BOOK REVIEW FEATURE

CRIMINAL JUSTICE: REVIEW OF A FIELD

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One of the issues that has endured in the study of mankind from the earliest systematic thought to the present concerns the nature of social cohesion. In early sociology (see Coser and Rosenberg, 1957:Chapter 4) this issue was separated from the rest of sociology as the study of "social control," i.e., the study of all ways by which individuals are kept in line with society's values. In contrast to yet earlier thinking which had implied that law and formal control mechanisms were the only mechanisms of social control, the sociologists of the turn of this century emphasized the informal mechanisms of religion, education, public opinion, and ceremonies as crucial means by which the normative structure of society was maintained. In the last two decades, however, the attention of sociologists and a number of others has again come to focus on law and its associated enforcement agencies as subjects worthy of study. Since the oft-repeated observations of early sociologists that formal means of social control had become more important with modernization and industrialization were clearly not sufficient to focus social scientists' attention on these formal mechanisms, what, in fact, has produced this new interest in the criminal law and its correlated agencies?

I suggest that, to a degree even surpassing the emergence of other interests in the social sciences, popular interest in the apparent breakdown of "law and order" focused social scientists' interests. By the early 1960s, the violation of law seemed to be on a constant upward spiral and seemed to be more than ever before spreading to those parts of town where the influential people lived. Widespread fear and concern about crime on the part of those who mattered politically made the agencies which were supposed to control crime subjects for political debate.

This concern was then fed highly combustible fuel by the outbreaks of civil disturbances in the mid-1960s from the steps of Sproul Hall at Berkeley to the ghettos of Newark. As we would expect, those sympathetic with the widespread protests defined them as the first waves of a new day, while those less sympathetic defined the actions as crime in the streets. As we would also expect from the history of governmental responses to protests in democratic society, these protests spawned numerous study commissions (President's Commission on Law Enforcement and the Administration of Justice, 1967; National Advisory Commission on Civil Disorders, 1968; and National Commission on the Causes and Prevention of Violence, 1969) which, of course, produced reports containing numerous recommendations. Of all the recommendations made, the one that was most instrumental in producing new interest in criminal justice as a field of study created the Law Enforcement Assistance Administration with its massive infusion of funds into crime control, evaluation research, and the education of those who were expected to deal with crime.

Another important force in the production of interest in criminal justice came from a very different (sometimes seemingly opposite) source in American society—the perception of the protesters (who included many budding social scientists) that the criminal justice system (especially the police and the courts) were repressive forces opposing needed social change. From this group came forth "radical" criminology, focusing its attention on the elite establishment and its attendant forces of the "occupation" of America's repressed. These radicals readily latched onto Marxian theoretical traditions to provide a relatively academic (usually sociological) attack on the justice system, while the new funds of the war on crime generally led to the development of new, applied study of the criminal justice system by persons who have gradually gravitated into new or re-organized academic departments of Administration of Justice, Criminal Justice, or Policy Sciences. Ironically, the radicals generally remained with traditional academic departments, while the reformers developed a "new" discipline, represented organizationally by the Academy of Criminal Justice Sciences.

The developing and maturing character of this discipline was conveniently described in the preface to the first published collection of papers presented at the annual (1978) meetings of the Academy, a series generally titled *Contributions in Criminal Justice.*

> This series represents more than just the efforts of a Committee or the Academy; it symbolizes the increasing academic maturity of the field of criminal justice. In the past decade the number of academic programs in criminal justice at colleges and universities has increased from 209 degree programs to over 1,200 programs in 664 institutions, including more than 20 doctorate programs. More important than the number of institutions granting criminal justice degrees is the continuing shift in the academic quality of these programs from a training model to a sophisticated professional model that relies on an academic curriculum and encourages its faculty to conduct research on the problems of and issues in criminal justice. The output of these faculties has resulted in an increase in the quantity and quality of papers presented at the annual meetings of the Academy of Criminal Justice Sciences. During the past four years the number of sessions increased from 6 panels with 20 papers to 75 panels with over 160 papers presented. This series then represents the positive maturation process of a new academic discipline and the Academy believed that it was time to recognize that development and encourage its continuation by supporting a publication series (Conley, 1979:vii).

