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In Praise of Critical Criminology¹

Summary

This short essay examines the relationship between academic research and policy with particular emphasis on the question of whether a critical criminology can engage in academic critique at the same time as engaging in policy oriented research. Recognising that critical criminology falls between theory and politics criminologists are urged to adopt pragmatic, strategic positions as they negotiate their role in contentious debates and practical minefields. It is concluded that a critical criminology must try not only to think the unthinkable about crime, but also to speak the unspeakable about the conditions in which and by which it is known.

I. Preface

A few years ago, a newspaper report told the story of a businessman who intended to name his sailing ship after his wife, Alice. On the appointed day, Alice stood on the quay, champagne bottle in hand, ready to perform the ceremony, intoning, 'I hereby name this ship'... when suddenly the bottle flew out of her hand. In the *kafuffle* which followed, Alice failed to complete her sentence as intended. Later her husband consulted the harbour master about repeating the naming ceremony, but was told that it would be unlucky to change the ship's name after it had been formally baptised with the champagne. The ship, therefore, is now called 'Bugger'...

Now for those of you who are thinking that, actually, Alice's story has nothing to do with the topic of this article, you are most probably right – and wrong. For one of the ironies about most articles on anything prefaced by

the word 'critical' is that they can often sound like sermons. They usually start off by saying that all other brands of criminology, especially problem-oriented administrative criminology, are not the 'real thing', that they are in any case purveyed by people who are either in the pay of the state or would like to be in the pay of the state, and then the bulk of the article is devoted to telling non-critical criminologists how they can turn to criticism and be saved. But, from the perspective which I shall outline in this article, all criminology, whether it be called policy-oriented or critical, is as necessary a constituent of 'critical criminology' as ideology is of knowledge. So I thought that an article beginning with the story of 'A Ship Called Bugger' would at least not sound quite so sanctimonious at the beginning – as it undoubtedly will by the end.

And the story also has a second, and more important function – but I hope that will become clearer as we proceed.

II. Introduction

I was asked to write about the relationships between 'research and policy', and I have interpreted 'research and policy' to refer to the

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relationships between *academic* research and policy. I make the distinction between administrative research and academic research because whereas administrative criminology can quite respectably and usefully engage in producing descriptions – statistical or otherwise – about already known phenomena, academic research should go beyond description either to explain why social phenomena take the form they do, or to transform the ways in which people perceive them, or the relationships between them.

On those definitions, therefore, it follows that, to put it bluntly, there is no necessary relationship between academic research and policy; because whereas academic research should question what is already known in order to produce the presently unknown, policy-making is about choosing between already-known alternatives. Sure, research may be invoked to support one or other of those alternatives, or may be commissioned to produce more information about what is already known, but, none the less, research and politics have different conditions of existence and are not reducible one to the other. In other words, policy cannot be read off any set of research findings, and research alone does not, indeed *cannot*, decide whether or not a ‘policy’ works.

However, although there are no necessary relationships between academic research and policy-making and policy makers, there are a number of contingent relationships – and at the present time they are as follows:

- i. Policy makers give grants to people willing to do research which is usually called administrative research i.e. it investigates aspects of the criminal justice system from within already-known parameters;
- ii. Questions on funding applications often imply that research seen to be useful by practitioners will be favoured;
- iii. University research funding assessments

and competitions are often thought to favour theoretical articles in refereed journals, based on the ‘blue skies’ research aiming to produce something new, which, in the case of criminology, will tend to be articles calling into question the taken-for-granted nature of criminal justice in contemporary societies;

iv. BUT, access to penal institutions and other criminal and penal justice research sites is usually dependent upon a researcher being able to claim that the findings will be useful either to the research hosts or in the public interest;

v. AND, what about if you are a ‘blue-skies’ researcher who would like to call into question the present system *and attempt to have some hand in changing it?* Well, in that case, you sure got problems!

So it is around that last question that the discussion in this paper will revolve. And I am going to outline two answers that have been given to that question. Answer 1 I call ‘Criminology is Damned’; Answer 2, ‘Critical Criminology Lives’. As I disagree with the ‘Criminology is Damned’ position and wish to promote Critical Criminology I will only briefly outline the position of the Damned. After that, the rest of the paper will be in praise of critical criminology.

Answer 1: Criminology is Damned

The following position, called ‘criminology is damned’ is one that is perennially favoured by criminologists disheartened by the difficulties of speaking truth to power. First, they argue, criminology is, and has always been, ideologically tainted by its empirical referents, crime and criminal justice, which are themselves concepts rooted in the social orders of capitalism, patriarchy, racism and globalism, structures which, furthermore, define crime and criminal justice in the way they do in order to maintain and legitimate the status quo. As a consequence, they say, all policy-related (ad-

ministrative research) must take for granted (and thereby not threaten) the present order of things and, (so the more conspiracy-oriented versions of this story go), its practitioners will be rewarded by further research grants. Conversely 'blue skies' research which questions the status-quo will either not be funded or, worse, will be ignored, and its practitioners accordingly suffer from a sense of futility.

