions remains, however, that of the author alone. Those wishing to receive up-dates on findings from the Seminar Series should contact Adam Edwards at: adamedwards72@hotmail.com

[3] For example in 1995 the UK National Criminal Intelligence Service reported the arrest of 1378 offenders operative in the UK; the seizure of drugs with a street value of GBP 249 million; the seizure of counterfeit sterling worth GBP 29 million; the recovery of property worth an estimated GBP 18 million; and estimated the cost of prestige vehicle theft in 1994 as GBP 500 million (Clay, 1998: 95).

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A DETOUR TOWARD THE INTERSECTION OF CLASS, GENDER, AND RACE? SOME THOUGHTS ON THE ASC 2000 MEETING

Richard A. Wright

Arkansas State University

It was my privilege to organize the "Critical Criminology" sessions for the American Society of Criminology Meeting in San Francisco in 2000. Seeing the types and diversity of scholarship being generated worldwide by critical criminologists was intellectually invigorating. These submissions resulted in the organization of 19 sessions sponsored by the Division on Critical Criminology, applying critical perspectives to such far ranging themes as youth gangs, convict criminology, incarceration and post-incarceration, the spatialization of security and control, the impact of the new Labour government in Britain on criminal justice policy, the connections among ideology, knowledge, power, and crime, the relationship between morality and crime, and the relative influence of social action (agency) and social structure on criminal behavior. I congratulate those who submitted abstracts and sessions for the breath and depth of their scholarship.

My one disappointment was that I could not piece together sessions focused on the topic of the intersection of class, gender, and race in criminology and criminal justice. Papers fell neatly into themes dealing with class, gender, or race and crime, but I seldom discerned any attempt by authors to bridge these topics. This troubled me, because I support recent calls by some critical criminologists (e.g., Barak, Flavin, and Leighton 2001; Messerschmidt 1997; Schwartz and Milovanovic 1996) to interconnect the study of the various forms of oppression in critical scholarship.

After the dust settled from my mad scramble to comply with ASC deadlines and assemble coherent sessions, I decided to examine the submissions more closely to uncover patterns in the way that authors conceptualized oppression. This involved a modest content analysis of the 64 abstracts that I processed, looking for attempts to link class, gender, and/or racial oppression to criminal behavior and/or crime control responses.

Of the abstracts that I received, 32 (50%) mentioned some form of class, gender, and/or racial oppression. Twenty-five (39%) dealt in isolation with class (13 abstracts), gender (6), or race (6). Seven (11%) of the contributions noted some connection among two or more forms of oppression, but only three abstracts (under 5%) mentioned class, gender, and race. Of these, two linked class, gender, and race to criminal behavior; one re-

lated these forms of oppression to the crime control responses of the state. Critical criminologists still appear to be much more comfortable compartmentalizing the types of oppression, without confronting its multiple dimensions.

I won't excuse my own work from this reproach, because I strongly believe that self-criticism is the first duty of all critical scholars. When I've studied oppression through content analysis, it always has been in its gendered form; there are few references in my work to class, and even fewer to race. Several years ago, I was stung when I read the early draft of a paper that analyzed the depiction of race in criminal justice textbooks. The authors criticized my research on the images of women in texts by claiming that "Wright seems oblivious to the topic of race." (Mercifully, this remark was deleted in the published version of the paper.) That was my wake-up call to begin thinking about oppression in a more multifacted fashion.

So what can be done in San Francisco and in subsequent ASC meetings to begin connecting the themes of class, gender, and race? First, I urge authors who've written papers dealing with one type of oppression to devote a portion of their presentation to speculating about the implications of their research for those who endure other and/or multiple forms of oppression. Session Chairs and Discussants in particular should make an effort to intersect class, gender, and race into the comments that they make interrelating the subject matter of papers.

Those who specialize in the study of class, gender, or race should search the *ASC Program and Proceedings* and then attend sessions sponsored by the Division on Critical Criminology that deal with the other forms of oppression. Better still, I urge DCC members (who generally know their Marx and are proud of it) to wander through the conference hallways looking for sessions sponsored by the ASC Divisions on People of Color and Crime and Women and Crime. In these sessions, listen and learn, but don't be shy: Ask questions that challenge presenters to move beyond one-dimensional views of oppression.

Perhaps those who organize critical criminology sessions at future ASC meetings should scrap the model of categorizing papers into topics pertaining to class, gender, or race, and instead combine themes. I briefly toyed with the idea of forming half a dozen generic sessions, titled "Critcal Criminology and Oppression I (through VI)." Each session would have included at least

> ritical criminologists still appear to be much more comfortable compartmentalizing the types of oppression, without confronting its multiple dimensions

one paper on class, one paper on gender, and one paper on race, with the intention of fomenting dialogue among critical criminologists about intersections. I wasn't bold enough to implement this plan, but it may be worth pursuing.

In addition, papers that examine multiple forms of oppression could be pooled among the Divisions on Critical Criminology, People of Color and Crime, and Women and Crime to create several co-sponsored sessions. This cooperation would enhance opportunities to share insights and to forge research agendas with the members of these other Divisions.

Frankly, I make these recommendations with some trepidation. I certainly do not favor a critical criminology that embraces a hegemonic view of oppression, myopically focused only on the intersection of class, gender, and race. I believe that the greatest strength of critical scholarship is in the dissent that it breeds through diversity. Any rigid dogma is itself stifling and ultimately oppressive, even when its well-intentioned and politically correct. Anyway, I like to know that when I strike up a conversation with three critical criminologists in the book exhibits at professional meetings, I'll hear seven different opinions.