While it would be fascinating to review developments within radical criminology *and* the development and definition of the field of criminal justice (and to determine the degree of interplay between them), the focus of the remainder of this paper will be on the field called criminal justice, as such.

Criminal justice takes for its subject matter all the governmentally sponsored and governmentally approved (licensed, funded, etc.) private responses to those who have violated the law. In general, as may readily be seen by reviewing textbooks called *Criminal Justice* or some variant thereof, the focus of the

study is on the police, the prosecutor, the courts, and corrections, i.e., on the major divisions of government, itself, designed to deal with law violators. Realistically, the purpose of this paper is to describe and characterize the literature produced in the last ten years by scholars of this criminal justice orientation.

THE SCOPE AND DIVISIONS OF CRIMINAL JUSTICE LITERATURE

In general, the literature of the criminal justice field may be classified as descriptive, prescriptive, evaluative, or technical. No claim is even implied, however, that any given work can be neatly put in one of these categories. In fact, one of the key characteristics of criminal justice literature is that each piece usually contains, implicitly if not explicitly, descriptions of current justice system operations (which, in turn, are based on evaluation studies) and then proposes some improvements of the system (for a current research of research issues, see Talarico, 1980). Descripton, however, has often been the sole avowed purpose of publications. Such is the purpose of the results of surveys conducted by the various "assessment" centers on juvenile programs (for example, Vinter, Newcomb, and Kish, 1976; Smith and Alexander, 1980), the annual compilation of a *Sourcebook of Criminal Justice Statistics* by the Criminal Justice Research Center at SUNY at Albany, and a number of individual studies (such as Vera Institute of Justice, 1981). In addition, many of the texts designed to introduce students to the field of criminal justice are essentially descriptive, with, to varying degrees, administrative and legal orientations. Only two of the thirty to forty of these texts have an essentially sociological perspective, Daudistell, Sanders, and Luckenbill, *Criminal Justice: Situations and Decisions* and Kratcoski and Walker, *Criminal Justice in America.*

Comparably, a number of publications clearly are prescriptive in character. Most notable among these are the 1973 series of publications by the National Advisory Commission on Criminal Justice Standards and Goals, the 1975 series published by a later commission of the same name, and forty or so publications about

individual "exemplary projects" published by the Office of Technology Transfer of the National Institute of Law Enforcement and Criminal Justice and its successor, the National Institute of Justice.

It appears that the literature on evaluation is the largest body of literature in criminal justice, in part because evaluations of programs funded by most federal agencies in the field have been mandated in much of the legislation providing the funds. The pertinent evaluation literature may be subdivided into materials on a) how to conduct evaluations (the "classic" sources include Wilkins, 1969 and Glaser, 1973), b) evaluations of particular programs (such as Glaser, 1964; Empey and Lubeck, 1971; and Goldman, 1980), c) compilations and/or summaries of numerous evaluations (such as Lipton, Martinson, and Wilks, 1975; Blumstein, Cohen, and Nagin, 1978; and Sechrest, White, and Brown, 1979), d) analyses of the issues and problems in evaluation research (such as Bernstein et al., 1978 and Klein and Teilmann, 1980), and e) discussions of the utilization of evaluation knowledge (such as Dornbusch and Scott, 1975 and Alkin, Daillak, and White, 1979). Since the evaluation process is similar for criminal justice and many other kinds of programs, the whole, semi-autonomous field of evaluation science is closely related to criminal justice. The most obvious manifestations of this field are the journals devoted to evaluation in general, such as *New Directions for Program Evaluations, Evaluation Quarterly, Evaluation and Change,* and the *Evaluation Studies Review Annual.* Within criminal justice, a degree of coordination of the evaluation effort has been introduced by the National Evaluation Program (originated by the Law Enforcement Assistance Administration and now conducted within the National Institute of Justice) which makes grants for Phase I (general review of what is known) and Phase II (actual program evaluations) of selected types of programs having similar objectives. Phase I reports are available for some thirty different kinds of programs (National Institute of Law Enforcement and Criminal Justice, 1977). Momentarily, we will see what dramatic effects certain compilations of the results of evaluations have had on the field of criminal justice.