Now, criminologists who endorse this characterisation of the relationships between research and policy, but who would, nonetheless, like their research to be useful in terms of shaping policy, are faced with a dilemma. They can either do administrative criminology and feel uncomfortable about legitimating an unjust system, or they can do 'blue skies' theoretical research, and nobody, least of all anyone in government, will take a blind bit of notice of their work. (Or in the most extreme and pure of cases, in damning criminology they repeatedly damn themselves – by portraying any professional success which they may have as evidence that their own work is by definition tainted and they themselves already co-opted by the state – though, of course, they still cash their state-funded university pay-cheques every month.)

Now, I take issue with the assumptions inherent in Answer 1. For, insofar as the criticism about ideological contamination (as criminology's critics would see it) applies to criminology, it applies to all social science, indeed all science. All knowledge is rooted in ideology, but, just as Alice could break the bottle and unexpectedly produce the hitherto unthought-of 'ship called bugger', so too, can we, through theoretical work, produce the new, however much rooted our research may be in policy concerns. But secondly, I take issue about the way in which Answer 1 erases the space of politics. For the state is not as monolithic as portrayed in Answer 1, nor does it have

an omniscient feedback mechanism which somehow enables it to 'know' how to defend itself against all critique. Of course, crime and criminal justice are political and ideological constructs, and the researcher who wants to change policy will have to make ethical and political judgments about the likely research outcomes of particular research tasks. Many research tasks may be neutral, many findings, even in administrative criminology may be unforeseen, and the many and varied ways in which research is used, may be quite acceptable to the individual researchers who will have their own values and politics. Conversely, the most radical critiques may well be incorporated into official discourses where they may be used to support outcomes which are totally unintended by their propagators. These are personal and political issues to resolve. What I am going to do now, in discussing Answer 2, is to outline a strategy for researchers who wish to pursue critical research which may also have policy relevance.

Answer 2: Critical Criminology Lives

First a definition:

1. A critical criminology is one that constantly refuses to accept that the significance of any crime-related phenomenon is already known for all time and all places. Thus it has to work with the already known in the hope of producing the as-yet unthought-of. In order to do that,
2. A critical criminology must beware at least 6 enemies to the critical project: they are theoreticism, politicism, populism, value-free and value-added, scientism, trimming and clubbing. However, because these enemies can only be known through recognition of their integral and critical opposites – though never in a dualistic configuration – I will frame the discussion around the difficulties of working and writing both within and without those contradictions – and for each one I will make a practical application,

by raising and answering some questions that have given me some difficulty over the years –and still do.

1. AGAINST Theoreticism: FOR Theory

For as long as I have been doing sociological analysis, I have had an ambivalence about the role of theory in critical social research. On the one hand I hold totally to the view that a coherent theoretical framework (either explanatory or interpretive) is an essential prerequisite to any type of analysis at all, but especially for a critical analysis which should produce new knowledge. On the other hand, it seems to me that within the practice of sociology and criminology there has perennially been a tendency toward an élitest theoreticism, the defining characteristics of which are themselves often contradictory: on the one hand, because the relationships (or not) between the empirical (or nominative) referent and theory are always open to question, there is often the implication that the less relevance a theory might have to the empirical referent the better; while on the other, there is, equally often, the implication that a theory has certain predictive qualities which have an all-time one-to-one relationship with the empirical phenomenon, and, therefore, that a politics can be read off from a theory. Any such stance – that is, any one which presupposes that a politics can be read off from a theory, and, which in so presupposing, confuses the empirical object with the theoretical object – fails to grasp two critical principles: that the ordering of things can always be otherwise; and that the conditions for change constantly change. (In practical terms this means that critical criminologists should refuse to attempt to dilute their theories to appease populist government research agencies and should not apologise for using theoretical concepts when engaging in analysis. It seems to me that we should not apologise for doing

academic work within the academy and should avoid implications that we have an obligation to be popularisers or purveyors of our own research.)