Still, the one feature that must always distinguish mainstream from critical scholarship is our willingness to move beyond the simple "objective" documentation of the existence of inequality to risk the value judgments needed to call it oppression and to denounce it. Critical scholars must always risk protesting every form of oppression. We should remember the timeless words of socialist Eugene V. Debs: "As long as there is a lower class, I am in it. As long as there is a criminal element, I am of it. As long as there is a soul in prison, I am not free." Debs understood and condemned oppression in its multiple forms. Critical criminologists must never do less.

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Critical Criminology and the Mainstream: Issues in Publishing Critical Scholarship, Part 2

This article is Part 2 of an edited discussion taken from the critical criminology list-serve. Like Part 1 in the last issue of the *Critical Criminologist*, it was spawned by Bruce Arrigo's article "Critical Criminology's Discontent: The Perils of Publishing and the Call to Action*" The Critical Criminologist* 10(1): 10-13. The contributors here were Bruce Arrigo, Ellen Leichtman, Ray Michalowski, Steve Russell, Martin Schwartz, and Jeff Walker. Stuart Henry did editing and assembling.

Ray Michalowski

I want to thank Bruce for, not only his article on publishing critical work, but for helping energize this discussion. I also want to thank Marty for his comments, and to add a few thoughts to them.

1. Yes, we have to be careful to distinguish what problems are specific to critical criminology, and what problems are inevitable for any work that cuts against the grain of a dominant paradigm. Reviewers and/or editors do not have to be hostile toward "critical" work in criminology, or be part of a plan to keep it out of high profile journals, for little of it to appear. All they have to do is not understand the epistemology and the language of critical work to find it "simply not argued at the appropriate level" (a quote from a review I received a few years ago).

Possible route to some amelioration: It can be useful to suggest a list of potential reviewers to the editor when submitting to a journal that does not normally publish work of the type being submitted. Sometimes this works - if the editor is open to multiple perspective. If the editor does not, then they will, of course not listen, and may even actively seek reviewers known to be hostile to your work (don't ask how I know this). My co-authors and I have had experience in both directions, but clearly we have benefited from having directed editors toward people who might be knowledgeable about the epistemological and theoretical framework our work is based in.

2. Regarding quality: I have been reviewing manuscripts for both high profile journals and what I would consider often, equally good, but less sanctified ones for more years than I care to count. This has led me to the following observations regarding the matter of the relationship between quality and publication.

a. Most manuscripts I have reviewed are not ready for publication at the time of submission.

b. Manuscripts written from a critical criminology perspective are typically further away from being ready for publication than manuscripts written from more mainstream perspectives and/or based on quantitative models of inquiry. The reasons for this I suspect are:

(I) There is less of an agreed upon standard for how to do critical work as compared to the highly developed and relatively rigid format for quantitative work. This openness is good from the standpoint of allowing for creative critical exploration. On the down side, when

standards are unclear, it is easier for people to believe they have met them. I think this is why I have reviewed a number of critical articles whose intellectual rigor is less than we would expect of a paper ready for publication.

(II) Some critical work relies on historical analysis and social scientists tend to do bad history by relying primarily and often uncritically on secondary sources.

(III) The journal article format is often a bad fit for critical work. Historical, theoretical, and qualitative analyses done well often requires more space than the standard theory-methods-data-findings-conclusion "success model" used for quantitative work. The forced truncation of the development/presentation of critical ideas and analyses hurts the apparent quality of critical work in some cases.

c. Editors seem more likely to give outright rejections, rather than [revise and resubmits] to underdeveloped critical manuscripts than equally underdeveloped manuscripts that fit the quantitative model. This too, I think is related to the lack of clear models for evaluating critical work. Without a clear model it becomes harder to see just how it could be "fixed." I find that my reviews of quantitative manuscripts, for instance, tend to be 1--2 pages, while my reviews of critical manuscripts are often in the 2-5-page range. My own experience submitting work is that few mainstream reviewers devote this much time to manuscript evaluation, meaning that an editor receives reviews that recommend less than outright publication, but little guidance as to what to tell the author to do. In that case rejection becomes the path of least resistance.

d. In my reviewing experience critical work that is revised and resubmitted is less likely to cross the threshold to publication than revised quantitative work. This is just an extension of the reason above: without clear directions of how to improve the work, it is harder to gratify reviewers on the second go around. It is also harder to revise critical work. It is much easier to add another statistical test, or respond to criticisms of potential multicollinearity than to rethink an entire theoretical argument so as to make it more logical and/or clearer to the potential audience.

There's a theme here. Quantitative work is more likely to get published in higher profile journals than qualitative work because: there quantitative work can appear to be "proven" according to a paradigmatically established standard, and quantitative work (regardless of how critical the substantive implications) does not challenge the orthodox assumption of the nature of "fact." Which brings me to another point.

I think part of the strategy is for critical criminologists to become more proactive as reviewers in the mainstream journals. Offer our services. Ask to be a reviewer on critical crim articles in our areas of expertise. Talk to editors. The more people who understand critical work, the more of it will be published. But we

also have to be sure that we don't confuse solidarity with critical criminologists with being uncritical of their work. But being a critical analyst of the work of others carries a serious responsibility. We must actively help one another make our work better, rather than merely taking pleasure in pointing out what's wrong with each other's scholarship.

Marty suggests we have a serious discussion about what constitutes "critical" work. The discussion going on here, so far, seems to imply that quantitative work is, by definition, not critical. Or am I misreading things? If quantitative work is excluded from the idea of critical crim, it puts the kind of political-economic analyses done by people like Susan Carlson and me outside the scope of "critical criminology." Is "critical" a code word for qualitative and post-modernist modes of analysis only? Or does it refer to forms of criminology that challenge the taken-for-granteds of orthodox criminology from alternative perspectives that are not conservative/right-wing?

ever the agency thinks is hot and needs to be done, even if the methodology is not very good. Of course, it could be worse. I write from Australia, where the conservative federal government (confusingly named the Liberal Party) has decided to fund the Lone Fathers Association to set up shelter houses for battered men, because they are tired of funding women and want to even up the score a bit.

