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## COMPARATIVE CRIMINOLOGY\*

DENIS SZABO\*\*

### INTRODUCTION

In the considerable works of Sheldon and Eleanor Glueck,<sup>1</sup> comparative criminology plays a minor role in terms of page space, but a major role in terms of plans and ambition. These two scholars had justifiably hoped that researchers obeying the laws of a global scientific approach would realize a universality in their conclusions.

There was nothing to distinguish this scientific criminology, made productive by the classic methodology of observation and experimentation from the normally accepted limitations of hypotheses stated in advance. However, one can note the presence of a different type of criminological thinking, a sociological approach, whose postulates as well as methods and conclusions are going further and further beyond a criminology for which the Gluecks were the most brilliant and inventive protagonists.

It is for this reason that we have undertaken in this study to examine the different points of view that have come to light in contemporary criminology and that have a definite influence on both the definition and significance of comparative criminology. By approaching this study with an eye toward the conflict between epistemology and theory similar to that found in other social sciences, we have attempted to discover these often contradictory points of view.

### CRIMINOLOGY AND COMPARATIVE CRIMINOLOGY: CONTRIBUTION OF THE POSITIVIST AND SCIENTIFIC TRADITIONS

The attraction of comparative criminology dates back to the emergence of criminology as

a science. Basic to the works of Lombroso,<sup>2</sup> Garofalo,<sup>3</sup> and Ferri,<sup>4</sup> was a questioning of the inherent and the acquired, the "natural" and the "superimposed" in delinquent behavior. There is nothing surprising in this when one recalls the influence of Darwin and Marx on the thinking of these Italian founders of criminology. They believed in the theory of evolution of the human species, as modified by the socio-economic and cultural differences which characterize the progress of mankind.

It may be said generally that most of the criminological works that appeared before 1920 were comparative treatises, that is, they tried to explain criminality as a natural, universal phenomenon. Thus Gabriel Tarde's book, in which he examined and criticized the contribution of the Italian school, was entitled, *Comparative Criminality*.<sup>5</sup> The research of Lombroso on political crime and revolution<sup>6</sup> is as universal a work as that of Durkheim on suicide,<sup>7</sup> or that of Gina Lombroso on the female criminal.<sup>8</sup>

It is surprising, then, to note the considerable controversy caused by a speech given by Sheldon Glueck at the Fourth International Congress on Criminology at the Hague, in 1960.<sup>9</sup> It was he who answered the call of the

THERAPY AND PREVENTION (1970); S. GLUECK & E. GLUECK, *VENTURES IN CRIMINOLOGY—SELECTED RECENT PAPERS* (1964).

<sup>2</sup> C. LOMBROSO, *L'ANTHROPOLOGIE CRIMINELLE ET SES RÉCENTS PROGRÈS* (1890); C. LOMBROSO & G. FERRERA, *LA FEMME CRIMINELLE ET LA PROSTITUÉE* (1896); C. LOMBROSO & R. LASCHI, *LE CRIME POLITIQUE ET LES RÉVOLUTIONS PAR RAPPORT AU DROIT, À L'ANTHROPOLOGIE CRIMINELLE ET À LA SCIENCE DU GOUVERNEMENT* (1892).

<sup>3</sup> R. GAROFALO, *CRIMINOLOGY* (R. Miller transl. 1914).

<sup>4</sup> E. FERRI, *LA SOCIOLOGIE CRIMINELLE* (1893).

<sup>5</sup> G. TARDE, *LA CRIMINALITÉ COMPARÉE* (8th ed. 1924).

<sup>6</sup> C. LOMBROSO & R. LASCHI, *supra* note 2.

<sup>7</sup> E. DURKHEIM, *LE SUICIDE* (1960).

<sup>8</sup> C. LOMBROSO & G. FERRERA, *supra* note 2.

<sup>9</sup> This speech, entitled *Wanted: A Comparative Criminology*, constitutes Chapter 18 of his book, *VENTURES IN CRIMINOLOGY*. S. GLUECK & E. GLUECK, *supra* note 1, at 304.

\* This article was prepared as a part of a Festschrift honoring the works of Glueck; hence the reference to Sheldon Glueck's contribution to comparative criminology is appropriate.

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<sup>1</sup> S. GLUECK & E. GLUECK, *TOWARD A TYPOLOGY OF JUVENILE OFFENDERS—IMPLICATIONS FOR*

United Nations First Congress on the Prevention of Crime and the Treatment of Delinquents, held at Geneva in 1955, which recommended:

"Comparative, co-ordinated, and interdisciplinary research should be carried out to determine the relative effects of programs in different countries" and "through cooperation between researchers from different countries . . . to develop a highly promising new field of comparative criminology", in order to determine uniformities and differences in causal influences, in predictive factors, and in results of preventive and treatment programs," and to develop "a true science of criminology."<sup>10</sup>

Hermann Mannheim, in his treatise *Comparative Criminology*, answered Sheldon Glueck's invitation for "replication of researches designed to uncover etiologic universals operative as causal agents irrespective of cultural differences among the different countries."<sup>11</sup> In a similar vein, Jean Pinatel gave evidence of the same spirit and "catholic" method: all bio-psychological and socio-cultural determinism was examined, without particular regard for the socio-cultural origins of the facts put forward.<sup>12</sup>

In a criminology oriented toward correctional practices, where the emphasis is on those mechanisms which trigger the antisocial act forbidden by law, the comparative approach comes naturally to the researcher. It is assumed that a potential for "antisocial" behavior is present in every society; that whether at the affective level or level of socialization, every individual has tendencies which incline him towards the commission of antisocial acts which are forbidden by the lawmaker. From the point of view of the criminology oriented towards correctional practices, it is assumed, explicitly or implicitly, that human nature is fundamentally the same, and that it is only socio-economic and cultural conditions which imprint variations upon it. In addition, human behavior being the point of departure for the analysis,

special attention is directed towards individual data, and it is not unusual to find a certain bio-psychological reductionism characterizing many of the theories on "the criminal personality." As we get farther away from the data on which bio-psychological analyses are based, the interest and value of the comparisons diminish. What is the heuristic value of comparing statistical information concerning divorce, alcoholism, drug addiction, or public disturbances, originating in countries at different levels of socio-economic development and which have cultures that are quite different?