2. AGAINST Politicism: FOR Politics

Politicism is the opposite of theoreticism – an assumption that a theory can be devised in the service of a politics. In the 1980s and 1990s, left realists like Jock Young fell into the trap of politicism when they argued that because a left realist theory was designed to incorporate all popular concerns about crime it would have more chance of being incorporated into criminal justice policy. This, in my opinion, was the main cause of the perspective's lack of coherence and inability to produce any new, critical knowledge at all. Having said that, I did admire the left realists for taking an explicit political stance, for making their domain assumptions clear, and, at least on the political front, not engaging in trimming. (The practical application of that is that I do not think academics when asked about the relevance of their theories should be frightened to say 'relevant to whom?'. But I think that when they use their own research in the service of a politics they should make it quite obvious why they are doing it: e.g. they should not be frightened to say that they are anti-prison campaigners, feminists, socialists or whatever.)

3. AGAINST Populism: FOR interventionism

One of the dilemmas of a critical criminology – or a political party (as New Labour in England regularly informs its Old Labour relicts) is that unless its ideas are disseminated to politicians, they will have no effect on policy at all – they will be stillborn. Yet, in order to popularise a critical theory or analysis, it is often neces-

sary to trim it till it loses its radical or political edge, and is ripe for incorporation into prevailing ideologies. It has therefore seemed to me that critical criminologists should recognise a division of labour – they must retain their academic integrity when writing theoretically – that is, they must refuse to sweeten the theoretical pill – whilst at the same time working with campaigning groups and journalists to try to influence the types of radical and journalistic interventions that can be made. However, that is difficult in England at the present time when the government repressively promotes a particular conception of social science as a pseudo-scientific justification for its own policies. Which brings me to... scientism

4. AGAINST scientism: FOR science

One of the more reprehensible foibles of England's present government is that it has continued its predecessors' practice of quite explicitly conflating government-interest with a particular scientific method – that is, empiricist quantitative method – and then elevating that method as the only one guaranteed to deliver truth. Thus, it claims that all arguments for change, especially radical change, have to be 'evidence-based'. Such a reasonable and disarming edict! Until one remembers how it works out. For instance, during the 1990s – when I was conducting research on homelessness it was constantly claimed by the Tory governments that nothing could be done about homelessness until the numbers of homeless people had been ascertained. As most homelessness is hidden, and official homelessness has a most eccentric definition, nothing was done about homelessness.

You know the story. But where it took a new twist under the 1980s Tory administrations is that this scientism or pseudo-scientificity (pseudo because it elevates one conception of

science into a truth – a procedure which leads to an ideological closure) was imposed not only on the academic community but also on the evaluation of all professional knowledge and practice, including that of criminal justice professionals. This emphasis on positivistic auditing has continued to this day, and has been effective not only in 'papering over' some of the worst cracks in the system but also at silencing critics from within the system who have nowadays become overburdened with the very paperwork upon which both the 'truth' of their own system and their promotion within it will depend. Thus pseudo-scientific procedure has recently been strengthened in its perennial role of disciplining critics of the status quo. Indeed, I myself witnessed an extreme instance of measurement madness in Scotland, when an official in the Scottish Office remarked that it would be impossible to audit the impact of measures to reduce suicides in Cornton Vale because, and I quote, 'We just don't have enough suicides to do a proper study'.

5. AGAINST value-free and value-added: FOR moral discourse

As we all know, issues as to whether or not social science can be 'value-free' have long dominated academic social science debate. Here, I will not pose the question with regard to criminology, because, first of all, I think that it is obvious that no social science can be value-free; and secondly, because I cannot imagine why anyone should ever want it to be. Unfortunately, the 'evidence-based' political rhetoric in England is not only inseminating debates about social policy, but also: a whole range of other social assessments, for example – and poles apart – the evaluation of grant applications; and the evaluation of prison regimes. In the former it leads to a refusal to recognise that all science has a moral dimen-

sion; in the latter, it leads to an erasure of moral discourse from debates about how prisoners should be treated.

First grant applications: there is such an emphasis on the importance of quantitative research in England now that even spelling out the domain assumptions that provoke one research question rather than another risks being labelled as 'bias'. Thus, when I recently stated in a grant application that one reason why I was looking at alternatives to women's imprisonment was because I subscribed to a previous Conservative Home Secretary's expressed opinion that 'prisons make [bad] people worse' a member of the commissioning panel expressed concern that I admitted to holding 'biased' views on imprisonment. Yet, I was putting forth this domain assumption as a necessary procedure for the kind of science that I practise. Even more ironically – given the objections to 'bias' – in every application to the Research Council applicants are required to say how the research will 'add value' and all research applications have to be assessed by 'users'. Two obvious questions arise: whose values? and which users? And how does one know how to answer these questions unless one always and already knows the answers to the research questions and whose interests they will serve? And here, why not tell the truth? In several research applications I have quite explicitly expressed the hope that the main people to benefit from the research will be poor women. Sometimes I have said 'I don't know'. Sometimes I have said that I hope that other academics should benefit. I refuse to be paid as an academic and continuously apologise for what I do. I still got the grants.

