

A Criminological Imagination

Essays on Justice, Punishment, Discourse

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PIONEERS IN CONTEMPORARY CRIMINOLOGY SERIES

ASHGATE

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Chapter 20: 'Official Discourse, Comic Relief and the Play of Governance', in G. Gilligan and J. Pratt (eds), *Crime, Truth and Justice: Official Inquiry, Discourse, Knowledge*, Cullompton: Willan Publishing, 2004, pp. 259–76.

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Introduction

Imagine the flattening of
social inequality and economic
disparity.

Imagine the poor receiving the same mental
health and substance-use treatment as the rich.

Imagine ... (Megan Comfort, 2008a)

The title of this collection of essays derives from a criminological perspective based on three personal working beliefs. First, an ontological belief about the social world: that everything that is could be different. Second, a belief about the task of social science: that it is more important to account for social phenomena than it is to count them. And third, a belief about the task of criminology: that as the concept of criminal justice must remain imaginary (that is, impossible of realization) in societies based on unequal and exploitative social relations, one rationale for investigating the meanings of contemporary law-breaking and the social responses to it is to imagine the possible conditions for them being otherwise. For me, the project of a criminological imagination is forever to demonstrate that contemporary penal justice is both just and unjust, both possible and impossible, and with conditions of existence that have infinite possibilities for change. In exposing these tenets to public view, I am not attempting to suggest that they are in any way superior to the variously different working beliefs of other criminologists (see Carlen, 2010 for a statement against the desirability of evangelism in criminology); indeed, I wish to acknowledge straightaway, and with gratitude, the great debt I owe to social scientists working with a variety of different world-views and methodologies. My purpose in setting out these domain assumptions here is merely to account, as well as I am able, for the focus and tenor of the writings in this book, as well as for its title.

The rest of this Introduction introduces readers to the themes of the three Part titles under which the selected essays are presented. Each Part has a slightly different focus, but each also has elements in common with the others. Each demonstrates a method of qualitative critique or argument which, like a kaleidoscope, first partially describes and theoretically deconstructs events and discourses and then, equally partially, reconstructs and reinscribes them in alternative discourses, the aim being to create something new. The moment when an analysis is recognized (or not recognized) as *possible* knowledge is the moment of knowledge/ideology; when an alternative analysis is legitimated (or not legitimated) as *desirable* knowledge it is the moment of politics/ideology.

Discourse/Ideology/Social Control

Judge: (after a pause) We'll play three-handed whist shall we?

(He begins shuffling the cards and then deals them on the table.)

Arthur: (Sitting R. of table) Who's going to be dummy?

Judge: You, Mr Groomkirby.

Arthur: (After a pause) I've got my own hand to play.

Judge: You can leave that to me. (Simpson, 1960)

When I registered for a doctoral degree at London University in 1971 I had little idea of what the empirical context of my research might be. I knew only that I wanted to do empirical research informed by classical and modern social theory (Emile Durkheim and Erving Goffman, as it turned out), by perspectives from industrial sociology (organizational and professional knowledges – Durkheim again) and by perspectives from the sociology of deviance (Garfinkel, 1956; Goffman, 1959). Central to my interest in all three theorists was a fascination with social rules and social rule-usage. But I read many books on jurisprudence and the sociology of law before I hit upon the idea of doing an observational study of the London metropolitan magistrates' courts. Of course, if I were writing a research proposal now, I would most likely wrap it up as some kind of investigation into how 'the twin axes of power/knowledge and justice/law at the heart of a late modern capitalist society are realized in the local magistrates' courts'. In 1971, however, the lower courts merely seemed to provide me with the perfect testing ground for Durkheim's theories about the pliancy of social rules (Durkheim, 1964, 1967, 1968, 1969) and Garfinkel's theories on the potential for ideological coercion in the most taken-for-granted of common sense meanings (Garfinkel, 1956). After actually making some preliminary observations of the courts, I realized that they were also excellent arenas for the study of multi-professional struggles over opposed constructions of crime and justice.

By the beginning of 1974 I had finished the thesis and had successfully presented it under the title 'Magistrates' Courts: An Ethnography in the Sociology of the Absurd' (Carlen, 1974). The subtitle referred to the ever-changing meanings of specific social rules, to the way that, because of the different and often unexpected changes in their conditions of existence, rules can sociologically cohere despite a logical contradiction, thereby remaining, at one and the same time, both unambiguous and irremediably plastic. (Which is probably why the jester in mediaeval times was also known as the Lord of Misrule.)