Thus, it can be seen that the organicist and evolutionist theory, oddly enough on par with the behaviorist theory, tends toward the use of the comparative method and the analysis of data from the most diverse of societies. The reasons for this choice of the comparative method can be stated as follows:

- a) The premise that human nature is basically the same everywhere—a combination of aspirations and rejections;
- b) The premise of limited variations between socio-cultural forms and types of personalities, expressed in the concept of the "modal personality";
- c) The premise of scientific determinism which believes in the explanation of the act—a variable dependent—through independent or intervening variables, arising from either the environmental world, or the personality;
- d) The premise that each society defines its rules of conduct and punishes those who contravene them. Comparative criminology is but a different form of the comparative social sciences.

This universal type of criminology in its "structural-functional" as well as historical forms, disappeared from Europe, for all practical purposes, between the two world wars. It being of a humanistic nature, the Europe of totalitarian dictatorship and serious socio-political crises was hardly an atmosphere in which it could flourish. Its universalism and relativism were viewed as an obstacle to the growth of nationalist or socialist dogmas.

In contrast, the study of crime in North America, has been marked by empiricism and pragmatism. There was a notable absence of the world-wide perspectives, so characteristic of

<sup>10</sup> *Id.*

<sup>11</sup> H. MANNHEIM, *COMPARATIVE CRIMINOLOGY* (1965).

<sup>12</sup> 3 P. BOUZAT & J. PINATEL, *TRAITÉ DE DROIT PÉNAL ET DE CRIMINOLOGIE* (1963); Pinatel, *Chronique de Criminologie et des Sciences de L'Homme—Recherche Scientifique et Criminologie en Action*, 27 *REVUE DE SCIENCE CRIMINELLE ET DE DROIT PÉNAL* COMPARÉ 422 (1972).

the American scientific spirit in the first half of the twentieth century. This concentration of the researcher's attention on social problems with a view to immediate social reform imposed an individualistic and utilitarian spirit, quite contrary to a universal perspective. The reformist naturalism of the ecological school of Chicago best expresses the direction of such thinking. However, the works of the Gluecks are quite different from this.

The following postulates broadly explain the program of comparative research suggested by them. They can be placed into four categories:

a) First, it is believed that studies on recidivism and the impact of treatment or resocialization programs on the "criminal" career of individuals should be undertaken. One can trace the life cycles of an individual by noting antisocial episodes, as well as the impact of legal or correctional measures taken. By comparing the greatest number of similar experiences, the prospect for resocialization of recidivists during different phases of their lives can be evaluated. These analyses cover the use made of leisure, the fulfillment of financial obligations toward dependents, perseverance observed at work, etc.

b) Second, studies on the causes of delinquency offer numerous possibilities in the field of cross-cultural comparisons. Contrary to the simplifications of the psychological theory underlying traditional criminal law, which presupposes a rational decision at the base of the criminal act, the theory of "multi-causality," put forward by the Gluecks, offers a multidisciplinary explanation, much more subtle and rich in the possibilities of heuristic discovery. The comparative method would favor prediction studies undertaken on a multi-national level.

c) Third, relationship between chronological age and affective maturity is complex, and extremely important in connection with the educational value of punitive action taken in regard to delinquents. The verification of this relationship and its variations in a cross-cultural context seems highly promising to Glueck. This also applies to studies devoted to the predominance of certain physical characteristics among the criminal population; the studies of Glueck have already shown a greater

frequency of mesomorph constitutions among convicts.

d) Finally, comparative analyses are especially important in regard to legal or medico-psychological procedures. A considerable gap can be found between the provisions or stipulations of such procedures and the scientific knowledge of human reality to which they apply. Appeal, the duration of preventive detention, the criteria used in the evaluation of the mental health of an accused, the definition of "psychopaths" or "habitual criminals" are some examples of analyses which would profit by the use of the comparative method.

#### THE RELATIVE FAILURE OF CLINICAL COMPARATIVE CRIMINOLOGY

Progress in comparative criminology, as outlined by Sheldon Glueck, has been rather slow in the past twelve years. There are essentially two reasons for this. The first, paradoxically, is the extraordinary increase in criminological research on a national basis. With the crime rate rising appreciably, thus creating an atmosphere of imminent crisis, the public authorities, as well as the academic world, started to increase their research, particularly in the area of evaluating programs for the treatment and prevention of delinquency. Preoccupation with the effects of penal sanctions was dominant during this period, and a true applied criminology was established with the participation of both universities and public administrators. The direction of this mobilization of human and material resources was such that little interest or energy could be devoted to comparative studies.

There was relative stagnation in etiological research on the causes of delinquency. On the other hand, a spectacular increase was seen in work to evaluate measures and programs for resocialization and prevention. The hypotheses underlying correctional and preventive measures were the subject of outstanding systematic studies. Of note are those of Glaser on American penitentiaries,<sup>13</sup> and the work of Grant and Warren on measures for re-education and prevention.<sup>14</sup> Many of these studies could be

<sup>13</sup> D. GLASER, *THE EFFECTIVENESS OF A PRISON AND PAROLE SYSTEM* (1964).

<sup>14</sup> D. Grant, *Vital Components of a Model Program Using the Offender as a Manpower Resource in the Administration of Justice*, March

used for comparative analysis, that is, the application of similar methods for the analysis of analogous problems. Penology is perhaps the most likely discipline to benefit from this development, as is shown by the analytical and comparative studies undertaken within the framework of the Council of Europe and the United Nations.

The second reason for the modest rate of this development is the emergence of another school of criminology which may be termed "interactionist" or the "criminology of social reaction to deviance." In examining the conditions, if not the causes, of the social crisis symbolized by the increase in crime, it was found that the system of administering justice and the penal code had an important bearing on the analysis and comprehension of this complex phenomenon. If crime was increasing—a fact of life for both the man in the street and the authorities charged with defense of the social order—was this due to an increase in crime-inducing bio-psychic or socio-economic factors, or was it due primarily to the breakdown of preventive or repressive action on the part of the police services and the courts? Was it due to the failure of measures taken in the prison, probation or after-care services, or more basically, to the gap between the values to which the norms and regulations of the criminal law are dedicated and the values and aspirations of a growing portion of the society? In other words, can deviant behavior be analyzed apart from the mechanisms of selection, adjudication, and punishment which function through the services constituting the administration of justice? This question, which was raised in the works of European sociologists of law, has been a persistent source of inquiry for American sociologists since the early 1960's.

