

The Annual Review of Interdisciplinary Justice Research

Volume 1, Fall 2010

Edited by
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The University of Winnipeg
Centre for Interdisciplinary Justice Studies (CIJS)
ISSN 1925-2420

Keynote Address: On Giving a Damn

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I'd like to begin by thanking my gracious hosts Steven Kohm, Michael Weinraith, and the Department of Criminal Justice.

This presentation represents a convergence between some ideas I have about the nature of our field, the field of criminal justice, the kind of education we should provide for our students, and the questions suggested by my gracious host. My presentation focuses on what I consider to be the central purposes of an academic field of criminal justice. That core – its moral, and it is about engagement. And so I call this presentation “on giving a damn.”

I will start with a quote from Hal Pepinski, a quote that I will return to various times in this presentation. He wrote it as part of an invited paper for a special issue of *Journal of Criminal Justice Education*, discussing what the purposes of education should be:

I am sustained by the diversifying community of interest I discover among those who want to know what I seek to discover. That is my core, and it is expanding. The beauty of this core is that I do not have to reduce the priority I give to any (justice issues). However we accomplish it, I would observe only that becoming less peripheral is a two-way street: if you're going to garner my core attention you'll have to respond to my core concerns. I think that giving a damn about what we mean by crime, criminal, and justice is a natural starting point. Every area advocated in this issue begs the question: Why should your crime and justice be mine? All of us are already qualified to join

in this discussion (Pepinski, 1993: 393-394).

I will use that quote to address key questions invited for discussion by my host.

The older ‘parent’ disciplines of sociology and criminology view our recent growth with suspicion and tensions have flared up. How can we forge interdisciplinary links without stepping on the toes of other disciplines?

This question is particularly interesting, not only for what it says, but for what it leaves unsaid. I think a variety of points are pertinent here.

Can we forge interdisciplinary links without stepping on the toes of other disciplines?

In an academic setting, no. There is a Machiavellian principle at work here: Power is never given, power is always taken. In an academic environment, the principle battles are not over ideas. Ideas flow willy-nilly from department to department and across colleges. What field, for instance, does not deal with the concept of culture? The battles are over resources. Resources are dependent on the number of students you have, the number of faculty, the number of grants, the political pull you have with your dean, the overall level of institutional enrollments, and levels of state funding. These bread and butter issues determine the success of programs.

With regard to forging links, however, I think that Immanuel Wallerstein makes excellent points about the future and interrelationships of the social sciences. In the book *Opening the Social Sciences* he argues that the future of the social sciences will be increasingly characterized by efforts to come to terms with large and substantial issues. Such issues include development in impoverished regions, AIDS, global warming, fossil fuel declines, changes in nation-state stability in particular regions in the world, and quite a number of others. No single discipline can address one of these issues. They are so complex that they require integrated solutions on many different levels. By opening the social sciences, Wallerstein

is encouraging the development of academic structures of sufficient intellectual power and complexity to address these problems.

But if Wallerstein is right, then what is the role of criminal justice? The challenge for our field is to think big enough. I recall, many years ago, Bob Langworthy saying to me “You know Crank, the trouble with our field is that we don’t think big enough.” What he meant by that is that we have not yet found a way to get involved in big problems. I have spent my career taking that question to heart. Here is what it means to me today, in encapsulated form. This also addresses the next question provided by my host.

What is the purpose of our field?

I have written on this, so my apologies to those who have read any of this before. The field of criminal justice tends to be defined normatively, as the study of the practices of the fields that carry out the work of criminal justice. I don’t like this definition. It captures some of what we are about, but it does not catch enough. How about people who don’t trust the behavior of the criminal justice system? How about people who come from different criminal justice systems? Who have different ideas about what constitutes justice? Where do they fit in? Thinking big enough – Langworthy’s challenge – is about how you bring all of these players together, so all their different ways of thinking can be part of whatever this thing called justice is. By justice, I mean its most elemental form – justice is what constitutes fairness in the way we treat other people. That elemental form is stunningly expansive. It encompasses all historical traditions that have ever acted out some notion of justice, as well as all views of individuals who treat each other according to what they think is right. It’s a notion of justice that is so broad it seems unreasonably general.

