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# Criminal Justice Research

Inspiration,  
influence and  
ideation

Edited by **IAN K. McKENZIE**  
and **RAY BULL**

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Inspiration, Influence and Ideation

*Edited by*

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# Foreword

Despite the date inside the front cover, this is really a millennium volume, a book intended to recognise a *fin de siècle*. The book came about because one of us, driving into the University one day in late 1999 and listening to the radio, was fascinated by a discussion programme in which eminent playwrights and authors of literature discussed with much erudition their ideas about the 'top 100' plays and books published during the 20th century. As it happened, we had arranged to meet for lunch that day and during the course of that meeting we started to discuss the radio programme. One of us suggested that it would be fascinating to ask a range of criminal justice researchers what they thought were the most important/influential books, documents, papers and so on in the field of criminal justice in the 20th century. At this stage, it was a piece of empirical research we had in mind and what was envisaged was (probably) a tabular list similar to that produced, examined and discussed, for example, by Cohn and Farrington (1994a, 1994b, 1998). That idea did not last for long for we realised (very rapidly) that in order to retain its millennial currency, we would have needed to have started about two or three years earlier. Not a good idea then. However, we are academics and thus are well skilled at seeking to achieve the impossible, often with a minimum of resources, so we kept on gnawing at the bone. Before too long – and still during that single lunch period – we had come up, quite literally on the back of the well known envelope, with the idea for this book. We even had a list of possible authors, which, although subsequently slightly refined, continues to reflect the broad canvas of criminal justice research in the late 20th and early 21st centuries.

As a result of our deliberations, we asked our authors to select no fewer than three pieces of work (and preferably no more than six pieces) published in the 20th century (other than their own) which they believe has had the greatest impact on them both as a researcher and as an individual. Criteria for selection of the works were broad and focussed on published work which had the most substantial influence on policy and/or practice in their field of study or, in some other way, is considered by them to be key to an understanding of CJ issues in the 20th century as they affect the given field of study. Thus the authors were told that items selected for presentation and discussion might be articles, monographs, book chapters, legislation, government documents or any other 'influential' publication. Each was asked to write a description and critique of the selected items (as a sort of literature review) and to discuss



the impact of them *on formulating or developing their own research*. In addition we (the editors) encouraged authors to speculate about the direction in which the area in question might be expected to develop in the first 10-15 years of the 21st century.

For our purposes, the definition of criminal justice was (is) a broad one and that is reflected in the combination of criminologists, psychologists, sociologists and experts on social and public administration. It is also reflected in efforts made to ensure that a proportion of the authors exercise their expertise and write about the CJ arena outside the United Kingdom.

Save in the broadest sense, this is not a book which reports on research findings, for all the documents are (and sometimes have been for many years) in the public domain. Rather, we must emphasise, as we did when contacting our contributors, that the principal feature of this text is the opportunity it gives to readers to examine the *intellectual influences* on key figures and the *personal dynamics* of their research initiatives. We were interested in two specific areas. Firstly, to get some insight concerning the influences and underpinnings of each individual's research interest(s); that is, what each contributor finds interesting and why, as well as how it drove (or drives) his or her research efforts. Second, we seek to provide for readers the views of eminent criminal justice researchers about what the key issues are in their preferred area of investigation.

A text such as this could, in theory, be presented in a number of differing ways. However, we have chosen to present the work of our colleagues (and of ourselves) under four headings (parts) which to a greater or lesser extent reflect the location of either the chapter or the research it describes within the criminal justice system.

The four parts are: Part 1: The Criminal Justice Core; Part 2: Police Culture; Part 3: The Police Role; and Part 4: Crime Investigation.

In Part 1: Robert Reiner, in what is probably the most self-revelatory of our chapters, discusses the influences on him *as a criminologist* of a wide range of texts ranging from classical criminological theory to empirical research. Similarly, Sandra Walklate, although drawing slightly more frequently on empirical studies, nevertheless locates her principal work in a dense theoretical frame.

In Part 2, however, the authors (Jennifer Brown, Ian McKenzie and Jim Ginger) are grouped on the basis of the loosely linked theme of an examination of police culture. Each of the authors tells us something about their own experiences 'in the field', not the smallest part of which is a tendency to have been, and perhaps to remain, surprised and disappointed by

the anti-intellectualism of the police environment.