It might well be asked whether crime is not more a reflection of the functioning of this institutionalized system of social control rather than the actual presence of antisocial behavior within society? Furthermore, do the norms themselves, as interpreted by the organizations created for the fight against criminality and the prevention of crime, express immutable cri-

teria for judgment, or are they simply reflections of a conflicting social situation where the majority imposes its will on the minority? After Sellin,<sup>15</sup> George Vold was among the first in contemporary American criminology to advance a systematic approach to answering this question.<sup>16</sup>

All things considered, is it not a question of power, where the dominating impose their "laws" on the dominated, with the action of the former being called "legitimate" and the "resistance" of the latter being called "illegal"? This view can be found in the social criticism made in certain American black milieus following the trial of Angela Davis, which was quick to label the whole system of American criminal justice an instrument of social and racial oppression and all black prisoners "political prisoners," regardless of the crime they had committed.

#### CRITIQUE OF CRIMINOLOGY: EPISTEMOLOGICAL CONFLICT IN THE SOCIAL SCIENCES

Thus interactionist criminology, based on social reaction to deviance, was inspired by the works of authors such as Becker, Cicourel, A. Cohen, Garfinkel, Goffman, Lemert and Matza in the United States,<sup>17</sup> Shoham in Israel,<sup>18</sup> Aubert and Christie in Norway,<sup>19</sup> and sociologists of law in Europe, like Treves in Italy<sup>20</sup> and

<sup>15</sup> T. SELLIN & M. WOLFGANG, *THE MEASUREMENT OF DELINQUENCY* (1964); T. SELLIN & M. WOLFGANG, *CONSTRUCTING AN INDEX OF DELINQUENCY—A MANUAL* (1963).

<sup>16</sup> G. VOLD, *THEORETICAL CRIMINOLOGY* (1958).

<sup>17</sup> H. BECKER, *THE OTHER SIDE—PERSPECTIVES ON DEVIANCE* (1963); H. BECKER, *OUTSIDERS* (1963); A. CICOUREL, *SOCIAL ORGANIZATION OF JUVENILE JUSTICE* (1968); A. CICOUREL, *METHODS & MEASUREMENT IN SOCIOLOGY* (1964); A. COHEN, *DEVIANCE AND CONTROL* (1966); H. GARFINKEL, *STUDIES IN ETHNOMETHODOLOGY* (1967); E. GOFFMAN, *STIGMA: NOTES ON THE MANAGEMENT OF SPOILED IDENTITY* (1963); E. LEMERT, *HUMAN DEVIANCE, SOCIAL PROBLEMS AND SOCIAL CONTROL* (1967); D. MATZA, *BECOMING DEVIANT* (1969).

<sup>18</sup> S. SHOHAM, *THE MARK OF CAIN—THE STIGMA THEORY OF CRIME AND SOCIAL DEVIATION* (1970).

<sup>19</sup> V. AUBERT, *THE HIDDEN SOCIETY* (1965); *SOCIOLOGY OF LAW* (V. Aubert ed. 1969); Christie, *Changes in Penal Values*, 2 *SCANDINAVIAN STUDIES IN CRIMINOLOGY* 161 (1968); Christie, *Comparative Criminology*, 12 *CANADIAN JOURNAL OF CORRECTIONS* 40 (1970).

<sup>20</sup> R. TREVES, *GIUSTIZIA & GUIDICI, NELLE SOCIETÀ ITALIANA* (1973).

1968; R. WARREN, *SOCIAL RESEARCH CONSULTATION—AN EXPERIMENT IN HEALTH AND WELFARE PLANNING* (1963).

Versele in Belgium.<sup>21</sup> Although they differ considerably at times, all these authors belong to this school of thought. The point of these studies is not the analysis of crime-inducing factors in the personality or in society, for the criterion itself of what is "criminal" is subject to question. Lemert therefore suggests going back to the traditional criteria of "social differentiation" and putting these in place of the criteria of the "normal" as opposed to the "pathological." This idea coincides with the brilliant work of Leslie Wilkins, who classifies human behavior on a continuum ranging from the "saintly" to the "criminal" act.<sup>22</sup> The criterion used for "normality" is that suggested by Durkheim: the definition given by society of what is tolerable, whether conforming or opposed to its definition of what is acceptable. Crime and punishment are "functional" in relation to the social organization.

It is here, too, that the views of the interactionist school coincide with the "structuralist," "situational," or "existentialist" school of human sciences. Many authors reject a definition of the normal act, and therefore of "deviant behavior" as defined according to the criteria of certain groups in society. What is accepted as "normal," writes Laing, "is a product of repression, denial, dissociation, projection, introjection and other forms of destructive action on experience."<sup>23</sup> And he concludes: "It is radically foreign to the structure of being."<sup>24</sup> Here is an epistemology that challenges the behaviorist, Gestaltist, positivist and culturalist models which, with numerous subtle differences and various schools of thought, dominate modern scientific thinking.

Socialization and learning by experience, their mechanisms and effects, have been at the very heart of the psycho-sociological sciences for more than half a century. Whether genetic in the opinion of a Piaget,<sup>25</sup> dynamic and analytic according to Erikson,<sup>26</sup> or experimental

and materialist for Eysenck and Skinner,<sup>27</sup> the theory which dominates the contemporary interpretation of deviant or non-deviant human behavior explains it in a normative context, not questioning the axiological values of the rationalist and humanist tradition of western culture. Here we remain, tied to the critical, but uninvolved, non-activist function of science, to the need for objectivity in our intellectual approach—even if relative—to the exercise of the free examination that can help to overcome ideological zeal. Sometimes utilitarian, sometimes detached from the socio-cultural and political context, this tendency does not permit scientific investigation to be undertaken in any spirit other than the logic of scientific exploration. The work of Karl Popper<sup>28</sup> in the philosophy of science, and that of Hayek<sup>29</sup> in social philosophy, characterize the ideology of these researchers.