And that is precisely the point. Justice, defined that way, is a big enough notion to capture an academic field. Justice conceived that way is a problematic, by which I mean it’s a term whose meaning is constantly being worked out in different

historical traditions, often with meanings and nuanced borrowed from yet other historical traditions. It won't allow us to sit back on our laurels and imagine we have finally figured it out. It means that, no matter how perfect we imagine ourselves to be, there is always the possibility that someone, somewhere might figure out a better way to be just. And it means that we have a responsibility to hear and consider those different notions of justice. This notion of justice is large enough to engage us in Wallerstein's conversations, so that we can contribute to significant issues today.

This brings me to the third question invited by my host.

What are our parent disciplines?

This is a question that I think has not been adequately discussed or disputed. I think a good case can be made that our most important parent discipline is philosophy. Certainly, we have ties to criminology and to sociology. We also have ties to political science and to public administration. Larry Travis once observed that the SUNY model of Ph.D. education was originally built around a public administration model.

The relationship between criminal justice and criminology is a curious one. The relationship was forged in a history of conflict. That conflict is witnessed in the founding of both fields. Criminology is a field that emerged out of Sociology, especially the Chicago school in the 1920s. Criminal Justice, Frank Morn reminds us, emerged out of police training in California under the guidance of August Vollmer. Sociology has a history of critique of existing governmental, and especially police, practices while criminal justice has a history of close ties with those same practices. This conflict has come to a head twice. The first time was on the Berkeley campus in the 1960s, where a firebrand criminology department – a quite good firebrand department, I want to note – had alienated local Criminal Justice agencies. The outcome of this conflict was the disestablishment of the Berkeley School of Criminology by then Governor Ronald Reagan. The second conflict was when a group of police scholars broke away from the American Soci-

ety of Criminology, again in the 1960s. They believed that the ASC was too radical, and they wanted a forum on which they could participate equally. The product of that breakaway group was the Academy of Criminal Justice Sciences, an organization forged in the conflict between Criminology and Criminal Justice. Today, the conflict between the fields is glossed over, but it still has the potential to become reinvigorated. So I do not see Criminology as a parent discipline of criminal justice.

There also is a keen difference between sociology and the field of criminal justice. That difference is that our field – by which I mean criminal justice – requires that we act on our beliefs, and the consequences of our actions affect people’s lives in profound ways. This is a claim that cannot be made by Sociology. Moreover, we exist in a field that is intensely normative in practice, and that has morality at its core. That morality should be recognized to a greater degree than it is.

If we have no obvious parents, then to who should we turn to claim lineage? One direction to which we should turn is to our moral core. By moral core, I mean that the practice component of our field is all about acting out some of society’s most deeply held values and about what happens to people who violate those values. Our field, to be relevant to the world it studies, should recognize the importance of that moral core. We need to look back farther – to a very old, and very enduring conversation.

That conversation is philosophical. The specific branch of philosophy that applies to us is the philosophy of justice. By the philosophy of justice I am talking about a broad literature that includes Plato, Socrates, Thomas Moore, St. Francis of Assisi, Ronald Dworkin, Alisdair MacIntyre, John Rawls, Hans-Georg Gadamer, Georgia Warnke and a long list of others. The local justice issues we deal with today embed us in centuries old conversations with people who have thought deeply about these topics.

Consider the following question. It’s an important one. It is this: Why does humankind seek meaning - no – how can humankind even conceive of meaning – in a universe that has none?

That question has occupied philosophers for centuries. It should occupy us, since we make decisions on peoples lives on the basis of those meanings. In our field, this question is – how should we think about justice in a world in which there is precious little, that has a great deal of cruelty and heartlessness. This question is important – what is just in the way we do and should treat criminals, in the behavior of criminal justice organizations, and in the teachings we bring to a university setting?

There's a closely related field of action that wrestles with meaning and with the philosophy of justice. It's the faith community. Criminal Justicians should turn to the faith community with more attention to understand and to work with the various community groups to which faith groups are tied. Let me give you an example.