Historically, the technical literature in criminal justice was largely law and police science. Certain of the classics in this field (such as the Germann, Day, and Gallati police science text and Kenney and Pursuit's *Police Work with Juveniles* have been joined by a multitude of specialized works ranging from rape intervention handbooks (McCombie, 1980) to patrol techniques (Folley, 1973) and from police management (Garmire, 1977) to the operation of reception and diagnostic centers for juvenile offenders (Amos and Manella, 1973). Many of the law sources are now coming out in looseleaf form. These specialized sources are being widely supplemented by collections of readings and bibliographies (such as Whitehouse, 1981 and a number of bibliographies published by the National Institute of Justice). It is impossible even to characterize this huge literature beyond saying that it is useful for practitioners but adds little knowledge to our store about how the criminal justice system operates.

All four types of this literature are more than supplemented by journals devoted to criminal justice. Shichor, O'Brien, and Decker (forthcoming) have recently conducted a survey of the reputation of forty-three such journals. The *Criminal Justice Periodical Index* classifies articles from ninety-eight publications. The *Index to Legal Periodicals* currently analyzes the contents of 417 legal periodicals. We must recall, of course, that these specialized lists cover only the specialized journals and that many sociological and psychological journals include numerous articles on criminal justice system operation. This huge outpouring in specialized and non-specialized sources varies broadly in quality and style as well in perspective. Unfortunately, many of the journals try hard to appeal to both practitioners and students of the criminal justice system the classic case being the *Journal of Criminal Law* (this part for criminal lawyers) and *Criminology* (this part for criminologists) and, formerly, *Police Science* (this part for police administrators) making it exceedingly difficult even to say which of these journals are more "scientific" or theoretical than others. It does seem, however, that those listed by Shichor, O'Brien, and Decker as more prestigeful are, on the average, relatively theoretical.

Fortunately, a number of bibliographic sources besides the bibliographies from the National Institute of Justice have been developed to aid the student of criminal justice in a search for information. Three annual reviews are of some assistance: *Research in Law and Sociology: A Research Annual* published since 1978; *Criminology Review Yearbook* published only since 1980; and *Crime and Justice: An Annual Review of Research* published since 1979. The last of these three provides the greatest depth of review in articles especially prepared for the annual volumes, but the number of subjects covered in each annual is, necessarily, limited. An excellent, exceptionally international source document published since 1961 is *Excerptica Criminologica,* renamed *Abstracts on Criminology and Penology* in 1969, and renamed again in 1980 the *Criminology and Penology Abstracts.* Since the mid-1960s, the National Council on Crime and Delinquency has published abstracts of about a fourth of the materials they received in their massive library. From 1966 to 1969 the publication was entitled *Selected Highlights and Information Review* and was in a newsletter format. From 1969 to 1975 the collection in journal format was entitled *Crime and Delinquency Literature,* and in 1977 became *Criminal Justice Abstracts.* Abstracts of virtually all the material arriving in the NCCD library are now available on microfiche under the title *Abstracts on Crime and Delinquency,* but these are too expensive for most libraries to buy. All the material in the National Criminal Justice Reference Service (a unit of the National Institute of Justice) library beginning in 1971 is available as the *Documents Retrieval Index,* also on microfiche. Taken together these bibliographic tools, with the addition of more general indexes such as the *Social Sciences Citation Index,* allow the patient student to collect together a hugh bibliography on virtually any criminal justice topic.

If this patient student is also serious about a science of criminal justice, however, he may find that even the mass of material available lends him relatively little power to understand or predict events in the criminal justice system. Any broad theory of criminal justice (i.e., explanations of why the system works as it does, allowing predictions of how it will

work in the future) is essentially a political standpoint at the present. As implied above, the broader theoretical issues about criminal justice have been dominated in recent years by a debate (largely, but not entirely, in sociology) between traditional criminologists who usually saw crime as the problem to be solved *vs.* neo-Marxist criminologists who viewed our social structure as the problem to be solved (Sparks, 1980). While this debate sometimes was highly polemical, the debate also was one impetus for some of the "best" research of the last decade (for example, Berk, Brachman, and Lesser, 1977; Hogarth, 1971; and Elliott and Ageton, 1980) and some important new theory (such as Black, 1976). Most theory, however, in the field of criminal justice (as in its predecessor and companion, criminology) has been borrowed from other fields. Organization theories, systems theory, and symbolic interactionism are, perhaps, the most extensively borrowed.