During my doctoral studies I had read Lyman and Scott's book, *The Sociology of the Absurd* (1970) – a book that had made a strong impression on me. The absurdity of the social and sociological coherence so often underlying apparent contradictions in logic and common sense also accounts for the title of the essay that concludes this volume. 'Official Discourse, Comic Relief and the Play of Governance' appositely sums up the quintessential themes of this collection.

I have always had a sense of the absurd in social discourse (including scientific discourse), but have also, throughout my career as a sociologist, been especially sensitive to the absurdity of making claims to observe and analyse the very same social world which is irremediably both constitutive of and constituted by that same observer's world-view. Accordingly, since

I began doing empirical research, I have perennially been mindful of Althusser's cautionary warning that:

The play can no more contain the 'Last Judgement' on its own story than can the spectator be the supreme Judge of the play. For what else is he but the brother of the characters, caught up in the spontaneous myths of ideology, in its illusions and privileged forms as much as they are? If he is kept at a distance from the play by the play itself, it is not to spare him or set him up as a judge – on the contrary it is to take him and enlist him into this distance, in this 'estrangement' – to make him into this distance itself, the distance which is simply an active and living critique. (Althusser, 1969).

If that is so, you might well ask, why engage in academic work? Simply because critique is a human and social necessity. While it does not produce Truth, it does allow everyone to imagine and struggle for alternatives to current social arrangements. Similarly, while Frank Kermode might well be correct to remark that '[i]t is the great charm of books that they have an end' (1967), critique has no end other than ideology and social paralysis. All knowledge is conditional, and the struggle for knowledge is never-ending. Even so, over the years, I have increasingly carried on a constant debate both internally and in a range of writings about the implications (if any) of such a position for the possible relationships between academic critique and politics. For when it comes to political action (as opposed to scientific agnosticism) surely the critic has to forego the luxury of critical distancing by engaging in a simplification (of findings, arguments and their implications) which exposes the new knowledge to a range of ideological interpretations and compromises which may well rob it of its power? (See Chapter 20 on the dilemma of either modifying new knowledge to make it more acceptable to politicians or of maintaining its integrity at the cost of having it totally ignored.)

Luckily, it was not until I became an anti-prison campaigner in 1983 that these questions about the relationships between knowledge and politics began to worry me (see, for instance, Carlen and Tchaikovsky, 1996). While researching and writing *Magistrates' Justice*, my main concern was how to make sense of what I saw and heard going on in Central London's lower courts. None the less, from the beginning of my courtroom observation, I was surprised and disturbed 'by the taken-for-granted way in which court-workers referred to the class-biased nature of the criminal courts, by their frequent comments on both the poverty of the defendants and the criminal policy prejudices of the politicians' (Carlen, 2007, p. xx). From the start of the observational study, therefore, I knew that I had somehow to convey that, despite the analytic appeal of the imagery of the theatre and the metaphor of the game for the sociological observer and analyst, for defendants, an appearance in the magistrates' courts is only a theatre insofar as it is a theatre of the absurd. Clearly, it is not a game at all.

This volume's first three essays constitute the bulk of *Magistrates' Justice* (Carlen, 1976), the book based on my doctoral thesis. Chapters 1 and 2 are based on metaphors: the dramaturgical and games metaphor respectively. Chapter 3, 'Remedial Routines', examines the discursive devices routinely employed by courtroom professionals when confronted by defendants or witnesses who refuse to play their allotted part in the drama of the court and/or the game of constructing justice. It is in analysing the 'remedial routines' that I present the alternative analyses which, far from presenting courtroom interaction as being only a drama or merely a game, suggest some of the repressive discursive mechanisms which lurk behind, and

render absurd, the judicial rhetoric of law's rectitude and criminal justice's transparency.

Taken together, the first three essays demonstrate that by investigating a common-sense object through the lens of a theoretical framework – in the case of *Magistrates' Justice* a theoretical framework demonstrating the plasticity of social rules and social rule usage – it is possible to transform the common-sense object (here, a magistrates' court) into a theoretical object (here, 'a structure of coercion') at the same time as revealing the conditions of existence of both the theoretical and the common-sense objects. In other words, after observing the magistrates' courts for several months, the question I asked was: how is order maintained in the lower courts? To answer this question, I read (and later re-presented) the field-note data through a rules and rule-usage theoretical lens. The conclusion I came to was one that I hoped would either enable readers to see the magistrates' courts in a new light or help them understand why a hearing in the lower courts was very mystifying to the many defendants who claimed either that they had had no idea of what was going on or that, although present in body, mentally they had felt excluded from the whole proceedings.