A couple of weeks ago I was at a community organization meeting. The meeting was contentious. I spearheaded an effort to remove the current chair and replace her with fellow more committed to and involved in the issues we were dealing with. At the end of the meeting and as we were closing, a voice came over the loudspeaker from a religious meeting in another part of the building. It was an opening prayer, and it was loud! “Oh dear lord, we thank you, we ask of you, we beg your humble mercy, we beseech you, to help us in this difficult time, to find the way, to show us your divine light, oh god, oh almighty redeemer, to help us find a way out of the darkness...” The moment the prayer began all the heads of the African American members present hit the table. The prayer went on for about 10 minutes. I have to admit, I peeked a couple of times. I saw a couple of the white members of the group very quietly pick up their things and leave. None of the African Americans moved until the prayer was complete.

There is a lot of information in that moment, but you need to know some of the history of the Slave period in the US to understand. The church was the only place where African Americans could congregate. It was not only their spiritual center, but it was their social life. The church sustained them through the horrors of slavery. So if you want to work with

the African American community in the US, if you want to convince them that you really do give a damn about their problems, you should know how central the church and its leadership is to all their activities.

The next area we should look to is the practice field. We are formed in the US, Frank Morn reminds us, from police training in California in the 1920s in Berkeley. There is a question here, though. If the field of our endeavors is criminal justice, then the organizations that populate the field are criminal justice organizations. If, on the other hand, the field of our endeavors is “justice” as I have argued, then the organizations that populate our field are much broader. We become involved in a wide variety of organizations that address minority issues as well, or in groups whose focus is on housing, or on community development, or on civic concerns. Our role here is not only research. It is policy development, education, and civic participation. All of these are important roles, and they make us stronger as a field because they engage us in the real problems that communities face. Our work in these organizations is to show them that we aren’t there just to get service points for tenure, or to get more dollars for research to advance our careers. They show that we give a damn.

So finally, with regard to parentage, we are the cousin of several and child of none. This is good – it means that we have the world ahead of us to create. We can create it however we want. We are not beholden. We walk fresh earth and plow fertile soil.

The fourth question, asked by my host, is:

What kinds of theory are important?

This is a difficult question, on so many different dimensions. I guess I would begin with the question “Important for what?” Let’s take a reasonable answer to this question. It could be “I want to understand the world around me.” This is where things get really, really complicated, because the question is a conundrum – which means that the question has two answers, and each one contradicts the other. My response is first a ques-

tion. “Do you want to understand the world, or do you want to understand the people in the world?” To understand the physical world around me, I need to study its physics, chemistry, geology, and the like. This is objective social science, and all of the principles of social science – scientific method, deduction, induction, predictive equation modeling, and the like – tend to work pretty good for these kinds of things. They have their limits, but all in all we can act with confidence in current scientific understandings of the physical world around us. But the human sciences are different in a fundamental way.

Consider the following problem. You are Newton. An apple falls, and you are inspired. You discover that there is a central rule that allows you to explain the rate at which all things fall. It’s a wonderful discovery. It’s called gravity. In time, it will lead to the recognition that the Earth is not the center of the Universe, and the age of hierarchy – the last of the middle ages – will draw to a close... for several centuries, anyway.

Suppose it all went differently. Newton watched the apple fall, and halfway to the ground, the apple suddenly braked and poised in the air, pensive. Then it suddenly shot back up into the air, where it seemed to wait for a moment. Then it was suddenly joined by four other apples. The five apples did loops and twirls, and entertained for a while – and then flew off into the evening sky.

OK. This is different. What happened? It appeared that the apple had something we might call “attitude.” Here I have a fundamentally different kind of question, the sort of question that the methods of scientific physics cannot answer. Physics can describe what I SAW. But physics cannot tell me what it MEANS. And this is the difference, that Clifford Geertz in Anthropology, Hans Gadamer in Philosophy, Edward Said in Political Science, Gibson Burrell in Public Administration, Anthony Giddens in Sociology, Robert Cover in the Law, Richard Shweder in Psychology, and Robert Taylor in History grasped. You can’t understand the apple without taking into consideration its point of view. And only the apple, or the apple’s friends, or written materials the apple has produced, can provide you

with that information. No scientific method will tell you what the apple is thinking unless the apple wants to tell you. This is the nature of the human sciences – all of them. Your knowledge of people does not come from you. Your knowledge of people comes from them. The apple has to communicate to me, and I have to understand what it is saying.