In Part 2, Les Johnston and Harold and Donna Becker, examine influences at what might be described as the leading edge of contemporary research. The development on both sides of the Atlantic of alternatives to the 'public police' and, at one and the same time, the consideration of the 'best' way for the 'public police' to undertake their role, has become a growing source of research and debate. The validity of these, and other developments is the core material for the examination of 'futures' in criminal justice and the subsequent development of both private and public policing are of central importance for the development of policing in a democratic society. (In passing it is worth noting that Harold Becker, also a police practitioner, signals some discontent with the relationship between policing and academe.)

Finally, in Part 4, we turn to issues in connection with the investigation of crime. As editors, we are confident that there will always be some people who think that a section such as this should be first not last. However, it does seem to us that, the contributions of Peter van Koppen and Ray Bull, would not exist at all were it not for all the underpinnings of the earlier sections.

As editors we set our authors a daunting task and all have responded magnificently. To invite people to reveal their influences is not unlike a session 'In the Psychiatrist's Chair' and, like the revelations made to that psychiatrist, some of what you will find here is eye-opening and at the same time slightly disturbing. However, as is always the case, it is only you, the reader, who will decide whether or not we have succeeded in our aim of allowing you to examine, the inspirations, influences and thought processes which underpin our authors' research efforts.

Ian McKenzie  
Ray Bull  
July 2001

## References

- Cohn, E.G. and Farrington, D.P. (1994a). Who Are the Most Influential Criminologists in the English Speaking World?, *British Journal of Criminology*, 34: 204-25.
- Cohn, E.G. and Farrington, D.P. (1994b). Who Are the Most Cited Scholars in Major American Criminology and Criminal Justice Journals?, *Journal of Criminal Justice*, 22: 517-34.
- Cohn, E.G. and Farrington, D.P. (1998). Changes in the Most Cited Scholars in Major International Journals, *British Journal of Criminology*, 38: 156-70.



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# PART 1

## THE CRIMINAL JUSTICE CORE



# 1. The First Cut is the Deepest: Criminological Texts and the Return of the Repressed

ROBERT REINER

## Introduction

‘Few novels can change your life. This one will.’ That was the pledge on the cover of the 1971 novel *The Dice Man* by Luke Rhinehart. Whether or not this was an effective sales pitch only an examination of Panther Books’ balance sheets can tell us. However, it is a dubious view of how the influence of books works. It is most implausible that they produce change like tablets of stone newly brought down from Mount Sinai. Books which appear to change us as individuals, and *a fortiori* those that seem to influence social groups as a whole, do so because they effectively resonate with and articulate already ongoing developments which had hitherto been inchoate and unexpressed. ‘Fortune favours the mind that is prepared’, as Pasteur put it.

The editors of this volume have given us a double mission, to review the texts which have had the greatest influence on our fields as a whole, and to assess their impact on our own research. As argued above, single texts are really the archetypal embodiments of much broader movements of thought, even if they can be taken as their quintessential exemplars. Thus my first mission impossible (MI) is to review the history of twentieth century criminology as represented by its key iconic texts. MI2 is to assess their role in the formulation of my own individual research agenda. There is of course no necessary relation between these two tasks. There is no one-to-one relationship between a discipline as a whole and an individual’s intellectual trajectory.

Nonetheless when I reflected upon which criminological texts I would see as the key influences upon my own development I realised that they were close to the norm for criminologists of my generation as shown by a survey conducted by Paul Rock (with my assistance) some years ago (Rock, 1994). To my generation of criminologists (those recruited to university posts in the

1960s and 70s) our professional socialisation and development was profoundly marked by what Rock called the 'Big Bang' (ibid.: 134). This was the impact of the foundation in November 1968 of the National Deviancy Conference (NDC), the rallying point for the rapidly emerging 'new' deviance theory and 'new' criminology. To the 'fortunate generation' of academic criminologists recruited in the 1960s and 1970s (Rock, 1988, 1994: 133), which now dominates the profession (at least numerically), the key sacred texts were Howard Becker's *Outsiders* (1963) and Ian Taylor, Paul Walton and Jock Young's *The New Criminology* (1973). These were nominated respectively by 31 per cent and 22 per cent of the 'fortunate generation' as the works that had most influenced them (Rock, 1994: 141). Also frequently cited by this group were David's *Delinquency and Drift* (1964) and Stan Cohen's *Visions of Social Control* (1985). These works were also associated with the 'Big Bang' (although Cohen's book was published considerably later, he had been a central figure in the NDC and its influence, and had edited its first published volume, Cohen, 1971).