Two more things:

Ray asks whether the definition of critical is presumed to be non-statistical. I agree with his basic presumption, since that also would not apply to me. Although I have written or co-authored a

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number of theoretical pieces, including several on postmodernism, I also use statistical work heavily, including publishing pieces using logistic regression, etc. Like Ray, I think that it is your theory and intent that informs whether you are critical, not your methodology.

Steve wants to be heretical in suggesting that people will read stuff in smaller journals. I agree that law is a very different field -- judges for example actually read the material clerks gather, unlike many sociologists. But, if I can be even more heretical, I might suggest that very few people in this field get promoted to full professor, get invited to lecture at top conferences, get awards for ASC and ASA, etc. on the basis of publishing in *Humanity & Society*. I know in my own case that when I publish in *Sex Roles*, *Criminology*, *JQ*, etc. I am inundated with requests for reprints, my articles appear in readers; I am invited to give lectures, etc. When I publish in Deviant Behavior, H&S, Sociological Focus, etc., the work disappears into a black hole, never to be mentioned or cited again. I think that is why Bruce and Dragan would like to break into some top journals now and then. It isn't because they can't publish -- they already have more publications than any 10 people should be allowed to jointly have. It is because their work is marginalized.

Marty Schwartz

In general, having been a reviewer in my career for over 30 academic journals and having had about 60 acceptances and 30 rejections of my own, I think that I am at least qualified to agree with Ray virtually point for point. An excellent commentary.

I was just writing privately to someone else suggesting that one of the many problems is that few of us are rigorously trained, or have rigorous colleagues. As Ray suggests, in an field with unclear boundaries, there are many who feel that they are sharp and clear when they are not (I don't mean this to apply to Dragan and Bruce, by the way). My students who have been successful at publishing in top journals are the ones who have gone to the very best graduate schools, and have learned top rigor. They work in departments with very top senior scholars who critique their work before it goes out. Despite being radical feminists or socialist feminists, they still publish, get grants, etc. It is a bit harder than if they were mainstream, but it is being done. Most crim people (myself included) went to secondary schools and work in departments without rigorous scholars. We suffer at a great disadvantage as compared to many abstract empiricists.

Lately, I have been doing a lot of grant reviewing for the National Institute of Justice, and while I have vows of confidentiality about specifics, I can say that the overwhelming majority of grant applications have terrible theoretical bases and abysmal statistical design. I think that if a crit person had a very clear theoretical model, with a plan for action that was crisp and sound, it would be received enough to be read carefully, if not by all reviewers then certainly by the NIJ staff. Of course, the debilitating thing is that a certain amount of the money goes out to what-

Steve Russell

Ray, Isn't this true not only of most academic disciplines but also most cultures at any given time? It is the proper function of a university to generate critical thought. To those who benefit from established wisdom, that is more often than not unwelcome. See, e.g., the fate of Socrates. That is the romance of our profession, and I for one would have it no other way. In support of your remarks, see Ronnie Dugger's book, *Our Invaded Universi-*

ties. You are absolutely right. But it seems to me that is the way it is, has been, always will be and always should be. People will not pay for the privilege of getting their asses kicked but that is no reason to quit kicking. I know you do not suggest we quit kicking, but you seem to suggest that the kickees ought to start liking it.

Ray Michalowski

Steve, No, you are right. I don't think the kickees will start liking it. But I do believe that some infiltration is possible. I have also had the experience that sometimes the kickees get the message, begin to change their minds and find themselves tempted to want to join the kickers. Some of the most radical people ever to exit my classes were high-placed police officials who began to question the logic they had lived by. I don't think, like many of my good liberal friends do, that we can educate away the problems of power and domination, but I do think we can and should reach out to those we think oppose liberationist approaches to social life. Sometimes they are less organized in their thought, and less immovable in their beliefs than we like to think. Don't give the powerful too much credit. They may have power, but they often lack wisdom.

Ellen Leichtman

While I agree with Marty that one needs to "differentiate between excellent pieces that don't get published, and crap that doesn't get published," this seems to be true only with regard to critical criminologists. It seems to me that a lot of statistical crap does get published, and by mainstream journals. This means that it depends on the type of crap you are submitting.

Job descriptions regularly make the ability to bring in external funding a condition of hiring. This dictates that statistical methods are the sought after approach. Why shouldn't the discipline's journals reflect this bias? After all, this is where the field actually is. I think that is Marty's first point. This means that we need to change the bias in the field itself in order to change the bias in the journals. I personally don't have a problem with the scientific method if it can be considered as one approach within many. I am waiting for the day the gov't gives out grants for a hermeneutical study on crime in the inner city.

There are also academic fields that don't subscribe to this religion of science. Of course, these aren't fields that are considered "related" to criminal justice and sociology. I am talking about the fields of anthropology and ethnomusicology (the latter is usually sloughed off as being a humanity by those in criminal justice because the degree is often in the music dept.). I would also include the fields of literary criticism and philosophy, but they are actually humanities and as such considered unimportant to C.J.. (I can't believe the narrowness of some in this field.)

I like Bruce's idea of trying to publish the results of the poll in the respective journals. Use their own methodology against them. If it's "scientific", it must be true. However, it brings up all those "problems" that statistical studies have. Would it account for all those "lost" articles that were never sent, because of the climate against critical criminology? How would published articles be rated against those that were rejected? Perhaps it would also be interesting to apply Marxist theory to a study of who gets

published. The numbers don't tell it all.

Steve Russell

Of course quantitative work can be critical criminology. I agree with the comment that a lot of quantitative crap seems to find its way into mainstream journals. I say this not because I am capable of evaluating the numbers but because I take the numbers at face value and can find many, many reasons to say "So what?"