[T]he rigid control which facilitates judicial proceedings in magistrates' courts is achieved by: the systematic manipulation of temporal, spatial and linguistic conventions which, situationally, can be contrived to manifest consensualised meanings; collusive and secretive professional communication which reinforces official control of compromised meanings; and repression of the alternative modes of theorising evocative of unpermitted social worlds. (Carlen, 1976, p. 128)

Realization of the centrality of discourse in the production of knowledge and justice in the magistrates' courts had set me on course for the study of official discourse with Frank Burton (Burton and Carlen, 1979) and for development of the already nascent theoretical interests in the possibilities and impossibilities of knowledge and justice which were to inform all my subsequent work.

Chapter 4, 'Official Discourse', provides an example of the attempt that Frank Burton and I made at analysing how official inquiries into miscarriages of justice manage routinely to 'explain away' injustices. Our main methodological strategy involved the fashioning of a metaphoric device: we borrowed Jacques Lacan's psychoanalytic employment of 'the imaginary' (Lacan, 1977) and adapted it as a metaphor to denote an ideological discourse which constantly strives for entry into the symbolic – but only on its own terms. Oppositional or contradictory knowledge is excluded. Critics of *Official Discourse* (Burton and Carlen, 1979) were to complain that our analysis was 'functional' (see, as one example, Brown, 2004). And they were quite right insofar as, having read many official inquiries and having, at a common-sense level, defined them as being 'whitewashes', we did then indeed set out to examine how 'official discourse' managed to be so convincing. Twenty-two years later, in 2002, I was to find this metaphoric device useful once more when analysing official discourse's incorporation and negation of reforming discourses in relation to women's imprisonment (see Chapter 5). Other researchers, apparently, have also found the approach useful (see, for example, Worrall, 1990; Phoenix and Oerton, 2005). Subsequently, I was to use it myself again in 2007 when confronted by the contradiction of prison personnel insisting that although the penal policies on which their working practices were based were completely impossible to implement, it was essential that they themselves acted as if policy implementation were not only possible, but actually happening. In Chapter 6, therefore, the theoretical emphasis is yet again upon

the absurdity of a contradictory rule-enforcement at odds with the material and symbolic conditions of its possible realization. The substantive focus is on how the organizational discourses of a prison's personnel (at all levels) were coercively reconfigured to maintain the appearance of the legitimacy of a women's prison at a time when everyone who knew the prison also knew that it was being used for purposes for which it had never been intended, and for which the present regime was totally inappropriate. Such reconfiguration, it is argued, enabled prison staff to talk and to act *as if* in-prison psychological programmes for prisoners could successfully address material issues of prisoners' poverty, drug usage and domestic violence outside prison, while at the same time continuing to insist that their (the staff's) professional knowledge told them otherwise. By the time this essay was published in 2008, I had for many, many years been influenced by the works of Michel Foucault, especially *The Archaeology of Knowledge* (1972), and of Thomas Mathiesen, especially, and most recently, *Silently Silenced* (2004). Well before the end of the twentieth century, however, the substantive focus of my gaze had already shifted from the courts of criminal justice towards the institutions of penal incarceration – specifically, towards the women's prisons.

Women/Prisons/Punishment

It was in the early 1970s that a new UK prisoners' movement, PROP (Preservation of the Rights of Prisoners), raised my awareness of the foul conditions in British prisons. At its inception, PROP's focus was primarily on the men's prisons and this, at the time, did not strike me as odd. Although I considered myself to be some kind of feminist, my upbringing and intellectual interests made me much more interested in prisons as instruments of working-class repression than as instances of an extreme form of gender pedagogy. In 1980 I applied to study the Scottish women's prison primarily because I thought that as women's prisons had been relatively neglected by sociologists, I might be more successful in my grant application. There were also two more practical reasons: I thought that, as a woman with a working-class background, I would have a more empathetic understanding of women prisoners' stories than those of male prisoners; and I doubted the feasibility of a woman doing empirical research in a men's prison. The research application was successful and *Women's Imprisonment* was published in 1983.