So when I deal with the question “What theory is important?” I need to address it from the point of view of the human sciences. I have to change the question just a bit, to “What kind of theory best allows me to understand other people, from their point of view?” And I have to begin a long transformation away from the notion that I can impose a set of concepts over people, apply those concepts, and get good theory. This has four essential implications.

The first implication is that my theory has to be your theory. That means that, for me to develop theory, I have to develop a method for understanding the world in your terms. I need to know your language, and I need to know how you organize the world. This is the hermeneutic or interpretive notion of the human sciences, and it means that, I must communicate with you to understand you. We have to talk. It’s not a lot more complicated than that, because at a certain point our natural human cultural and inquisitive skills will bring us closer to understanding each other. That notion of coming closer is sometimes called the “hermeneutic circle.” Some people make too much of the hermeneutic circle, but as Gadamer noted, it’s a natural process built into us. All we have to do is accept the potential reasonableness of the other person we are talking to, and our nature will do the rest. We will become more like them, in that we will understand them better, and in the process they will become more like us, in that they will understand us better. Of course, the obvious implication of this is that there is no such thing as an objective social scientist. We are all, as Gadamer noted, already inside the hermeneutic circle. We cannot occupy some high perch – that’s Giddens’ term for it – outside of the social world we seek to study, aloof and dispassionate from it.

The second implication is that general theory is not a very

good idea. There are a lot of ideas out there that suggests that we might be able to develop general models of crime and the like. This is very similar to the notion that there is a canon, which is a core body of knowledge in criminology or in criminal justice that all students should read and understand. The central problem with both of these ways of thinking, by which I mean canon and general theory, is – why my concepts and not yours? Why my ideas and not yours? Why my books and not yours? Why my language and not yours? (Hesitation) *Why my justice and not yours?* The issue is that any time you develop a specific articulate body of knowledge you create an “outside and doesn’t belong.” Burrell recognized this in his wonderful book “Pandaemonium.” Our field of criminal justice is too young, too new, and too inchoate to impose on it any notion of what constitutes good criminal justice. Too much might be excluded, too much lost about what it means to be just.

The third implication is that knowledge derived from social scientific models of human activity are not intrinsically better than models derived from the humanities. Anyone who has read “The Trial” by Dostoevski will learn a great deal about justice that is impossible to encompass through some sort of criminological theory. There are a world full of books out there – another that comes to mind is Azar Nafisi’s “Reading Lolita in Tehran” that tell us a great deal about justice processes. These books are incredibly fertile, and they challenge the imagination. Our field should find a way to open itself to this literature as it seeks to establish itself as a human science. As we develop specific skill sets in our students, I would encourage us all to make sure that our curricula include the humanities side of the equation. Keep in mind – the humanities are a human side of the knowledge equation in a way that statistical analysis can never be.

The fourth implication is profoundly moral. It is that the more you know about other humans, the more human you become. By “know about other humans” I mean that you should read a lot, you should travel a lot, you should do things with different kinds of people a lot. Certainly, you need time to reflect and absorb. But the truth of the hermeneutic circle is that it

is about what it means to be human. At your core, you are dialogical. You are constantly engaged in interior or exterior dialogues, and your identity is the inevitable product of all those who you converse with. You are your mother, brother, teacher, enemy, favorite writers, children. You are all these, and more. You stretch back across the eons, and you are the bridge to the future. You are constantly becoming more human as you expand your comfort zone by being around different kinds of people. Within these experiences lies the potential to understand deeper, and to become more just, and thusly to contribute to a more just world. It is through these experiences – the experiences of justice received and justice denied – that you learn why it is important to give a damn.

This takes us all the way back to Hal Pepinski's opening quote: "Why should your crime and justice be mine?" He reverses the previous discussion in an important way. I have asked "why my justice and not yours," and he takes the point of view of the observed – why yours and not mine?" That's something every student who gives a damn should always keep in the back of her mind. In the field of criminal justice, we tend to develop models of justice practices or crime. The field is about imposing those models on people. The practice field of justice is intensely coercive – it imposes its theory of crime on those who are caught up in it.