MONEY, POLITICS, AND EVALUATION

The powerful impacts on the study of criminal justice, however, have come not from theoretical debates but from applied evaluation research. Although we had some decisive evaluations earlier (Kassebaum, Ward, and Wilner, 1971; Robison and Smith, 1971), Viano could still say in 1975, "The rehabilitative or therapeutic ideal dominates academics and practitioners alike, and it is widely assumed that matters of treatment and reform of the offender are the only questions worthy of serious attention" (1975:xi). Lipton, Martinson, and Wilks' *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies* (1975), reporting on a review of evaluations at the behest of the New York Governor's Special Committee on Criminal Offenders (and the prior and subsequent publicizing of the survey conclusion, especially by Martinson) had a dramatic impact on the whole field of criminal justice. Their conclusion that the addition of specific treatment programs has little or no impact on the success of a general type of program (such as prison or parole) for a given type of offender has been widely interpreted to mean that "nothing"

works (Malloy, 1975; see also, National Council on Crime and Delinquency, 1976). Although the effects of the dispersion of this conclusion were likely not as sudden as they seem in retrospect, it seems as if legislators' funding patterns, the "leading" theoreticians of criminal justice (for example, Van dën Haag, 1975; Wilson, 1975; Fogel, 1979; Fogel and Hudson, 1981), some of the penal reform organizations (the American Civil Liberties Union in California and the American Friends Service Committee), and the direction of research all took a dramatic turn from making the treatment fit the offender to making the punishment fit the crime. It seems to me that the conclusion about the minimal impact of rehabilitation programs provided intellectual justification which had long been lacking for those who wanted to be tough on crime and simultaneously, took the wind from the sails of the century-old rehabilitation movement. The time was politically ripe for research on deterrence, the key to the eighteenth century "classical" theory of crime. The rehabilitation forces had successfully argued that punishment does not deter, but the new concern was to determine whether or not rehabilitationists had sold us a bill of goods. The compilations of past research on deterrence and the new research that was undertaken rapidly led, to summarize grossly, to the conclusion that manipulating punishment affects deterrence no more than adding rehabilitation programs to our general programs for offenders affects recidivism. Besides, the evaluation of all our criminal justice efforts (see the parallel volumes published by the National Academy of Sciences on, respectively, deterrence and rehabilitation: Blumstein, Cohen, and Nagin, 1978; Sechrest, White and Brown, 1979) is rife with methodological problems. All this leaves the practice of criminal justice with little sense of direction (Gibbons, 1981), save that there are many calls for "innovative" programs which, presumably, are to promise something other than either rehabilitation or deterrence. The focus of federal research money is to locate new, better, and more effective evaluation mechanisms. My view is that until new correctional programs are devised, new modes of evaluation will lead to the same conclusions we have already reached. In the meantime, political expedience will have a freer hand than

usual to determine both changes in the criminal justice system and the patterns of criminal justice research.

Logically, this state of affairs should lead to a new burst of theory about crime, theory on which innovative programs could be based. Unfortunately, apart from some further developments of "control" theory (hopefully focused on attitudinal training rather than external repression) and efforts to combine theories (such as Glaser's "differential anticipation" theory, 1978:125-127), new developments in criminological theory are few and far between at the moment (Gibbons, 1979:final Chapter).

Two particular evaluation studies have also had the effect of disrupting "business as usual" in criminal justice. The report of an experiment in Kansas City, Missouri indicating that routine patrolling had little impact on the effectiveness of law enforcement (Kelling and Pate, 1974) has not only caused extended debate but also brought about some (Sherman et al., 1978:24) reorganization of police field efforts, most prominently the development of specialization and increased use of patrol officers in investigation in the style initiated by August Vollmer in the 1920s. The report by Rand Corporation researchers that the criminal investigation process (mainly the work of detectives) was not generally what it appeared to be (Greenwood and Petersilia, 1975; Chaiken, 1975; Greenwood et al., 1975) has produced extended debate but, to my knowledge, little change except that pursuant to team policing.