The methods of literary criticism can and should inform our enterprise. I am not sure why the "humanities" label is so deadly. Seems to me like the anthropologists who think Indian elders are ignorant. There are different ways of knowing. Is that so complicated?

Ray Michalowski

Ellen, Thanks for the observations. Putting on my political-economist hat for a moment, I'd like to suggest that the emphasis on the grant-getting capacity of faculty is a reflection of the desperation of many university administrations in the face of the on-going, right-wing campaign to defund universities in order to punish them for being sites of where some critical inquiry into the operations of the society still goes on.

Ellen Liechtman

Ray, I didn't know that. I appreciate your bringing that up. It puts another dimension on the issue. I do know, however, that CJ grants are often given to people who know people in gov't, for studies that don't rock the boat, to continue government policies. If the government pays, the government dictates. I had a problem with that in gov't funding of the arts when I work at the Metropolitan Museum of Art. Now there is a problem with the Brooklyn Museum of Art and Giuliani. It also brings in more money for professors and depts. to supplement their income.

Ray Michalowski

Ellen and all, I think the matter regarding insider trading on Federal grants is generally correct, but maybe a little bit less sinister than just funding non-boat rockers. Marty is right that (up to a point) a critically oriented study that was theoretically and methodologically sound and (here's the kicker) about the next hot topic, would not be denied funding just for being critical. Many of the reviewers are people not so dissimilar from us on the review panels. BUT...the key is that insiders know what's going to be coming down the line and can begin to prepare long before the rest of us see the [request for proposals]. Nothing more sinister than networks among the good ole boys and girls. But it does put those of us in the hinterlands, or my case the last outpost of civilization in the Southwest, at a serious disadvantage even if we wanted to do that kind of funded work.

All of this discussion can seem a little dispiriting at times, but I want to add a note of joy. For me it is a delight to see so many people doing critical work in criminology, to see a division within the ASC where we can meet and exchange, to have outlets of our own, to have panels devoted to critical work at meetings. I can remember the days in the 70s when we were far fewer and when the majority of the orthodox crim folk were pretty convinced we had no right to even exist in academia. The progress is too slow for sure, but the intellectual movement survived, grew,

(Continued from page 12)

and continues to grow. If it were not a struggle there would be no reason for us to be critical. If we enjoyed the mainstream limelight in a criminology situated in center of the world capitalist, neo-imperialist, and globalized empire, something would be wrong. Of course there are systemic pressures to keep us at the margins. That's our struggle. That's the point. So let's struggle on together.

Steve and all, Thanks for comment on quantitative work. I think the real problem with any methodology is that people forget it is nothing more than a tool to understanding, not an end in itself. I think of a lot of orthodox quantoids who seem to fit the saying that "If you give a child of three a hammer, everything looks like a nail." As someone who has done quantitative work, theoretical work, and ethnographic work it seems to me that the real issue is, does the strategy being used to create understanding fit the question at hand. It's hard to do political economy without numbers; it is hard to do ethnography with them.

I think Steve's "so what" point is the key one. It is not whether work is "quantitative crap," or "post-modern crap," or "theoretical crap," it is whether the work helps us build an understanding that moves us, however limitedly, down a path toward an undistorted discourse on human justice.

> It is not whether work is "quantitative crap," or "post-modern crap," or "theoretical crap," it is whether the work helps us build an understanding that moves us, however limitedly, down a path toward an undistorted discourse on human justice.

over time should) refine, tweak, and massage; however, the "real" agenda is about acknowledging the breadth and depth of exclusion we confront and the corrosive and debilitating impact this has on our Division membership, future critical crim scholars/activists/students, and the overall relationship we have with the general criminological academic community.

There is something of a fluid continuum of critical crim thought. Several of us have written about it; indeed, in the anthology, *Social Justice/Criminal Justice* I describe my take on the continuum in the book's Introduction. Rather than investing too much time massaging this point, I recommend that we embrace and celebrate the various intellectual strains of thought that constitute critical analysis. Granted, different people will disagree on what "exactly" is critical; however, I believe we also can say, with some confidence, that what tends to get published in prestigious criminological journals, regrettably fails to represent our divergent critical perspectives on crime, law, justice, society.

Relatedly, as criminology settles into a sustained period of manipulating large data sets, it is not surprising that the discipline's mainstream journals would prefer studies endorsing the methodological assumptions of quantitative inquiry. We also know that many talented critical criminologists (e.g., Marty Schwartz, Meda Chesney Lind, Brian MacLean, and Walter DeKeseredy) employ statistical analysis in several of their research investigations. I applaud their efforts. We need to be careful, however, in how we frame the relationship between research methodology and critical criminology. Part of the problem many critical criminologists confront is that method is very intimately linked to a series of epistemological assumptions about agency, society, social change, sense-making, identity and the like. But this IS our strength. Here, too, we want our non-critical colleagues to understand how a diversity of methods, anchored in different critical criminological perspectives, reveals new and different insights about law, punishment, victimization, policing, judicial decision making, etc., in relation to agency, sense-making, society, identity, and the like. As a division, if we understand and embrace our diversity (in terms of the continuum that represents critical thought, and in terms of research methods that inform our theoretical perspectives), I think we present a very potent "force," if you will, to our non-critical colleagues symbolizing our strength at the discussion table. It is in this spirit that, I submit we must invite mainstream criminologists to explore with us how our Division's diversity advances ALL of our interests in furthering our regard for criminological/sociolegal knowledge. Thanks to you too. Let's keep the discussion alive. Let's change the culture, in which we write, teach, work, and live.

Bruce Arrigo

I have deliberately waited some time before responding to the several e-mails addressing various points I raised in the essay, "Critical Criminology's Discontent: On the Perils of Publishing and the Call to Action." Let me first say how delighted I am to read the various comments generated from the essay. Sifting through the comments, it is abundantly clear to me that many of us do feel and live the profound difficulty of making a connection to a larger academic audience in which peace activism, praxis, social justice and humanism are at the center of criminological work.

