

CHAPTER 4

Theory and Practice: On the Development of Criminological Inquiry

OVERVIEW

This chapter seeks to locate criminology in the larger context of science and knowledge. It engages issues of epistemology (the study of knowledge) by examining the debates about how to distinguish between science and pseudoscience by reference to what constitutes a fact, what constitutes an appropriate method, and the role of social norms. Ontological issues (the study of existence) are also of concern in terms of how a person's assumptions about the world, the theories they value and the methods they use all shape the resulting 'knowledge' of crime.

These issues are applied to criminology through a review of the classical, positive and critical schools of criminology. The classical school was influenced by the Enlightenment and the notion of a social contract rationally entered into by free agents. An interest in law and reforming the administration of penal law are thus more of a concern than with the criminal. The positive school sought to use a natural science model to collect observable facts about the forces that drove people to crime, so they were more interested in the criminal and how to redirect/cure his criminality. The critical school is a reaction to modernist/positive criminology that acknowledges its subjectivity and its involvement in a social endeavor that questions the social order. It realizes that we can not separate subjective human consciousness from the social construction of reality, including 'crime'.

Barak argues for a post-postmodern integration that blends modern empiricism and postmodern interpretation. This reconciliation is a process that will reorder criminology by exposing underlying assumptions and challenging the institutionalized status quo.

* The Instructor's Manual for *Integrating Criminologies* is available as a downloadable Adobe .pdf file by chapter or in complete form through <http://paulsjusticepage.com/IntegratingCrim/index.htm>. The author's website is <http://greggbarak.com>. The website for [Amazon.com](#) has additional information about the book, and the [publisher's website](#) accepts requests for academic desk copies.

OUTLINE

I Introduction

- A. Exploration of criminology in contexts of epistemology (knowledge) and ontology (existence)
- B. Overview and critique of goals: etiology/causation, association/prediction, falsification, control/intervention
- C. Kuhnian 'essential tension': keeping system of new ideas open to change while conserving gains made -- blend traditionalist and iconoclast

II Science and Pseudoscience

- A. Science deals with the systematic arrangement of facts or truths to reveal the operation of general laws, while pseudoscience refers to the erroneous claim to being scientific

- B. Fact
 - 1. Veracity (truth versus fabrication): validity (accuracy versus error)
 - 2. What counts as a fact?
 - a. Issues of poor reliability (anecdotal evidence)
 - b. Issues of subjective experiences, meanings and cognitions
 - c. Can/should 'facts' and 'values' be separated
- C. Methods and the demarcation problem
 - 1. Essentialists: can solve problem
 - 2. Nominalists: cannot solve demarcation problem because solution comes from the analysts themselves
 - 3. Objectivists/positivists: principle of verifiability (operationalized, measured and tested)
 - 4. Idealists/phenomenologists: falsifiability (refutation)
- D. Social norms
 - 1. 'Facts' and 'values' shaped by historical conditions and norms of scientific communities
 - 2. Three sets of epistemological norms in criminology
 - a. Classical (1750-1850)
 - b. Positivist (1860-1960)
 - c. Critical (1970-1990)
 - 3. Spectrum of nominalism
 - a. Conservative: common logic of validation, but different levels of precision by discipline
 - b. Liberals: fundamental differences between hard and soft sciences
 - c. Radical: regardless of discipline, all areas of knowledge involve negotiation (social constructionists & labeling theory)

- d. Anarchist : all methods are problematic, so none are privileged; progress for rationality and irrationality
 - 1) Deconstructionists and postmodernists: also deny existence of objective reality

III Criminological Construction: Classical, Positive and Critical

A. Assumptions

- 1. Ontological: relationship between criminologist and crime-- between theory, method and practice
- 2. Epistemological: about origin, nature, methods and limits of knowledge
- 3. 'Knowledge' generated by criminologist linked to ideology and assumptions about the world

B. Classical Criminology

- 1. Rationalism influenced by Enlightenment's reforming spirit and humanitarianism
- 2. Social contract, rule of law freely chosen on basis of rational self interest
- 3. Concern was to balance good of society with rights of individual, so their concern was with the administration of penal justice (and 'crime' rather than the 'criminal')