Let's think about that for a minute. Our theories have real consequences for real people. Robert Cover, in his famous quote "Legal interpretation takes place in a field of pain and death" saw this when he looked at the judicial role. Our theories of justice are applied every day in the courtroom, and they inflict pain and suffering on people. When someone challenges the normative world of a judge, the result is not a conversation – it's a criminal sanction. It imposes a theory of crime on an individual, and then takes that theory of crime as if it were the individual herself, and in an incredible act of reification, imposes that theoretical identity on them as if it were a stable, permanent identity, for which they receive very long sentences and harsh punishments. This stunning act of reification

is a failure to comprehend the most essential aspect of being human – our adaptability. So forget all this crap about the objective social scientist. That’s exactly what you do NOT want to be. Your work has profound moral consequences. Understand them and take responsibility for those moral consequences. Your moral responsibility is to give a damn, not to pretend you don’t.

We’re hoping that you could reflect on how we might bridge the divide between theory (academic research, critique, etc.) and practice (applied study/research, the role of practitioners in a university setting, etc.).

The bridge is not what academics think it is. It’s not in more and better, purely objective high quality research – those are articulable goods and they have value. But the answer is in application. Are you the painter or are you the paint?

I think the bridge is policy-based evaluation. What I mean by that is that we – many of us – do evaluation. But we also have deep commitments to our own ideals of justice. When we carry out research we are not always living those ideals. We are assessing the work of other people who put the policies into place that affect communities. That is where we should strive to be.

Part of this bridge means that we have a responsibility for studying crime and justice in situ – as it is going on in our local community – and not simply for the purposes of obtaining research dollars and scholarly publications. We have a broader commitment to our communities, to study how crime is actually occurring there, to look at justice processes, and how specific justice practices facilitate or hinder crime – or do both, which is more typically the case. This means two things: (1) We know our communities, and (2) we are engaged in our communities.

Here is a personal example. I am a member of a Weed and Seed Steering Committee. Weed and Seed has been a popular National Institute of Justice program for 20 years. Its purpose

is to provide monies to invest in weeding operations – crime control activities aimed at suppressing crime – and seeding, which refers to community infrastructure investment, usually in organizations that have a rehabilitation component. W&S areas are specific, articulable geographic areas distinguished for their high crime levels. Weed and seed consequently have the following four elements: Law enforcement; Community Policing; Prevention, Intervention, and Treatment; and Neighborhood Restoration. Weed and Seed committees are made up of area residents, the Mayor’s office, the local police district, and the Prosecutor’s office. Our committee is about 20 people.

The W&S grants have an evaluation component, and it is this component to which researchers normally gravitate. In our instance, the evaluation component has focused on carrying out a fear of crime survey in the weed and seed area. My view is that the position we should seek, as experienced criminal justice experts, is evaluation policy. That is, (1) we should insert ourselves into the role of being integral in deciding who carries out the evaluation, (2) we should particularly attempt to exert an influence over what should be evaluated. It is at this point – deciding what it is that should be evaluated, that we are influencing our communities and making hard choices about what we think is best for them, from our own knowledge skills. But to influence what should be evaluated, we need to know the local area as well as our own respective fields. And we need to know both well. This raises the question: What is the knowledge we need to know to build this bridge to our communities, and to become engaged in really constructive community reform?

To build this skill set, we should cultivate several knowledge areas, what I call “need to know something about,” that are both theoretical and practical.

Theory

1. Need to know something about police criminology. By police criminology, I mean the effects the police have on crime. This is good for me, because my professional

training is in terms of the police. For others, it may come from other professional developments. For us generally, it is the study of existing criminal justice practices and their effects on resident populations.

2. Need to know something about environmental criminology, especially of the Felson stripe, and of CPTED (Crime Prevention Through Environmental Design). Both of these are the future of long term crime dissipation.
3. Need to know something about probation and parole, especially the issues associated with reintroducing citizens back into communities after extended involuntary separation. This includes both the real conservative concerns of likely dangerous offenders, and real liberal concerns of employment, reintegration into community life, and especially, health concerns.
4. Need to know something about race and poverty. This usually requires some theoretical familiarity with the literature on social disorganization theory. Critical criminology is particularly helpful for understanding the deep, unspoken and often unrecognized class bases of many problems that continue to haunt minority or indigenous groups today. Relatedly, one should know something about local histories of race and the politics of race.
5. Need to know something about public planning. One of the truly significant shortcomings in US criminal justice education is that it includes no elements of public planning. It is one of the quirks of higher education. Public planning, or urban planning is relinquished to public administration or to engineering, and criminal justice is relinquished to whatever the leftover conglomerate college is called. CPTED is the bridge to the public planning domain. But the end state of your communities is a better life for its residents. This requires public partnerships with private groups, foundations, and business groups. This is the arena of contemporary public planning, especially revitalization oriented planning.