Having said this, I do want to comment on a few points. First, I think our struggle is not about defining what is "critical." Although a very useful philosophical exercise in its own right, I believe that this question puts the Division on the defensive and, unfortunately, diverts our attention from the matter at hand. Further, this is the kind of question I would anticipate from our non-critical colleagues. In other words, if we move to respond to our dilemma by first addressing the question: "what does it mean to engage in critical scholarship?" we, unknowingly and benignly, I think, endorse the "power" that our non-critical counterparts have to set the agenda for US in regard to potential dialogue, engagement, information, and social change. I wish to be clear that answering this question IS something we could (and

Keeping the World Safe for Democracy

Matthew G. Yeager

Carleton University

Imagine receiving a letter from the United Nations inviting you to attend an international gathering on the subject of crime prevention and offenders, held only once every five years, and in Vienna at that? Considering that you are just a regular, journey-man criminologist with meager leftist credentials, you are quite surprised (we don't get a whole lot of invitations these days) and admittedly flattered.   So, in a flurry of paperwork worthy of any budding grantsperson, you manage to get your financing in order and reply, "Why, yes, I will be attending."   Your status is that of an individual expert observer, which means that you have no vot-ing status at the official plennaries. No worry! You'll just min-gle and meet others criminologists from around the world.

Before getting into the main and ancillary arguments of this short piece, it may be useful to sketch the organizational layout of the United Nation's recent 10th Congress on the Prevention of Crime and Treatment of Offenders, held in Vienna, Austria, from April 10-17, 2000.   You arrive at this huge (and I mean really huge) convention center in Austria attached to the United Nations Secretariat.   All of the formal sessions were conducted in three amphitheaters.   Most of the main plenary was devoted to the topic of international co-operation in combating transnational crime. In each of the two other amphitheaters, workshops were held on combating corruption, promoting the rule of law and strengthening the criminal justice system, women and the crimi-nal justice system, effective crime prevention, offenders and victims, and crimes related to computers.   Now, it should be said that generally speaking, only member delegations (states) had any voting rights and any right to speak at this formal ses-sions. Their speeches were, almost without exception, reflections of government policy as opposed to critiques of UN policy or the policies of other delegations.   Most of us individual expert ob-servers found them exceedingly dull and boring (yawn!), and it was not unusual to find the amphitheaters almost empty, with very few delegations attending the meeting (at least this pertained to the four scheduled workshops).

The real action took place in what was euphemistically called the "ancillary" meetings. These were small group presen-tations hosted by a variety of NGO's, and they covered a range of subjects from prison overcrowding (Prison Reform International) to restorative sentencing (Prison Fellowship International). Here, you not only listened to other individual expert observers present a synopsis of their latest book or research, but commentary from the audience was invited. Why, there was even considerable debate within these discussions! In contrast, most of the formal sessions were accompanied with a written, policy summary pre-pared by the UN secretariat. There, the discussions were top-down.   You listened to a highly-structured presentation by in-vited experts and delegates in which there was little debate, hardly much controversy (who can be against crime prevention?), and few listening if judged by the attendance levels.   Hence,

most of us spent our time attending the ancillary meetings, bump-ing into old and new acquaintances, and taking lunch with col-leagues to discuss our own research and interests.

At the outset, this "structure" calls for some reform, or at least, some attempt to "liven up" the proceedings.   For a brief moment, there was an effort by the NGO's to make a formal mo-tion to amend the official U.N. Declaration on Crime and Justice. However, this effort fizzled for lack of interest and, I suppose, a fit of fatalism. It was never clear whether our presence at this Congress was simply designed to add some legitimacy to what had already been decided months earlier in closed-door meetings. As well, it would probably be more interesting if NGO's were given some status at each of the formal sessions – minimally to provide some "outside" perspective on the subject at hand.   Last, each formal session could benefit from a period of "live, un-scheduled" debate in which the delegates would be encouraged to respond to the presentations.

As Anthony Platt (1971) and others have commented, these international gatherings subsume a certain ideological perspec-tive.   They are dominated by liberal ideology to the extent that inequality and poverty are mentioned in the various UN publica-tions, by the invited experts, and even some of the delegations. But there is almost no analysis as to why you have such disparate levels of inequality and poverty in the world.   To quote the Re-port of the Secretary-General on the "State of Crime and Crimi-nal Justice Worldwide:" (UN. Congress, 1999a: 3)

> [O]ver the past three decades, the income gap between the wealthiest 20 percent of the world's population and the poorest 20 percent has more than doubled.   Similarly, globaliza-tion has had an impact on criminality at the national and international levels.

In yet another publication on the subject of crime prevention, research is cited listing various "interrelated" factors causing crime (U.N Congress, 1999b: 6):

   (a) Poverty and unemployment deriving from social exclusion, especially for youth;

   (b) Dysfunctional families with uncaring and inconsistent parental attitudes, violence, or parental conflict;

   (c) A society that accepts or promotes a cul-ture of violence;

   (d) Discrimination and exclusion based on gender, race, or other unjust grounds;

   (e) Degradation of urban environments and social bonds;

   (f) Inadequate surveillance of public places and property;

   (g) Availability of goods that are easy to transport and sell; and

   (h) Presence of facilitators (such as firearms, alcohol and drugs).

The above analysis suggests that these "factors" are structurally related to the global free market (i.e., capitalism) and yet no one at the conference was talking about this issue. Neo-Marxist critiques suggest that it is over-reliance on the private distribution of property and free enterprise that lead to underdevelopment on the world periphery (Amin, 1998; Baran, 1957; Wilson and Whitmore, 2000). This, in turn, is structurally related to many of the factors listed above by the United Nations.