Given the prominence of the 'fortunate generation' in the criminological profession, these choices were also predominant in the sample as a whole. However, older and younger generations did cite some different characteristic influences. To the older generation the key figures cited were Cesare Beccaria, Robert Merton, Edwin Sutherland, and – one of their own – Nigel Walker. Younger criminologists frequently nominated Michel Foucault's *Discipline and Punish* (1977), David Garland's *Punishment and Modern Society* (1990) and Carol Smart's (1977). These different generational choices clearly reflect the positions against which the NDC had aimed its 'new' theorisations (classicism and positivism), and some of the more recent theoretical critiques of the 'new' deviance theory/criminology itself (feminism and post-structuralism). Nonetheless it was the choices of the 'fortunate generation' that characterised the sample as a whole (Rock, 1994).

In this Chapter I will consider the development of criminology in the last half of the twentieth century through the prism of five key texts. I shall also indicate how they have influenced me personally. As argued above such texts are usually emblematic of broader currents of thought. Whilst in some cases the quintessential embodiment of a particular criminological development was obvious, in others there were several works of almost equal significance. I have cheated somewhat on the assignment by discussing my five key texts in conjunction with some of the others with which their impact was intertwined. Even more problematically, I have found it impossible to find a choice for the 1990s and the early 21st century. It is always hardest to

get any perspective on the period one is living through, and this is especially so at a time of rapid change such as we are experiencing at the turn of the second millennium.

The five texts I will discuss are:

1. Robert Merton's *Social Structure and Anomie* (first published in 1938), the most influential example of 'sociological positivism' in criminology.
2. David Matza's *Delinquency and Drift* (1964), in conjunction with his earlier seminal papers with Gresham Sykes (notably Sykes and Matza 1957). These paved the way for the 'new deviancy' theory of the 1960s, of which Becker's *Outsiders* (Becker, 1963) was the quintessential embodiment.
3. Ian Taylor, Paul Walton and Jock Young's *The New Criminology* (1973), unquestionably the pivotal work of the critical criminologies of the 1960s and 1970s. It has had enormous influence on the subject in many different ways.
4. David Downes and Paul Rock's edited collection *Deviant Interpretations* (Downes and Rock, 1979) pioneered the self-critique of the NDC's influence. I will focus particularly on Stan Cohen's paper in that volume, 'Guilt, Justice and Tolerance: Some Old Concepts for a New Criminology' (only one of the many influential essays by Cohen which I could have chosen, which together chart critically the late twentieth century development of criminology cf. Cohen 1988).
5. The major development since the late 1970s was clearly the proliferation of varieties of self-avowed 'realism', of the Right (heralded by James Q. Wilson's 1975 *Thinking About Crime*), and the Left (notably John Lea and Jock Young's 1984 *What Is To Be Done About Law and Order?*). I will consider both of these, especially Lea and Young.

It is hard to write intellectual history, especially biography or autobiography, without an implied Whig perspective: things can only get better. The most common narrative is the unfolding of present-day understanding, taken as an unquestioned and unqualified truth, out of past fogs of ignorance and confusion. As Cohen puts it, 'intellectual autobiographies always make us sound dumber in the past than we really were in order to give the illusion of continual cerebral progress' (Cohen, 1979:18). Even if today's science sees



as far as it does only because it stands on the shoulders of giants, nonetheless, having paid due homage to them, we are usually portrayed as knowing more than those who inspired us. Bracketing out the thorny question of whether this progressive vision is true of the physical sciences, it is certainly not true of the social sciences or the humanities, although of course dedicated followers of fashion, as well as positivist natural scientists *manques*, like to pretend it is.