The concepts of "alienation," "spontaneity," "creativity," as related to the vital sources of the personality, to the potential of the Freudian "id," constitute the starting point for many recent analyses. A new definition of the "structure of the human being" has replaced the postulates which inspired studies of the behaviorist or positivist tradition. Schizoids, schizophrenics or hysterical individuals undergo forms of alienation different from those called statistically normal. The "normally alienated," writes Laing, is considered of sound mind because he behaves more or less like anyone else.<sup>30</sup> Other forms of alienation, those which do not correspond to the state of general alienation, are termed evil or insane by the "normal" majority. Laing's conclusion, which is in fact his value judgment of contemporary man and society, is probably shared by the majority of analysts of "criminality" in terms of society's reaction to deviance. He asserts that alienation is the normal human condition. Society highly values its normal man. "It educates children to lose themselves and to become absurd, and thus (according to so-

<sup>21</sup> S. VERSELE, *JUSTICE PÉNALE ET OPINION PUBLIQUE* (1973).

<sup>22</sup> L. WILKINS, *SOCIAL DEVIANCE-SOCIAL POLICY, ACTION AND RESEARCH* (1965).

<sup>23</sup> R. LAING, *THE POLITICS OF EXPERIENCE AND THE BIRD OF PARADISE* 23-24 (1970).

<sup>24</sup> *Id.*

<sup>25</sup> See, e.g., J. PIAGET, *EPISTEMOLOGIE ET PSYCHIATRIE DE LA FONCTION* (1968).

<sup>26</sup> E.g., E. ERIKSON, *IDENTITY, YOUTH AND CRISIS* (1968).

<sup>27</sup> H. EYSENCK, *CRIME AND PERSONALITY* (1964); B. SKINNER, *BEYOND FREEDOM AND DIGNITY* (1972).

<sup>28</sup> K. POPPER, *THE LOGIC OF SCIENTIFIC DISCOVERY* (1959).

<sup>29</sup> F. HAYEK, *STUDIES IN PHILOSOPHY, POLITICS & ECONOMICS* (1969).

<sup>30</sup> R. LAING, *supra* note 23.

ciety) to be normal."<sup>31</sup> And since we are eminently in the normative field, where the theoretical conclusion has an immediate practical and political bearing, Laing concludes: "Normal men have killed perhaps one hundred million of their fellow normal men in the last fifty years."<sup>32</sup>

Neo-Marxist and neo-Hegelian thinking, well represented by Gouldner in the United States,<sup>33</sup> by Althusser and his students in France,<sup>34</sup> and embodied most dramatically in the work of Marcuse and the Frankfurt School,<sup>35</sup> radically challenges the scientific tradition based on the objectivity of the researcher and the utility of scientific knowledge. They denounce the hypocrisy of any pretensions to objectivity by the researcher: all knowledge is judgment, discrimination, evaluation, and taking a stand. The process of alienation and repression is already present in the language whose very structure constitutes an ideological bias. The critical function of the intellectual begins with a radical criticism of the linguistic apparatus. In this regard, one of the most virulent criticisms comes from the field of linguistics, influenced to a great extent by N. Chomsky.<sup>36</sup>

According to Gouldner, science is situated within the relationship of forces and of conflicts between powers; to deny this would be a Machiavellianism as dishonourable as "Realpolitik."<sup>37</sup> The positivist correlation between the "useful" and the morally good, or "acceptable," is violently denounced, and the traditional humanism which imbues the scientific mind, is considered a serious mistake—even a moral failing. Evolutionist and positivist assumptions which, in principle, establish the value per se of scientific knowledge, are challenged—all knowledge having to be conceived as part of the established authorities' system of control and manipulation.

<sup>31</sup> *Id.* at 24.

<sup>32</sup> *Id.*

<sup>33</sup> A. GOULDNER, *THE COMING CRISIS OF WESTERN SOCIOLOGY* (1970); A. GOULDNER & R. PETERSON, *TECHNOLOGY AND THE MORAL ORDER* (1962).

<sup>34</sup> L. ALTHUSSER, *FOR MARX* (1970).

<sup>35</sup> H. MARCUSE, *AN ESSAY ON LIBERATION* (1969); H. MARCUSE, *ONE DIMENSIONAL MAN* (1964).

<sup>36</sup> N. CHOMSKY, *FOR REASON OF STATE* (1973).

<sup>37</sup> A. GOULDNER, *THE COMING CRISIS OF WESTERN SOCIOLOGY* (1970).

In the spirit of this sociology of involvement, the actual practice is the criterion of "science": if one fights for a "good" cause, human science is acceptable. If not, it is in the service of an established power, whatever it may be, and servilely dependent on it. Power, in this case, is obviously conceived as a pre-eminently bureaucratic force, in the service of material and moral interests which maintain themselves through the alienation imposed on all who submit to this power structure.

Particularly important is the contribution of thinkers like Garfinkel, Goffman, and Lemert,<sup>38</sup> who, thanks to an astute psychological analysis, explained the mechanisms of systematic interaction between an individual having problems of social adjustment and the reaction of society to his behavior. Drawing on the psychology of G.H. Mead and the philosophy of A. Schutz, these authors illustrate the subtle relations of mutual conditioning which arise following a "deviance" in behavior occurring at the very center of the social control mechanisms. Contrary to the simplistic hypotheses postulating reactions of cause and effect between "deviance-sanction-deterrence—recidivism or social reintegration," these authors show how these "antisocial" impulses are reinforced as much by immediate satisfaction and personal need as by the mechanisms of social control provided for them by the social organization. These reinforcements of the mechanisms of deviance are fostered and encouraged by instinctual, sometimes morbid, needs of the personality, even the conduct, for example, of the excessive drinker, the thief, and the compulsive sexual aggressor.

With regard to the social organization, the institutionalized mechanisms of social control, such as psychiatric hospitals, prisons, and social welfare agencies, strongly contribute to the reinforcement of psychological mechanisms and "deviant" behavior by contributing to the creation of a double identity, normal and deviant. The result is a permanent identity crisis for the victim of this situation. The person thus branded is torn between these negative (anti-social) and positive (pro-social) poles. The tension of this situation, is the touchstone for an explanation of deviance.

<sup>38</sup> H. GARFINKEL, *supra* note 17; E. GOFFMAN, *supra* note 17; E. LEMERT, *supra* note 17.