Permit me to illustrate with a more detailed example from the U.N.'s own studies. The trafficking in women is largely influenced by the stark differences in per capita incomes between the destination and origin countries. This suggests that a major portion of the variation in trafficking may be inaccessible to traditional enforcement because the cause – global inequality – cannot be addressed as simply a "policing" issue.

In one study (U.N. Congress, 2000), the International Organization for Migration interviewed 100 Philippine women who had been trafficked to Japan, largely to service the sex industry. The vast majority, 71 percent, gave their family's precarious financial situation as the reason for illegally migrating to Japan. The average age of the women was 19. Most of the women had their passports confiscated by their Japanese employers and lived in residences provided by these employers.

Perhaps the issue is partly corroborated by the position of the United States of America, who wishes to see such congresses abolished in the near future (Mueller and Vetere, 2000). The ostensible rationale from these state department types is that the U.N. Congresses are costly and ineffective. The "latent" rationale is that the U.S. comes off rather badly in these affairs. On criminal justice, the U.S. looks a bit like Attila the Hun, invoking the John Wayne school of criminal justice: just roll out the tanks! It is common knowledge among the liberal hierarchy which runs the congresses that the number of persons incarcerated in the United States has increased nearly six times since 1970, and that one out of every nine Black males, aged 20-34, is currently in prison or jail (Sentencing Project, 2000). And when the U.S. even speaks about crime prevention it is to lament that they have no national crime prevention policy, preferring to spend their money on more police and prisons! Besides, the issue is a local matter – *not a question of political economy* (Reiman, 1998; Lynch and Groves, 1989; Barak, 1991; Quinney, 1980; Schwendinger and Schwendinger, 1970).

In fairness, these international congresses have a seductive flavor. I was surprised to see many of my progressive colleagues at this affair, at least among the individual expert observers. Second, these congresses have been important forums against torture and other inhuman treatment of prisoners, including capital punishment. Indeed, the Congress' Minimum Rules for the Treatment of Prisoners and its Declaration for the Protection of Victims of Crime and Abuse of Power have become powerful organizing tools throughout the world. Would I return in five years? Of course, but next time I will be better prepared and urge my colleagues to hold a workshop which talks about the link between globalization and crime.

It was never clear whether our presence at this Congress was simply designed to add some legitimacy to what had already been decided months earlier in closed-door meetings

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Exporting Crit Crim Across National Boundaries:
More Thoughts About Japan & Beyond

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We read with interest Noriyoshi Takemura's assessment of the state of critical criminology in Japan in the Spring 2000 issue of *The Critical Criminologist*. Its inclusion with the follow-up to Bruce Arrigo's article and Gregg Barak's report on his cross-national research was timely. It also prompted us to comment on what we see as issues that the three articles collectively suggest.

CONSERVATIVE CRIMINOLOGY

Takemura notes that Japanese criminology largely consists of theory and methodological approaches adopted from translations of Western, particularly American, academic sources. Many American theories do not necessarily fit the Japanese context and may only support conservative criminology, criminal justice ideology, and state sponsored criminal justice agendas in Japan. In particular, it reinforces a mainstream criminological paradigm of Japan as a crime-free country, one with a homogeneous, cooperative culture with a relatively low crime rate. The criminal justice system is characterized as a continuum of benevolent bureaucracies, well integrated with community norms, with little corruption or official violence, as illustrated by the myth that the police force enforces the law effectively and with a minimum of coercion.

The use of western quantitative methods, in conjuncture with the closed nature of criminological research, in which official statistical data are only available to scholars at large universities conducting government sanctioned studies and from which critical scholars are excluded, also contributes to the conservative limitations of Japanese criminology. Moreover, critical scholars do not find outlets for their research. On these two points, we would suggest that the situation in Japan is rather like that of the United States: the discussion in "Critical Criminology and the Mainstream: Issues of Publishing Critical Scholarship" raises a number of similar points.

NEAR SCHOLARS

Another problem with Japanese criminology raised by the Takemura article, also evident in American universities, is the employment of "near scholars," former government workers who retire from criminal justice agencies to take academic positions. In the USA, we have academics who are former police officers or prison administrators writing textbooks and conducting research funded by government agencies. We also have numerous criminal justice practitioners employed as temporary faculty teaching courses in law enforcement, criminology, and corrections at many universities. The result is a "colonization" by criminal jus-

tice professionals of criminology and criminal justice departments. This is particularly true of many community colleges and four year universities that employ part-time adjuncts teaching law enforcement and criminal justice courses in "bargain basement cop shop" departments. Conversely, some research universities that demand faculty pursue external grants create "ivory tower cop shops."

AMERICAN HEGEMONY

One result of the transmittal, more or less directly, of American theory and research agenda to countries like Japan (this is as much the case in political science or sociology as it is in criminology) is that scholars in the United States risk becoming victims of our own hegemony. We get back the images of Japan outlined above that are driven by our own mainstream research agenda (e.g., Ames, 1981; Castberg, 1990; Johnson, 1996). Much of the research on Japan by American scholars, exclusively in English, uses the United States as either an explicit or implicit comparative case. For example, Bayley's "Heaven for a Cop" (chapter title in *Forces of Order* , 1976; see also, Baley, 1994) is as much narrative about the problems of American law enforcement as about whether Japanese policing provides a better alternative model. The standard comparison is especially clear in the work by criminal justice practitioners (Parker, 1984; Westerman and Burfield, 1991; Thorton and Endo, 1992). This is not to say that mainstream scholarship are uncritically positive about the Japanese criminal justice system. Important criminological works consider issues outside of the official perspective (Ames, 1981; Miyazawa, 1992), as do those by activists and critical scholars outside of criminology (Herzog, 1992; Human Rights Watch, 1995). Political scientists have also considered the relationship between criminal justice agencies and the coercive power of the state (Apter, 1984; Katzenstein and Tsujinaka, 1991) or the relationship between politics and crime (Potter, 1997; Knepper and Potter, 1998; Potter, 2000), but these do not take an explicitly critical criminological approach to the problem.