I had expected that the Scottish women's prison project would be but a single excursion into prison research and had fully intended to move into other areas of theoretical investigation of law enforcement thereafter. Two separate sets of circumstances, however, resulted in my seizing a cascade of opportunities which engaged me in studying and writing about prisons and women's imprisonment for the next 25 years. First, the book was better received than I had ever expected it to be, and this resulted in further writing and research opportunities (for example, Carlen *et al.*, 1985; Carlen and Worrall, 1987, 2004; Carlen, 1988, 1990, 1998). Second, and more importantly, three months after the publication of *Women's Imprisonment*, I was contacted by a London-based woman ex-prisoner, Chris Tchaikovsky, who invited me to join her and some other ex-prisoners in forming an organization to campaign both for better conditions for women prisoners and against women's imprisonment. Women in Prison (WIP) was founded in 1984 as a campaigning and abolitionist group (see Carlen *et al.*, 1985). Being busy with duties as a housewife and mother, together with the work involved

in the run-up to the founding of the Criminology Department at Keele University, UK, I felt I had no alternative (time-wise) but to merge my campaigning and research interests. This decision, though productive in some ways, was to raise all kinds of awkward issues about the possible and proper relationships between theory and politics (see Part III) – issues which trouble me to this day (see Carlen, 2010).

The essay on the anti-social control of women (Chapter 7) which opens Part II was published after I had been writing about, and campaigning against, women's imprisonment for over ten years. It is presented at the beginning of this section, however, because it provides the best theoretical statement of my views on the anti-social control of women. Throughout the decades when I was researching women's prisons and women's imprisonment, I was repeatedly asked whether or not I would call myself a feminist. The short answer is that I would be very proud to be seen as a feminist, but that I am not a feminist criminologist. The longer answer would explain that I have always refused the label 'feminist criminologist' simply because my work has not been explicitly (and most of the time not even implicitly) informed by any coherent conceptual apparatus knowingly taken from feminist theories. The reason for this is, again, simple (though not uncontroversial): although women often receive custodial sentences for very different reasons to men, and although the pains of imprisonment for women are different to those suffered by men, the uses and abuses of imprisonment are such that they require theorization primarily as instruments of class, rather than gender or racist, injustice. None the less, although I was committed to analysing imprisonment (both men's and women's) through the lens of class oppression, the bulk of my empirical research was in women's prisons. Therefore, the pains of imprisonment stemming from women's place in society had to be explained alongside the class analysis which helped explain why so many women are poverty-stricken and homeless on their admission to prison. Of course, I was indebted to numerous feminist writings and concepts as I analysed women's stories of their sexual and domestic abuse prior to imprisonment, and the concept of patriarchy was certainly influential in helping me shape a view on the disciplining of women. But I have never tried to contribute to feminist theories myself, and, insofar as I may have done, it was more by luck than by any theoretical judgement. As the years passed, and I was investigating prisons where disproportionate numbers of inmates were from ethnic minority groups (not the case in Scotland in the early 1980s), the effects of racism on imprisonment also had to be taken into account.

'Papa's Discipline' (Chapter 8) was written as a journal paper based on the central chapter in *Women's Imprisonment* (Carlen, 1983). In it I once more tried to portray the absurdity of contradictory discourses and, again, attempted to show that in situations where there are great disparities of power, the contradictions go beyond absurdity to coercion. In the case of the Scottish women's prison specifically, the employment of contradictory conceptions and depictions of womanhood and family, both inside and outside the prison, resulted in the women prisoners being psychologically debilitated by the realization that, *as women prisoners*, they could never be seen as real women, real mothers or even real prisoners. Consequently, while in prison they could never feel that they were doing, or were capable of doing, anything right.

After the publication of *Women's Imprisonment*, I did short periods of research into women's imprisonment and its alternatives in many countries – the UK, the United States,