The process of stigmatization, analyzed in depth by Goffman and later Simmel,<sup>39</sup> is the best way to create roles which enter into conflict with other roles within the same personality, and thereby contribute to its confusion and alienation. These conflicting roles are a reflection of the cultures, sub-cultures, and social organizations, to which the individual belongs. He is at the same time, the supporter and the victim, the basic material and the product of these conflicting social organizations.

Clinical criminology proposed a therapeutic approach, the social reintegration of the delinquent. The criminology of social reaction proclaims the right of every man to be different, even deviant. Kittrie analyzed the data of the confrontation between these two schools.<sup>40</sup> Whereas clinical criminologists are the spokesmen for society and the established order, in that they implicitly accept the juridic and institutional framework of society and its system of justice adherents of the school of social reaction challenge the procedures and foundation of the established order.

Under this view, specialists in the humanities, whether they be psychiatrists, sociologists, or criminologists, thus become the spokesmen for the culturally or legally repressed minorities who are alienated from the majority group. All groups relegated to the fringe of society by the "conformist" majority suffer from alienation. They form the subjects of Laing's analysis and that of many other researchers who have taken the same point of departure in their analyses. All strata of society which contain a large portion of "non-conformist" individuals, or people suffering from discrimination, find themselves in the picture projected by such analyses. Among the young, women, sexual deviants, artists, ethnic and religious minorities, among those who stand out because of a "deviant" way of life, there may be found a greater need for this kind of philosophy than among the socio-cultural categories who have made conformity to traditional values the keystone of their personal aspirations and their collective social conduct.

<sup>39</sup> E. GOFFMAN, *supra* note 17; G. SIMMEL, *CONFLICT AND THE WEB OF GROUP AFFILIATIONS* (1955).

<sup>40</sup> N. KITTRIE, *THE RIGHT TO BE DIFFERENT—DEVIANCY AND ENFORCED THERAPY* (1971).

In the industrial, commercial, artisan, and professional middle classes, in government and private bureaucracies, among technicians rising in social status, non-conformist attitudes and "deviants" arouse what Lombroso calls "misoneism"—a resistance to change and hostility towards innovation. The result is a continuing vacillation between movements for reform and counter-reform, each in turn favoring change or stability.

Accompanying the challenge to and slow erosion of conformist norms and values is the tremendous capability for salvaging the organized social structures which are being criticized by a counter elite along with every change compatible with the preservation of interests already established. This is the alternative of the "long march through the wilderness of institutions." Conservative and progressive values are reformulated after each confrontation and are transmitted to future generations in the form of a new synthesis. The social groups which hold these values are remarkably stable and the factors of socio-cultural stability and instability are in a constant state of balance.<sup>41</sup>

#### SCIENCE AND POLITICS: POLARIZATION OF ISSUES AND CONFRONTATION BETWEEN CRIMINOLOGISTS

This social science, occupied in the service of the minority cause, obviously makes those who hold other philosophies (functionalists, positivists, neo-Kantians, etc.) the defenders of the "conformist" majority—supporters guilty of maintaining the alienation which is sapping the mental health of humanity. More and more, the question is asked: which side are we on? Are we with the minority or the majority, those responsible for alienation or oppression, or their victims?

Science also being a personal involvement in the service of a cause, the non-militant is ranked together with the defender of the worst evils of the social system. Thus ecologists become the most culpable agents of pollution, demographers the agents of genocide, specialists in industrial relations the exploiters of wage-earners, political scientists and economists

<sup>41</sup> See H. KAHN & B. BRIGGS, *THINGS TO COME—THINKING ABOUT THE 70'S AND 80'S*, at 88-161 (1972).



agents of the military and industrial complex controlling the government. Finally, the criminologist, whether a psychiatrist or probation officer, whether in charge of planning or a university researcher, is held more responsible for the medieval character of the judicial and correctional services than the elderly colonel or lawyer who most of the time runs these services and holds the actual power.

The large social institutions which perpetuate the values and aspirations of the community are seen as the main sources of alienation, and consequently, as institutions to be destroyed. Being no longer in agreement with the very criteria of normality and the acceptance that should accompany it, how can such institutions as the family, school, work, justice, etc., be accepted when they were built according to criteria and values declared "false" and challenged by active minorities?

The fervor of a religious war can be found in certain studies prompted by a revolutionary concern to rebuild the structures of institutions so that they will truly conform to the new criteria and new aspirations of the "alienated" minorities. It is again Laing who best expresses the authenticity of this call for a new start: "[E]ach time a new baby is born there is a possibility of reprieve. Each child is a new being, a potential, prophet, a new spiritual prince, a new spark of light, precipitated into the outer darkness. Who are we to decide that it is hopeless?"<sup>42</sup>

Changing society by changing man—this is the program for a new awakening that has so often found its way to the testing grounds throughout the history of civilization. By reformulating the norms governing institutions, there will be a new impetus towards the change necessary to achieve a dynamic society. One then becomes the advocate of the anti-school (Illich),<sup>43</sup> and the anti-psychiatry (Laing),<sup>44</sup> and the anti-justice (Versele)<sup>45</sup> to break down the alienating determinism of the present structures. Radical changes, presented dogmatically and urged with militancy, provoke resistance that is often legitimate, but

usually irrational. Proposals presented in terms of alternatives, as much on moral grounds as social utility, would seem to have a better chance of being accepted as guidance in the application of the results of scientific studies.

It would obviously be an exaggeration to judge all interactionist criminology by the radical and revolutionary characteristics we have outlined above. European sociology of law describes the mechanisms of decision-making by the judicial apparatus, public reactions, and its knowledge in the field of juridic norms without necessarily questioning traditional scientific philosophy.

The challenging of institutions, however, can hardly be avoided when one sees the wide gaps between facts and norms in democratic and egalitarian societies. The authority of the State that traditionally prevails on the European continent, however, is more powerful and more intrusive. Under pressure of common law, particularly in North America, this controlling power has been greatly reduced and the principle of the non-interventionist free state accepted and practised. The principles of liberalism set down by John Stuart Mill, and the spirit of freedom of Voltaire largely prevail on this continent. It comes as no surprise then, that it was in North America that the birth of systematic questioning had the most practical effect. The tradition of self-determined communalism was encouraged by the constitutional system and by history. The right to be different was concomitant with the very creation of the United States.