DEVELOPING CRITICAL CRIMINOLOGY IN JAPAN

What can be done to develop critical criminology in Japan? First, we encourage Japanese critical criminologists to carefully consider Takemura's suggestions. Second, if access to official criminal justice statistical data is unavailable to scholars not affiliated with government agencies, the alternative then is to create your own. Quantitative data can be generated by closely examining government publications and newspapers articles. While these secondary sources leave much to be desire, and the statistics may be incomplete and difficult to verify, the numbers can be used to compare past and present, and to suggest trends.

Third, we suggest it is important to think beyond numbers by penetrating the labyrinth of courts, jails, and prisons, to observe and interview criminal justice workers, defendants, and especially prisoners. Japanese criminologists need to develop ethnographic research that examines the indigenous criminal jus-

(Continued from page 16)

tice culture of the police, streets, and prisons. American examples of recent ethnographic research include, on deviant groups (Ferrell and Hamm, 1998), and prisons (Newbold, 1985, 1987; Irwin and Austin, 1997; Richards, 1995; Richards and Jones, 1997; Terry, 1997; Owen, 1998). Such research must be carried out carefully and with all possible consideration for the rights of respondents, for example, convicts and exconvicts. This research that, like that of Miyazawa's (1992) work on the police, can only be undertaken by scholars who are fluent in Japanese and familiar with the subtleties of the group they are studying.

CONCLUSION: PUBLISH YOUR WORK

A systemic problem in Japanese social science is the relative lack of peer-reviewed journals for publication across academe. Many journals are in-house department journals that are neither critically reviewed nor widely read. Academic book publishing is not as well developed in Japan as it is in North America and Europe, which further restricts opportunities for critical scholarship. The challenge, for all critical criminologists, is to develop publishing venues that allow scholars in different institutions to speak to one another with the authority of well done research. Moreover, communicate with colleagues abroad. Takemura's article is a welcome communication as it begins a dialogue between American and Japanese critical criminologists.

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> Scholars in the United States risk becoming victims of our own hegemony. We get back the images of Japan outlined above that are driven by our own mainstream research agenda

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Are Peacemaking Criminologists Impostors?: An Interview with Hal Pepinsky

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I had the pleasure recently of taking up the topic of "publishing critical scholarship" with my roommate at the 2000 ACJS Meetings in New Orleans, Hal Pepinsky. During the course of a pretty much non-stop, weekend-long, dialogue on critical criminology, peacemaking, histories of abuse, and how we critical criminologists suffer from our own version of "Impostor theory" (the notion that critical scholars are not really somehow worthy scholars)—I finally decided (at a courtyard restaurant no less) to "get it down" on my hotel bill, napkins, & other scraps. Despite the wine (or, actually, because of it), I got most of it down & refined it later. Given the recent dialogue in the *Critical Criminologist* on the topic *"Issues in Publishing Critical Scholarship,"* I offer this small contribution.

ON MAINSTREAM CRIMINOLOGY VERSUS PEACEMAKING CRIMINOLOGY
MH: First I'd like to get into the essential difference you see between a critically-oriented peacemaking criminology and "mainstream" criminology. To me the dominant "mainstream" theory right now is Gottfredson & Hirschi's (1990) "lack of self-control" thesis. What do you think of the thesis?

HP: To me, self-control means being able to follow your own heart. Self-control research, such as Hirschi's self-report work, has implicit demand characteristics. "Good" students will report more conformity than students who are already in trouble in school. It is often upper middle class kids—those who seemingly have the self-control vaunted by these studies—who actually have a *lack* of self-control. They're the ones being controlled, who have to follow Daddy's patriarchal program which criminologists tend to serve too. Children from "good" families are so often forced to *silence* in themselves what is really in their minds and hearts. I was one of those children, I might add. I don't believe and never have that forced obedience teaches self control at all or that a lack of observable deviance in a group is necessarily a valid measure of self-control *or* of social control. If anything, self-control as control theorists have operationalized it might measure how little self-control "respectable" children have and how much they are actually being *controlled by others.* Generally speaking, children are pressed hard to conform to feel and believe what adults think they ought to feel and believe.

MH: Many well-meaning and sympathetic people read *Criminology as Peacemaking* (Pepinsky and Quinney, 1991) and conclude that it is nice but that it is impractical. What do you say to those who suggest Peacemaking is too utopian or impractical?

HP: I think that getting victims safe and listening to victims is our first priority. Now that's practical—not going off in search of "perps" on some ill-fated mission to teach them lessons they will never learn through our methods anyway. Not that we even catch most offenders. I measure progress by asking, "What steps can I take next? What is working now? What steps are people taking now to end violence?" Many of the writers in *Criminology as Peacemaking* document these steps, as in the Quaker Alternatives to Violence Project offering examples of proactive, non-punitive, peacemaking strategies.

MH: Presumably because of the "lack of practicality" argument, it has been suggested that Peacemaking Criminology has the "most on the line" right now, relative to the other critical perspectives (Feminism, Left Realism, Post Modern Criminology). What is the largest barrier Peacemaking Criminologists face?

HP: Fear. Let me qualify that a little. It's not fear itself—it's allowing yourself to be driven by fear. Clearly, the antidote to this fear is working to develop a community where you find safe enough company—that you can trust enough to pay attention to what matters to other people whose lives are most on the line. To let them speak honestly for themselves, and then be guided by what you hear. That's what I mean by empathy. To have people reveal what scares them most—in a safe enough place where they can trust enough to articulate their fears and have others respond. That's what criminology ought to be—and not be about trying to make the system work. That takes time away from survivors. Mainstream criminology thrives on the fallacy that we can achieve functional crime control in a dysfunctional society.