Criminology, perhaps even more than other areas of social science, is so inherently bound up with essentially contestable issues of ethics and governance that, as reminded us, its would-be knowledge is inseparably implicated with power. But whilst neophilia is a besetting sin of intellectual and academic life, the account of the recent history of criminology that follows is perhaps more guilty of an alternative temptation: nostalgia for a supposed golden age. Recently I have become increasingly concerned about what seems to have been lost since the heyday of the new criminologies – above all a sense of the links between crime, criminal justice and wider social issues and structures. I have to struggle to remind myself that things have also been gained: greater empirical knowledge, some crime prevention techniques that work a little, and more awareness of hitherto neglected dimensions of the injustice of criminal justice, notably gender and race.

Although there has undoubtedly been a narrowing of criminological focus in recent years to the more narrowly pragmatic and policy-oriented (as will be elaborated later), nonetheless there has not been anything like a reversion to the position before what Paul Rock called the ‘Big Bang’ of the 1960s. Stan Cohen has succinctly summed-up the remit of criminology thus: ‘The stuff of criminology consists of only three questions: Why are laws made? Why are they broken? What do we do or what should we do about this?’ (Cohen, 1988: 9. See also Lea, 1998: 164). Before the ‘Big Bang’ most criminology was concentrated almost entirely on the second of these issues, with some limited interest in the third. Although there were precursors who examined the nature and formation definitions of deviance (notably but not only Durkheim), it is only since the 1960s that the first question has clearly been unavoidable in criminology, or that the study of crime control (the third issue) has transcended a narrowly technicist penology. However, since the late 1970s there has certainly been something of a reversion to pre-Big Bang criminology, especially but not only in the USA.

Before embarking on the discussion of my key texts, the narrow parochialism of this chapter must be admitted. It is parochial in a double sense. Firstly it is primarily concerned with criminology in Britain. My first two selections are from the USA, and this testifies to the extent to which there

once was greater international cross-fertilisation of criminological ideas. Although some scholars undoubtedly continue to exercise influence throughout the world, this is rare. Ellen Cohn and David Farrington's comparative analyses of journal citations (Cohn and Farrington 1990, 1994, 1998) show that British and American criminologists occupy almost totally different intellectual worlds, at least as indicated by the sources they reference. Only a few criminologists engage in work that is comparative in anything more than a gestural sense (Nelken 1997a). This volume promises to be an exception, with contributors from North America and continental Europe. However, my chapter does focus primarily on British criminology.

This chapter follows most criminology in being parochial in a deeper sense. Cohen's definition of the province of criminology cited above explicitly restricts its ambit to the making and breaking of criminal law. There have of course been many challenges to rooting the ambit of criminology in law, above all in the new deviance theory of the late 1960s, of which Cohen himself was a prominent pioneer. Nonetheless even the 60s debates (in common with such earlier ventures as Sutherland's coinage of the concept of white-collar crime cf. Sutherland, 1949; Nelken, 1997b; Slapper and Tombs, 1999) focused on behaviour which was at the margins of criminalisation. Only a few (notably Stan Cohen in his recent work) have directed criminologists' attention to the relevance for the understanding of wrongdoing of much broader conceptions of human rights violations, especially those organised or connived at by states (Cohen, 1988 chapters.11-14; 1993; 1995; 1997). Perhaps the most vivid indication of this is the virtually complete ignoring of the Holocaust – arguably the greatest crime in history even in a legalistic sense – by criminologists (Morrison 1995:202-3), even though several were either victims of it or the children of victims (including myself). Somehow once offending transcends the small-scale of even the 'organised crime' that occurs on a relatively routine basis it passes off the criminological radar screen. However, whilst it is important to note this double parochialism of most criminology as an agenda for the future, this chapter will concentrate on the key landmarks in the history of the present.

### **Robert Merton, Anomie and Social Structure**

Merton's paper on anomie, first published in 1938 but today better known in its revised 1957 version (Merton 1957), is both enormously influential in criminology and sociology in general, but also in my own personal development in the subject. It is one of the most frequently cited papers of all