C. Positivist Criminology

- 1. Based on methodology of natural sciences, sought to collect observable 'facts'
- 2. Acceptance of determinism and forces (biological, economic, psychological, social) that drove people to crime
 - a. Quetelet's 'social mechanics' of crime
 - b. Lombroso's 'born criminal'
 - c. Ferri's socio-political criminality
 - d. Garofalo's social Darwinist approach
- 3. Change of focus from law to criminal (punishment should fit criminal), who could be redirected (cured) into lawful behavior

D. Critical Criminology

- 1. Failure of positivism to identify causes of crime
- 2. Reflect a diversity of standpoints and include the agendas of feminism, realism, newsmaking, peacemaking and postmodernism
- 3. United by skepticism of positivist beliefs
 - a. Objectivity -- acknowledge that they are part of a moral and political endeavor that questions the established order
- 4. Influential perspectives
 - a. Social constructionism: crime exists because those in power have constructed and applied the label 'crime'
 - b. Marxism: crime related to the contradictions of capitalism

IV Theory and Practice: A Post-Postmodern Approach

A. Integrate modernist with post-modernist

1. Use modernist empiricism used to construct scientific facts
2. Use postmodern interpretation questioning how reality is conceived
3. Always in process -- exposes underlying assumptions of investigation, challenges institutionalized status quo and displaces established truths
4. Attempt to reconcile opposites or contradictions

LEARNING OBJECTIVES

- 1] Introduce students to some basic issues in the philosophy of science, including (a) what constitutes 'scientific' and (b) how do the values of the scientist shape the process/results
- 2] Apply these insights to criminology through a review of the classical, positive and critical schools of criminology

IDEAS FOR LECTURES & DISCUSSION

Most research methods text do not engage students on the issues raised by this chapter, so many of these philosophy of science questions will be novel. Some of the questions are: What do we mean when we say we 'know' something? What establishes a statement as a fact rather than an opinion or belief ['He drove negligently down the road']? How are the values and position of the observer related to the product (remember the blind men and the elephant)? What constitutes an 'authoritative' statement that is accorded deference and assented to? Why do we privilege certain people who say certain things they learned by studying the world in a certain way? What weight should be given to Barak's analysis – or to the classroom instructor's? Why?

To start thinking about the scientific enterprise within which criminology operates, I would suggest Neil Postman's essay about Social Science as Moral Theology (1988)* and some of the other essays in this collection about education. He argues that all social science is essentially story telling about human behavior. None of it is science, but it is all moral theology because it has a point -- that of making the world a better place. His discussion of Milgram's experiments on obedience to authority, however, misses part of the point: Milgram had a methodology to eliminate alternative hypotheses (it was not obedience but sadism) and systematically altered variables (presence of authority and victim). His story is thus stronger and more credible.

"'Reality' is what we take to be true. What we take to be true is what we believe. What we believe is based on our perceptions. What we perceive depends on what we look for. What we look for depends on what we think. What we think depends on what we perceive. What we perceive determines what we believe. What we believe determines what we take to be true. What we take to be true is our reality" (Zukav 1979: 310).

Many of the debates surrounding race, crime, genetics and IQ would be an interesting way to raise the problem of science and pseudoscience. Many critics charge that *The Bell Curve* was pseudoscience whose findings were related to values placed on race. Some of this material would furnish a nice transition into the next chapter on biology (which will be a weak point for many sociological traditionalists and criminologists who went through programs dominated by sociology).

Given the high workload of most instructors and an overwhelming flood of information, I have tried to be careful about suggesting additional readings, but I recently came across an interesting book that bears on this point of what constitutes 'scientific' in relation to UFO abductions. Bryan (1995) attended a conference at M.I.T. on trying to establish a scientific basis for proving or disproving abductions. He does an interesting job trying to sort through the evidence and figure out what is important and why it might be so. Interestingly, one has to have a certain openness or conception of what is possible/real to even consider that the topic has any relation to science. Further, Harvard psychiatry professor Mack commented: "We don't have a legitimate reality that will permit my reality to be heard" (Bryan 1995:160).

REFERENCES

Bryan, C.D.B. 1995. *Close Encounters of the Fourth Kind: A Reporter's Notebook On Alien Abductions, UFOs and the Conference at M.I.T.* New York: Penguin/Knopf

Postman, Neil. 1988. *Conscientious Objections: Stirring Up Trouble About Language, Technology and Education.* New York: Vintage/Random House.

Zukav, Gary. 1979. *The Dancing Wu Li Masters: An Overview of the New Physics.* New York: Bantam.