Other aspects of the criminal justice system have been subject to a continuing series of evaluations which produce much writing but relatively little change. Sentencing (Kress, 1980; Singer, 1979), prosecutorial decisions (Brosi, 1979), and parole decision-making (von Hirsch and Hanrahan, 1979) have been popular targets, the academic literature on which seems to be focusing now on the general decision-making process under discretionary rules (Gottfredson and Gottfredson, 1980; Dow, 1981).

Closest to home for the students of criminal justice has been a series of evaluations of the 1,200 or so criminal justice education programs. Although the general conclusion has been

that this education has been a relatively poor quality (Sherman, 1978:x), a forthcoming report seems to indicate that improvements have been made (Anderson Publishing Co., 1981:1).

The general pattern of the evaluation and response process seems to be: 1) A new program spreads, 2) Devastating critiques are presented and publicized, 3) Funding is sharply reduced, 4) Additional research indicates things are not so bad or are the way they are because we have nothing better in prospect, 5) Innovations are introduced which appear to handle the critiques, 6) Funding become normalized, i.e., the state and local governments continue with little federal aid to operate an increasingly differentiated patchwork of programs. The patchwork has been enlarged by adding new programs, some of which survive, but old programs (traditional processing and correctional programs, most obviously) are also retained. The grist for the mill of criminal justice research has been the description and evaluation of new programs. Now that both ideas and funding for new programs seem to be in short supply, it would appear that criminal justice research will have to go in one of two directions, a) analysis, description, and refined evaluation of on-going portions of the criminal justice system, approaching, in effect, a sociology of organizations applied to the criminal justice system or b) description and causal analysis of offender populations. There are already representatives of these two directions, such as Gray and Williams' utilization of the organization-environment approach to explain the variations in the degree to which LEAA policies actually changed criminal justice activities in various states (1980) and the massive violent offender project (for example, Hamparian et al., 1978) covering virtually every facet of the lives of the violent. While there are certainly other directions for research (Gibbons suggests some, 1981:375-381) and while we will see all the old issues re-worked, the two directions noted seem most fruitful.

CONCLUSION

Academic disciplines and areas of research have often been born to study and/or deal with social turmoil. It is common-place,

for example, to suggest that sociology was born to understand, if not to prevent or foster, the social upheavals of the mid-nineteenth century. The study of criminal justice may well be thought of as stemming from the turmoil of the 1960s in the United States and elsewhere. Since the funds for the discipline and its attendant research came primarily from the federal government, the discipline and research have been strongly oriented to reforming the criminal justice system, i.e., making it more effective without threatening too much either our civil rights or our stratified economic order. Necessarily, then, research has been powerfully influenced by politics, especially the viscissitudes of funding and shifting concerns of governmental agencies. It has been, as sociology was in its earlier years, melioristic. Just as the system it studied and undertook to improve was subjected to radical criticism (by the "new" criminology on the left and the law and order forces on the right), so the new field of study has been criticized for being the handmaiden of the establishment and for not being academically respectable in the traditional academy. No less a criminal justice authority than A.C. Germann suggested that the, "... current evaluation research ... is no more than preprogrammed perpetuation of the status quo ... justifying past appropriations and inducing additional funds ... for the general health and well-being of the criminal justice/industrial complex ..." (1975:6). On the other hand, many of the critiques of the educational programs have essentially said that the programs were not sufficiently academic in character. If the shift of research from concrete programs to organizational analysis and criminogenesis and the shift of the students in criminal justice programs from in-service students who want immediate help with their day-to-day problems to traditional pre-service students are indications, the study of criminal justice is on its way to becoming research and training befitting a profession. August Vollmer, who initiated "scientific" criminal justice training in 1915, would be happy at last. Sociologists who count themselves criminologists, however, may feel a loss of both students and the leading edge of research activity, as a sizeable portion of criminology comes to rest in a new departmental home. Perhaps this is the logical culmination of our

identification of social control as a subfield in sociology coupled with the increasing importance of formal social control among our control mechanisms.

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