#### THE CRISIS OF LEGITIMACY: THE POLITICIZING OF CRIMINOLOGY

From the discussion above, one can see that an analysis of the norms of the majority from the point of view of any minority soon raises the problem of the legitimacy of the sanctions by which these norms of the majority are imposed on the minority challenging them. In addition, such analysis brings to light the considerable discretionary powers usually given the organizations administering law and justice in a liberal North American state. It shows that the police have tremendous leeway in their interpretation of what constitutes a "criminal" act, thus giving the policeman the

<sup>42</sup> R. LAING, *supra* note 23, at 26.

<sup>43</sup> I. ILLICH, *CELEBRATION OF AWARENESS* (1971); I. ILLICH, *DESCHOOLING SOCIETY* (1971).

<sup>44</sup> R. LAING, *supra* note 23.

<sup>45</sup> S. VERSELE, *supra* note 21.

role of dispenser of justice, which neither the law, his training, nor above all, his vocation, expects or requires of him. According to Skolnick, it constitutes a case of justice (accusation and punishment) without the benefit of a trial and its legal guarantees.<sup>46</sup> For all practical purposes, discretionary power is built into the system: the agent of justice is compared to the diplomat.<sup>47</sup> The procedure of sentencing, in which the judge is given a great deal of discretionary power, has long been a topic of study with its inconsistencies brought to light. The increase in case loads and the lack of sufficient technological equipment in the courts has evoked an outcry from the highest legal authorities and politicians in the United States, those least suspected of political radicalism. This same criticism has been made of the failure of the correctional system whose re-socialization results are not at all convincing.<sup>48</sup>

In the face of the incoherence, arbitrariness and ineffectiveness present in the system of administering justice (a "non-system" according to its critics), researchers have questioned the value of making comparisons between the completely chance effects of such system. This explains why the most significant work of researchers, conceived from the point of view of social reaction to deviance (a term that is tending to replace "criminality"), are meticulous monographs describing and analyzing the functioning of an institution (the police, the courts, the prisons, for example), or a subculture developed around "minority" values, (marijuana smokers, motorcycle gangs, hippies, drop-out communes, etc.).

Paradoxically, a manpower increase in the agencies charged with the administration of justice (policemen, judges, social workers, criminologists, etc.), intensifies the alienating effects of the system in the eyes of those who challenge it. In effect, better trained specialists in the techniques of the humanities, administrative and judicial, will only widen the gap that exists between the values termed "authentic" by the repressed minorities and those of

the oppressive and conformist majority. Amelioration, the traditional reformism of researchers interested in social problems and social policy, is viewed as an undertaking more insidious but just as harmful as brutal repression, although justified by means other than the physical force advocated by the established authorities. In reality, it is merely a matter of rationalizing and justifying the "reformist" ideology of the elite in-group.

At this point, it is worthwhile to consider the subjective and political implications of these problems, for we have been witnessing an increased "political" aspect in criminological discussions. There is no need here to recall the crises of conscience that have shocked the historical, political, sociological, anthropological, and psychological sciences. It suffices to say that these confrontations, charged with considerable emotion, spared nothing and no one. The denunciation by Szasz<sup>49</sup> and his fellow psychiatrists, were just as violent as were those by spokesmen for minority groups who refused to accept the legitimacy of the action taken against them. Ironically, the person they hoped to see "hanged" was not the reactionary minister of justice who said, on the day of his installation in power, that his department was charged with the enforcement of the law and not with social matters, but rather Dr. Karl Menninger, author of *The Crime of Punishment*,<sup>50</sup> who devoted his life to the reform of psychiatric and medico-legal institutions.

Such anti-psychiatric, and anti-criminological movements—part of a general "anti-scientific" trend, some of whose supporters are among the most brilliant specialists in these fields, reflect a moral crisis in the intellectual milieu. This universal crisis is especially striking in these sciences on the North American scene.<sup>51</sup> Following the work of W. Miller,<sup>52</sup> it is possible to summarize the consequences of the increased role of ideologies in criminological discussions. First, there is the polarization

<sup>49</sup> T. SZASZ, *THE MANUFACTURE OF MADNESS—A COMPARATIVE STUDY OF THE INQUISITION AND MENTAL HEALTH MOVEMENT* (1970).

<sup>50</sup> K. MENNINGER, *THE CRIME OF PUNISHMENT* (1968).

<sup>51</sup> D. NELKIN, *THE UNIVERSITY AND MILITARY RESEARCH—MORAL POLITICS AT M.I.T.* (1972).

<sup>52</sup> Miller, *Ideology and Criminal Justice Policy: Some Current Issues*, 64 J. CRIM. L. & C. 141 (1973).

<sup>46</sup> J. SKOLNICK, *JUSTICE WITHOUT TRIAL—LAW ENFORCEMENT IN DEMOCRATIC SOCIETY* (1966).

<sup>47</sup> Cressey, *Delinquency, Crime and Social Process*, in POLYARCHY: PARTICIPATION AND OPPOSITION (R. Dahl ed. 1971).

<sup>48</sup> D. GLASER, *ADULT CRIME AND SOCIAL POLICY* (1972).

of positions which transform hypotheses into sacred dogmas and which characterize the adherents of differing opinions as immoral and dangerous. The opposite picture results in an extrapolation and exaggeration of positions which are on the whole closely related. According to this attitude, opinions tending to the "left," with subtle differences, appear far more dangerous and harmful than opinions which can be attributed to the "right." This trait, as a result, has the traditional division of extreme left or extreme right opinions in small closed groups, each fiercely guarding its own "truth." The hostile distrust with regard to information that can be drawn from current research is quite clear. The answers are already there, arbitrarily laid down by the ideology. New data can only obscure the discussion, weaken the issues, and subvert the ideological truth by suggesting its possible relevance.

The theory of catastrophe marks the extreme dogmas of both left and right; if one does not accept, *in toto*, the remedies advocated, there is no hope of salvation. If the regime should survive, it is because it has been warned of imminent disaster by the premonitions of prophets. Exaggeration of the facts in connection with the threat of "the enemy" is very clear: the number and quality of the militants on the other "side" are considered greater than what they really are. Miniscule groups of extremists are obviously a minority and their feelings of fear and insecurity find their subjective justification in exaggeration of the threats against them. Finally, systematic distortion of the opposing position is a weapon that has been used from time immemorial in ideological disagreements. The reading of polemics, with their constant recourse to savagery and scatological language printed in the history of the Trotskyist or Stalinist school of the Communist Party, is most edifying in this regard. The denigration of the opponent's position consists of a mass of incoherent propositions with "subjective" and "objective" implications and abject moral motivations, used with a clear conscience as legitimate means justified by the sacred character of the end sought.<sup>53</sup>

<sup>53</sup> See Korn, *Reflections on Flogging: An Essay-Review of the Work of Leslie Wilkins and Tom Murton*, 6 ISSUES IN CRIMINOLOGY 95 (No. 2 1971); L. WILKINS, *supra* note 22.