Australia, Peru, South Africa, Israel – but I was always teased by doubts about the relevance to anti-prison campaigning of studying women's imprisonment independently of men's, of elevating the study of gender and anti-social control above that of class and anti-social control. One way I dealt with the class issue was to undertake two separate sociological research studies, each looking at two central attributes of both male and female prisoners – poor school records (Carlen, Gleeson and Wardhaugh, 1992) and homelessness (Carlen, 1996) respectively. These studies were conducted during the Thatcher era when it was impossible to ignore the deliberately contrived increase in unemployment together with cuts in welfare and attacks on the working class which were the hallmarks and (as it turned out) enduring legacy of the 1990s Conservative governments headed by Margaret Thatcher and John Major. The second effect of my concern with the general politics of imprisonment was the turning of my attention away from the powerless (prisoners) back towards the powerful mechanisms and policies of law and state which were resulting in such rapid and incremental increases in prison populations. I had already focused on the logic of official responses to crime in *Magistrates' Justice* and *Official Discourse* and again when I had investigated the sentencing logics of the Scottish sheriffs (judges) in *Women's Imprisonment*. So, beginning in 1983 I wrote a series of articles relating to inequality, crime and imprisonment, four of which are presented in Part II. These were: 'Why Study Women's Imprisonment?' (Chapter 9), discussing the need to consider women's imprisonment together with men's; 'On Rights and Powers' (Chapter 10), a plea for a more democratic judicial system; 'Crime, Inequality and Sentencing' (Chapter 11); and, finally, "'Underclass", Crime and Imprisonment' (Chapter 12). The two latter essays again reiterate the historical observation that, from the outset, prisons have functioned mainly to warehouse the poor, the infirm, the mentally ill, the wanderer, the unemployed, the stranger and anyone else deemed to be an enemy of the state. Each concludes by imagining ways in which sentencing (Chapter 11) and imprisonment (Chapter 12) might be otherwise.

In the meantime, however, and as the twentieth century drew to a close, rates of penal incarceration soared. Despite the proliferation of campaigning groups against women's imprisonment in the UK, the United States, Australia and most of Europe, and despite, also, the many books and reports exposing the state of the women's prisons and the poverty-stricken backgrounds and minor crimes of the majority of women suffering penal incarceration, the women's prison populations in those same jurisdictions rapidly grew. The increase occurred not only because of the widespread and vertiginous punitiveness that appeared to characterize states with rising unemployment, reduced welfare budgets and large numbers of non-national migrant workers (see Young, 2007), but also because populist governments such as the New Labour governments in the UK were fighting back at the anti-prison campaigners' attempts to delegitimize their excessive use of imprisonment for minor crimes. Against all the evidence of their own runaway prison rates, governments in several jurisdictions were arguing that modern prison regimes reduce crime via programmes of education and reform. These reforming programmes, overwhelmingly psychological in approach, were, according to the overblown sales rhetoric of their academic entrepreneurs, supposed to reduce the psychological and educational deficits responsible for the crimes which put prisoners in prison in the first place. Yet, ironically, because of the demise of both welfare payments and community-based agencies previously offering moderately effective social support, in

some of the poorest areas prison had already become the only public institution providing (compulsory) material relief from homelessness, hunger and domestic violence (see Becket and Western, 2001; Downes and Hansen, 2006; Comfort, 2008b; Wacquant, 2009). There was very little help with drug addiction – in prison, or elsewhere – for either males or females from poverty-stricken (or even slightly more favoured) environments.

And prison conditions themselves in the last decades of the twentieth century? Empirical research in prisons in the 1980s had introduced me to many prison staff (especially in the women's prisons) who held enlightened and humane views on prison management. They were still in the prisons in the mid-1990s. They are most probably still there now. By the end of the 1990s, however, an aggressive managerialism had been brought to bear on the English Probation and Prison Services. This had been encouraged by attacks from both the Conservative and New Labour governments on all publicly employed professionals who might oppose cuts or changes in working practices in health, education, welfare, housing or any other area of social life. The manifest result in the prisons was an increasing emphasis on paper accountability to bureaucratic rule, rather than ethical accountability to professional standards (see Carlen, 2002, and Chapter 6, this volume).

The effects of managerialism on life in English prisons are described and analysed in Chapters 13 and 14, together with analysis and reflection on one of the most depressing aspects of anti-prison campaigning: the incorporation of reforming discourses into official discourses. Chapter 13, 'Death and the Triumph of Governance', therefore continues a theme first introduced in Chapter 5, where the emphasis was on the plasticity of social rules (and hence discourse). In this essay the plasticity of rules theme is reintroduced to suggest that repressive rule-usage by governmental institutions can be challenged successfully under certain conditions – in this case when, in the late 1990s, the legitimacy of the Scottish penal system was threatened by a spate of suicides at the women's prison (see also Chapter 20). Conversely, in Chapter 14, 'Imprisonment and the Penal Body Politic: The Cancer of Disciplinary Governance', I examine the relationships between social rules and social auditing and argue that:

This play of old and new disciplinaries over the whole penal body politic has resulted in a strengthening of the disciplinary managerialism shaping prison policies, prison and probation managements and penal knowledge. In the process, questions of both their penal probity and their relevance to prisoners' rehabilitative requirements have been subordinated to the inward-looking claims of managerialist audit, the seeming transparency of which, one suspects, may be nothing more than a conjuring trick to suggest that something is being done. (p. 271)