Now, it is in this context that I presently feel very strongly that critical criminologists should resist political attempts to impose only one type of research method on social science and, instead of kowtowing to blatant political interest engage in an unfashionable crusade to

bring 'morals' back into public discourse about the relationships between social and criminal justice. And I have chosen the term *morals* deliberately.

When I was recently doing research in the United States I was asked how one could evaluate a programme for homeless drug users which was not having much success in terms of immediately turning young women away from drug usage, but which was improving their general health, increasing their education levels and, in some cases (though only in some cases) reducing the frequency of their being in trouble with police and courts. When I asked the programme leaders whether they could make an argument that attendance at the Programme was a 'good in itself', or whether they could put forward arguments based on the morality of providing shelter for otherwise homeless and destitute women, they were quite troubled and slightly embarrassed. The immediate response was to inquire as to whether I was, as they put it, 'religious'; and, when I replied that I was not, they went on to explain to me that to talk of either 'moral good' or morality would make their financial backers think that the project leaders themselves were employed by a religious organisation, and that that would not go down very well. Nor they said, did they want to be seen as 'do-gooders'. They wanted to be seen as realists. Yet they were doing good, and their answers to my interview questions suggested that 'doing good' had been one of their main objectives in setting up the programme. I am not criticising their strategy. What I am regretting is that what I saw just one instance of in the United States, mirrors the dominant situation in England today, where professionals in the criminal justice system have to do good by stealth for fear of being seen as being unprofessional 'do-gooders' whose non-quantifiable moral or qualitative inputs into their work are defined not only as being non-auditable but also, and, consequently, as having 'no

value'; a discursive move, in fact, where the moral dimension of both social policy and social science is suppressed.

6. AGAINST trimming and clubbing: FOR scientific integrity

By now, many of you will have realised that what I am calling a 'critical' criminology would be no more and no less than one which adheres to the liberal, classical ideal of science – that it should be: open; constantly recognising, questioning, and, if necessary, denying the conditions of its own existence; and neither 'trimming' its questions to make them politically correct or expedient, nor 'clubbing' – that is, pulling its punches – either to conform with contemporary academic fashions or political prejudices, or in response to downright bullying by either political or academic powers-that-be, or from those one would want to be seen by as being OK. For above all it seems to me that a critical criminology must try not only to think the unthinkable about crime, but also to speak the unspeakable about the conditions in which and by which it is known. (And in practical terms being against clubbing means that you have also to court unpopularity with people that you would like to agree with. Campaigning groups that I have worked with have been very angry because I have refused to say that women could not be violent; because I would not vilify prison officers; and because I would not pass on to them information I had received confidentially.)

SO, IN CONCLUSION...

I am beginning to think that the concept 'critical criminology' has indeed provoked a sermon rather than an academic article, and that to be setting out the defining elements of a critical criminology is a rather inappropriately positivistic task. For, a critical criminology,

falling as it does between theory and politics, is primarily about strategy; and therefore its protocols have to be very loosely binding on its practitioners, who will inevitably shape their practice according to both their own talents and calculation of the balance of political needs and forces at specific times; and who, moreover, if they have any political *nous* whatsoever, will keep their tactics to themselves. At moments of critical struggle, one person's critical theory is likely to be seen as another person's theoreticism and so on and so forth. Who cares? In my opinion, all that is really critical is: first not to close-off debate; and, secondly, to refuse to collude in any criminology that refuses to question the already-known meanings of all crime phenomena.

Which brings me back to the fundamental project of this discussion of critical criminology: to ask whether a critical criminology can engage in academic critique at the same time as engaging in policy oriented research?

And the answer, in the tradition of Thomas Mathiesen's concept of the 'unfinished' is yes.. and no. As the conditions for change, change, knowledge becomes ideology and in this sense, and as I remarked at the beginning, non-critical or administrative criminology is as necessary a constituent of 'critical criminology' as ideology is of knowledge. But with this difference: administrative criminology will 'never embarrass the minister'. Critical criminology, on the other hand, by working on the contradiction that the claims of law and knowledge to legitimacy must be both recognised and denied, can cherish a project that is forever played out in the comic relief of knowing that all knowledge, at the time of its recognition as such, is already otherwise. In saying 'Yes, Minister'... but 'No! Minister', therefore, critical criminology continues an age-old scientific tradition: the fierce belief that an essential prerequisite for the birth of the new is a capacity

to acknowledge the 'Alice in Wonderland' of official criminology at the same time as being able to say, 'Bugger Alice'.