Practice

1. Need to know something about the local police organization. How is it dispersed? What are its major operations? Who are the commanders? How does it reach out to communities? What groups is it involved that you are also involved in?
2. Need to know something about the various local groups who are involved in working with the issues and problems in the W&S area.
3. Need to know something the pertinent area organizations who work with disadvantaged populations. This includes the prosecutor's office and parole and probation – to the extent these are still viable here, as well as local faith community, who are very influential where I do my work. In my area these organizations include the Boys and Girls Club, Omaha 360 Empowerment, Impact One, ENCAP (Eastern Nebraska Community Action Plan), Mayors office, Prosecutors office, Urban League. Your responsibility is to find out which players you have in your community and try to figure out their part in the larger puzzle of the improvement in the quality of life of community members.
4. Need to know something about local business and area development. The most common form of this today in Canada is called the Business Improvement District, or in Alberta, Business Revitalization Zones. These are simply how revitalization is done today. These models of community investment have emerged from the recognition that
 - A. The top-down model of centralized government investment simply does not work all that well. It lacks public support. Politicians won't do it because they are afraid of being accused of supporting a welfare state.
 - B. The empowerment, ground-up model doesn't work because the local expertise and investment capital is not present. These are nice models in practice, but they

just don't have the sheer power to overcome problems created by long term economic disinvestment.

- C. BID's represent the business districts investment in an area, with local government oversight. They are quite popular. It is estimated that there are more than 400 in Canada. They are important because they give you that end-point that you need for all your work. Without that end-point – that “we finally did what we came to do” – work tends to be invested for minimal and short term gain.

These are the three “you gottas.” Keep these in mind: it's not just what you know. It's about who you are.

1. You gotta have vision. That means you should be able to put the whole thing together and see what ends up being good for the community. Where is that, at the end of the day, you want to end up? This question is the most important. When your work is done, how will the community be healed or improved? So part of this is the recognition that you are in for the long haul, that you are giving yourself to the community.
2. You gotta believe in yourself. You have to believe that you can make a difference. The problems in this world are too mean and intractable for the faint of heart. You have to have confidence in what you do, and you have to sustain that confidence in the face of continued and shifting opposition. This leads to the most important point, stated at the beginning.
3. You gotta give a damn. When researchers go out to different groups and meet with them, the first thing the group wonders is – do they have a clue? After that, the group will wonder – are they doing research just to help their own careers, or do they actually care for the community? When you meet with someone, if you say that you can do such and such a survey, and it costs such and such thousands, and you would like the opportunity to publish the

findings, they will view you as predators, taking advantage of their problems for your own personal gain. You have to realize that giving a damn involves giving.

So when I look at the bridge from academe to community, this is what I see and this is what I do. It requires a lot of knowledge, it requires a lot of work, and it requires a lot of giving. It locates our field in an important place in our communities. We become players in our communities, not simply what we tend to be now – a tool that players use. And, done right, we carry the capacity to bring great good to our communities. Recall that it is those community members in areas most damaged from long term processes of disinvestment or for exclusion because they were first here but were not dominant white, who today pay a terrible price in crime, in prisonization, in health, in income, and in almost everything that makes life good. It is for them that you give a damn and for whom you contribute.

So the road that is our chosen field – the road that is justice, leads to this end. From the question of philosophical parentage, to the question of purpose, to the question of theory, to the question of community action: we engage. It is through engagement that we all show that we give a damn. If it seems like a lot of work, or that it has a poor payout and not much reward, or that the task is too great, or that you weren't trained for this, or that it's emotionally difficult, not the dry, sanitized objective research studied in graduate school, here's two questions that I want you keep in mind:

If not you, who?

And if not now, when?

Thank you.