In the final essay of Part II, 'Analysing Women's Imprisonment: Abolition and Its Enemies', it is argued that because of the relatively non-frightening crimes committed by women, female law-breakers and women's prison populations (in England and Wales, and possibly in some other jurisdictions, too) are very suitable candidates for experimentation with strategies for the abolition of imprisonment as we know it. Moreover, I argue that although programmes of abolitionist strategies should first be undertaken in relation to women, they should be embarked upon with the intention of learning lessons in prison reductionism, penal moderation (Loader, forthcoming 2010) or abolition, which could then be used to inform strategies for the reduction of the male prison populations. I first put forward this suggestion in the book

Alternatives to Women's Imprisonment in 1992, repeated it at the end of *Sledgehammer* in 1998 and then again in the 2006 campaigning essay reprinted here. However, I had been campaigning (with others) on an abolitionist platform since the formation of Women in Prison in 1983. Maybe, therefore, one of the more mundane reasons why I nowadays ponder so interminably on penal politics is because, between 1983 and the present (November 2009), the women's prison population in England and Wales has increased from a peak-day of about 1,646 in 1983 to a peak-day of 4,400 in 2009!

Feminism/Criminology/Critique

Part III contains a miscellany of essays addressing the politics of criminology. Again there is discussion of the analytic and campaigning possibilities (or not) of theorizing the position of women in the criminal justice and penal systems in terms of either liberal notions of sex discrimination (Chapter 16) or feminist theorizations of gender difference (Chapter 17). Then Chapter 18 examines the various criminologies which, under a clutch of different brand names, have claimed to make an epistemological break from what some of them would call 'mainstream' criminology. This mainstream criminology, according to its critics, questions neither the historical or contemporary meanings of crime nor the justice of official responses to it. Such mainstream criminology is also usually portrayed by its opponents as being an administrative criminology conducted by state institutions and concerned primarily with reducing conventional crime. Chapter 19 continues the theme of brand-name criminologies by focusing solely on critical criminology, discussing whether or not a critical criminology is possible and sustainable and, if it is, what its defining elements might be. In a most recent essay, I have summarized my views on critical (and incidentally all brand-name criminologies) thus:

In *all* research, there is the possibility of critique. In pure research there is from the beginning the self-conscious desire to think the unthinkable, to make explicit the previously hidden and to imagine the new. But critique can be a state of mind in all research – and the new is just as likely to be crafted when doing applied research, so long as curiosity and imagination go hand in hand with the routine application of tried and tested research methods. Lastly, and what undermines all the craft and the critique is the necessary commerce and politics; and I am not talking about the institutional pressures to bring in money, to publish in one type of publication rather than another, or the selling of the product to the audience. I refer to the discursive abyss into which many writers fall in the act of writing; the difficulties of distinguishing between the representational and the analytic; the sense of loss as the product is shrunk into authorial discourse; and the puny creative reward as authorial discourse is absorbed into, or destroyed by, other discourses. Thereafter, of course, it may play a bit part in some other writer's (or even a policy-maker's) grand product; but it will be lost forever to the would-be originating authors. Which is the ultimate reason why it doesn't really matter whether criminologists style themselves critical, cultural, public, Marxist, feminist and/or ... whatever. (Carlen, forthcoming 2010)

Finally, Chapter 20: 'Official Discourse, Comic Relief and the Play of Governance', is taken from an edited collection entitled *Crime, Truth and Justice: Official Inquiry, Discourse, Knowledge* (Gilligan and Pratt, 2004). It has been presented as the concluding essay because, as a retrospective on *Official Discourse*, written with Frank Burton 25 years earlier, it

expresses, either explicitly or implicitly, most of my views on the relationships between knowledge and ideology, law and justice, and social justice and criminal justice.

And so to the question as to whether, in light of my domain assumptions about the impossibility of criminal justice in a materially unequal world, I still believe that it is worth struggling for a law and a knowledge that would 'respect both the desire for justice and the desire for the unknown'? (Lyotard, 1986, p. 67). And the answer is: 'Yes, yes, yes.' I still work on the contradictory assumption that the claims of law and knowledge to legitimacy must always and already be both recognized and denied; and I still believe that social scientists (along with everyone else) can continue to cherish a criminological imagination that, in its impossible desire for a just law and an ever-open struggle for new knowledge, is constituted in the comic relief of knowing that all knowledge, both official and unofficial, is also always and already otherwise.

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