#### POWER AND SCIENCE: WHO FURNISHES THE "BASIS" FOR DECISION?

The increasing concentration of power in the hands of a limited number of groups who exercise the power of decision is, in itself, a frightening phenomenon for the intellectual, who is particularly aware of the possibilities of error and injustice. The failure of the elite in utilizing this power casts much more doubt on the legitimacy of this exercise of power than could any philosophical speculation. These failures, in spite of undeniable successes in other respects, are numerous. In criminology, in particular, it must be admitted that very few solutions to the failure arising from the present system can be offered in terms of reasonable alternatives. It cannot be said in good faith that there is a "scientific" basis for most reforms, which, nonetheless, the criminologist does not hesitate to recommend. The same holds true for the "causes" of criminal or deviant behavior. Ideological confrontations are not on very solid ground when it comes to scientific evidence. In the final analysis, a reformist philosophy is opposed to a revolutionary philosophy without science substantiating anything!

One of the important criteria of legitimacy is success. A system is less often challenged and its values are less violently objected to if its elite provide general satisfaction to the various sectors of the population. Exercise of power is achieved through democratic delegation to the administrative organizations: the less ambiguity there is in the values and norms to be sanctioned, the greater the tacit acceptance of the restraints exercised to uphold these values. Thus, constituted power becomes the key concept for the revolutionary criminologist. The act of violence expresses protest against the value norms of the established system. Its perception is the expression of the power of those who rush to protect the established order. As Skolnick says, "[M]en who engage in dangerous and desperate behavior—indeed any behavior—have a certain claim to have taken seriously the meanings which they see in their own acts, and wish others to see in them."<sup>54</sup>

<sup>54</sup> Currie & Skolnick, *A Critical Note on Conceptions of Collective Behavior*, 391 ANNALS 34,

There is no hesitation to categorize as counter-revolutionary all pretensions to a certain neutrality in the scientific approach. In this popularized, Manichean view of the social reality and the role of power, any revolutionary act is the expression of a basic reaction to pathological alienation of the oppressed man. There is no neutrality possible in the conflict between the forces of good (oppressed minority) and the forces of evil (control, social, and judicial repression).<sup>55</sup> "[W]e would want to look at various forms of collective action—whether within or beyond the 'normal' or conventional social and political arrangements—in the light of their capacity to promote (or retard) the creation and maintenance of these values."<sup>56</sup>

The anger of Skolnick against the sociologist Smelser stems from the same source as that of Szasz and Laing. The political aspect of science is overwhelming under this point of view, and calls to mind that of the Marxist/Leninists in countries where their doctrine has not yet prevailed. They, too, were the spokesmen for the alienated minorities, and the powerful dialectic appeal of "master and slave" can still be remembered. It is worthwhile considering the conditions under which scientific activity would be carried on once the alienation of these minorities had been changed to the liberating exercise of power.<sup>57</sup>

It must be admitted that there are strict limits within which those who exercise political or administrative power actually resort to the findings of science. The ultimate aims of the two orders are radically different. Power is exercised by a "leadership" to defend the interests of its electors as interpreted by them, either in the name of the democratic majority, or in the name of an ideology declared "true." The

defense of "higher" interests is said to correspond with the common good.

The man of science, on the other hand, examines and measures the consequences of normative options, whatever they are. It is not up to him to redefine normative options in the name of science. On the other hand, as a professional man, he expresses himself in the normative way and can refuse to place his talents at the service of causes which he condemns. A true conflict of roles can develop. To illustrate, we refer to the abundant literature that followed the famous Oppenheimer case concerning the use of science in an atomic war.<sup>58</sup>

#### COMPARATIVE CRIMINOLOGY AND THE CONTRIBUTION OF THE SCHOOL OF SOCIAL REACTION TO DEVIANCE

This context must be kept in mind in order to understand the perspectives which the school of social reaction to deviance proposes to comparative criminology. Nils Christie calls the criminology oriented toward correctional practice a dead end.<sup>59</sup> In his opinion, contemporary criminological data are "more useful for the purpose of understanding the system of control than for understanding what makes people criminal."<sup>60</sup> Under his view, two principles must be adhered to in comparative criminology. First, it must not be based on court convictions; this is merely recording the functioning of the judicial system. Second, the point of departure should be the system of crime control. This is clearly part of the larger system of social control and constitutes only one aspect of it.

Christie then asks for a return to criminological study from a complete sociological point of view involving the entire social system: "[W]e have to study social systems and not isolated attributes."<sup>61</sup> And he concludes: "Crime cannot be understood except in relation to the total social system. Until that system is sufficiently well known and understood, we will, for most purposes, have little to gain from comparing the crime picture between two different societies."<sup>62</sup>

<sup>58</sup> The literature references are too numerous to be worth noting.

<sup>59</sup> Christie, *Comparative Criminology*, 12 CANADIAN JOURNAL OF CORRECTIONS 40 (1970).

<sup>60</sup> *Id.* at 40.

<sup>61</sup> *Id.* at 44.

<sup>62</sup> *Id.*

43 (1970), quoting Silver, *Official Interpretations of Racial Riots*, in URBAN RIOTS—VIOLENCE AND SOCIAL CHANGE 154 (R. Connery ed. 1968).

<sup>55</sup> Short & Wolfgang, *On Collective Violence: Introduction and Overview*, 391 ANNALS 1, 3-4 (1970).

<sup>56</sup> Currie & Skolnick, *A Critical Note on Conceptions of Collective Behavior*, 391 ANNALS 34, 45 (1970).