I bristle at the idea that peacemaking criminology is a thing that has to be proved to criminologists. For one thing, what I call peacemaking criminology need not be what others do in that name. For another, I get more out of building a theory of how to respond to personal violence which makes sense to and works for survivors than I do trying to satisfy criminologists' demands.

ON RITUALISTIC ABUSE
MH: I know you're aware of some people's criticism of your "unscientific" interest in "ritualistic abuse." What about this?

HP: I acknowledge that, although I have heard people report what ritual torture they honestly recall having suffered, I and even they themselves understand that what they describe could be seen as too bizarre to believe. A therapist I went to in the course of being clinically depressed by what I was hearing—and the corroborating evidence I was seeing in many cases—advised me not to try to prove what I believed about ritual abuse to anyone else.

I see organized sadism as it manifests itself in what gets called "ritual abuse and mind control programming" as the most serious problem of violence that I know. In the second chapter of the *Geometry* book (Pepinsky, 1991) on "violence as unresponsiveness," I have a section titled "Violence as Silence." There I explain that I believe criminologists' most serious attention

should be given over to the most seriously discredited reporters of violence. Take child abuse. In 1962, C. Henry Kempe et al. first pointed to the battered child syndrome. We have since come to recognize that the physical battering of children is far more pervasive than the "one in a million" it was assumed to be (which would leave us with about 60 cases of substantiated cases of physical abuse in the United States in a year). In much the same way, the "battered women's" movement has taken us further down the path of recognizing violence against adult women in households. So we are making progress at validating violence we have previously denied.

On the one hand, I recognize an obligation when I hear stories from people to try to sift through information to help decide what is credible about the reports I receive. On the other hand, my own theory of abating violence through democratization of daily life has emerged from listening to voices which are discredited in the social mainstream. I recognize that from the time when I tried to understand Mao Zedong's logic of social control in China, to my longstanding practice of listening to prisoners' complaints as convict criminologists would have us do, and now to listening to the most serious complaints from the ultimate underclass, children, the professional status of my findings has suffered from the low status of my informants.

I comfort myself that the professional role I have chosen—to lend my professional status to the discredited voices I believe, is a necessary part of helping build community in the face of violence. To me, that is where peacemaking properly and practically begins. The resilience and capacity to heal, the capacity to build trustworthy relations and community among survivors of prolonged horrendous torture, has become my most profound teacher of what works for us all in trying to build peace and safety among ourselves.

ON THE ROLE OF PUNISHMENT

HP: I also believe that my exposure to stories of childhood victimization, and my own accompanying learning through therapy, indicate that punishment is no less damaging or traumatic than the most horrendous torture, even with no physical or illegal contact whatsoever. We try to make our children feel or behave as they should, as Alice Miller puts it for their own good, and to repress their hearts and honest feelings (Miller, 1990 [1983]). I also find abundant documentation that what I would consider in adult victims pure rape or serious sexual assault is far more common than we expect in rich and poor homes alike. This violence has even been celebrated, for instance as a rite of passage for boys in Greek city states.

Like Chambliss in his latest book, I used to believe that when we jumped on the crime war bandwagon so readily, we simply overlooked how safe we are and grossly exaggerated our exposure to personal violence is (Chambliss, 1999). I now believe we jump on that bandwagon because we have been violated and threatened not so much by "the criminal element," but by those we most love and trust, which Jennifer Freyd (1996) calls "betrayal trauma." In public discourse, though, we are only allowed to let out our fear and anger at politically convenient "enemies of the state."

It follows that we need to be able to talk about the true sources of our fear and anger, before we can be expected to let go of our public punitiveness. We need to be able to talk about our secret victimization and victimizing safely, without fear of being retaliated against. Practically speaking, I am awed by how compassionate and forgiving survivors of horrendous human violence often become as they gain validation for their victimization. What works for survivors is a model for me of what works for us all.

OVERCOMING FEAR, IMPOSTOR THEORY, AND "SELF"-CONTROL FOR PEACEMAKING CRIMINOLGISTS

MH: You recently won a "mentoring" award. What advice would you offer to aspiring peacemaking criminologists seeking to move the perspective forward?

HP: First off, don't worry about "the perspective." Simply work on your own understanding. What I first and foremost seek from my students in my role as educator, is that students learn to think for themselves and do what they feel is right. I gauge my success in this effort by how much my students teach me, and they teach me a lot. I can't help mentioning that on the whole, I more readily share honest ideas and feelings with people labeled "deviant" than with those who claim to be straight and upright. They tend to have less to hide from me, and I tend to feel less guarded about saying the socially unapproved thing to them. In the warmaking paradigm, we are taught to focus on achieving outcomes others designate for us. To me, the place for a would-be peacemaker to focus is on where to begin to listen and respond next.

MH: Much of the Peacemaking project you've been on involves teaching us how not to treat offenders as "subjects"—but to listen—and to get beyond viewing *ourselves* (i.e. criminologists) as being in need of treating offenders or victims as subjects…

HP: --and this entails working through the need to treat *ourselves* as "subjects" of professional demands or of a "discipline." I have no higher aspiration than that my students and readers will think for themselves and know it when it happens. I'm heartened by how many criminologists have told me that "peacemaking" gives them a place to affirm what works for themselves.

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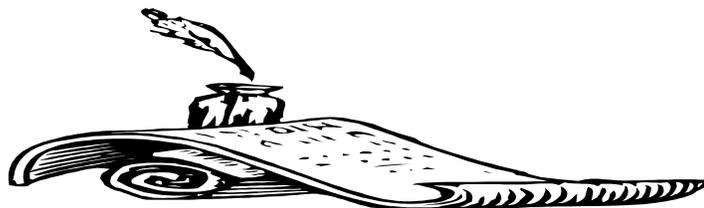
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