<sup>57</sup> See J. COHEN, *THE CRIMINAL PROCESS IN THE PEOPLE'S REPUBLIC OF CHINA 1949-1963—AN INTRODUCTION* (1968); W. CONNOR, *DEVIANCE IN SOVIET SOCIETY: CRIME, DELINQUENCY, AND ALCOHOLISM* (1972); R. MEDVEDEV, *LET HISTORY JUDGE* (1971).

From this point of view, the themes suggested for the attention of researchers by Christie are very different from those selected by Sheldon Glueck ten years ago. Christie proposes a methodological discussion on the most adequate means of circumventing the inconsistencies and lack of criminological data emanating from the administration of justice. According to him, the actual functioning of the social control system must be analyzed. A practical way to do this, would be to study one form of deviant behavior in two or more different societies, and to see in particular the variations over time and the substitution of one deviant act for another, etc.

Another type of promising study would be a comparative analysis of relatively limited social systems, such as prisons or the police, for example, in the form of national monographs replicated in a number of countries. This would show their respective roles in the social control system as a whole and specific information could be acquired through the comparative method. This is even more advisable when it comes to comparing total crime between countries: the analysis therefore must be placed in the sociological perspective of the whole social system.

#### COMPLEMENTARITY OR CONFLICT BETWEEN CRIMINOLOGIES ORIENTED TOWARD CORRECTIONAL PRACTICE

As can be seen, the view of criminology oriented toward correctional practice and that of interactionist criminology are inextricably tied to one another. The one takes for granted, implicitly and explicitly, the definition of the criminal act given by society and represented by the agents of the administration of justice who apply the criminal code. The other postulates the lag between the social norm and the legal norm, the continuity between "normal" and "abnormal" behavior. Whereas the key concepts of the criminology oriented toward correctional practice are focused on those of the "criminal" personality—learning experience, socialization, etc.—the concepts of criminology oriented toward the analysis of social reaction to deviance involve alienation and conflict between norms and values which have their roots in the class interests which divide society.

We have also noted the emotional content of the confrontation between the two criminologies. If traditional criminology had a purely scientific purpose which has evolved towards a reformism seeking changes in the penal code, the administration of justice and, above all, the application of punishment; interactionist criminology has in view the radical, if not revolutionary, challenging of the social organization. In fact, partial reform and adaptation of the present system seems even more dangerous than the provocation of conflicts between those who want radical change in the social system and those who would maintain the established order. Thus the seeds of conflict, noted by Hermann Kahn and Brice Briggs, can be seen in criminology between the positions of the "humanist leftist" groups and the "responsible centrists."<sup>63</sup>

Is this an unsolvable problem, or can there be an accommodation between these two positions? There is certainly no point of agreement in respect to the relationship of scientific research with the political views of the researcher. For the one group, it can only be immediate and direct, while for the other, it must be intermediary and remote. The sociology which led Gouldner to formulate his doctrine of reflexive sociology is unquestionably opposed to the humanist philosophies of the positivist scientific tradition. The same can be said for all conflicts involving intellectuals in the human sciences, as Arthur Bestor states:

[A]s an institution for the advancement of knowledge, it (the university) serves the world best by insisting that its members conduct themselves as scholars, not propagandists, and by protecting from interference and intimidation those who carry out honestly their professional duty of inquiring critically and objectively into the whole range of human concerns and announcing the documented, often controversial, conclusions.<sup>64</sup>

As to the nature of the problem in question, it is the outcome of a philosophical stand, accompanied by a moral attitude. It is not to be judged by ordinary procedures of science.

<sup>63</sup> H. KAHN & B. BRIGGS, *supra* note 41, at 82.

<sup>64</sup> Bestor, *In Defense of Intellectual Integrity. A Manifesto for the Contemporary University*, 39 ENCOUNTER 18, 24 (1972).

These debates between those who uphold a criminology oriented toward correctional practice and those who support an interactionist criminology can be analogized to similar discussions in psychology, concerning the role of innate or acquired traits in the social and educational success of the child; in economics, in terms of the effects of monetary policy on industrial expansion; in history, on the role of the charismatic leader in relation to socio-economic determinism. The reading of the results of strictly scientific observations may differ depending on the theoretical beliefs of the researcher. Very different interpretations of results based on similar observations may be valid within certain limits. But the "accuracy" of the observations, and soundness of the methodology, should be the only meeting ground for all criminologists.

As Jean Pinatel points out, a criminology oriented toward the analysis of social reaction to deviance develops fertile hypotheses in clinical criminology.<sup>65</sup> Taking a different point of departure, sociological criminology and specialized criminologies legitimately utilize social reaction as a point of departure and reference in their work.

It is the value of explanations and predictions in terms of the accuracy of scientific observations, that in the final analysis will do justice to the fruitfulness of one or the other point of view. And we are very far from having presented proof that the last word has been said.

There is a need to stress the danger of impatience and intolerance which takes possession of the criminologist when he meets with patent failure in his efforts to translate the lessons of his scientific observations into therapeutic or political action. It was not only Lenin who proclaimed that the dawn of scientific socialism experienced in the U.S.S.R. was also the dawn of scientific experimentation vis-a-vis a society. The fact that researchers belong to diverse schools of thought, influences the choice of subject and the angle from which it is approached. No one can deny the existence of this "personal coefficient" in all the social sciences. However, it is the authenticity and veracity of these observations alone which will

allow the results of these studies to be regarded as "scientific." Authenticity means relevance in relation to certain perceived human values, veracity means the description or extent of the phenomenon in its most significant characteristics.

To the extent that these two criminologies obey these two rules, authenticity and veracity, their contribution can assist in the difficult task of explaining deviant behavior in contemporary civilization. This is not the time for an accounting, a civil war or even academic quarrelling. It is the time to work, to demonstrate by research the validity of such divergent sources of inspiration.

Finally, it must be noted that the applicability of the results of research is not a sufficient criterion of its scientific veracity. Multiple factors, quite outside the scientific field, may intervene to alter the conditions of application of a theory in a concrete social situation. This seems to be self-evident; nevertheless many decisive judgments on "science" are based on the failure of a theory to predict or explain specific human or social phenomena.

Concerning the contribution of the divergent ideological biases of the researcher, it can be extremely positive if the laws of scientific research are respected in other ways. Criminology of the interactionist school contributes a point of view and an awareness which makes it possible to explore areas of the social reality theretofore unknown. Clinical criminology did not question the legitimacy of the values on which the social order was based. It challenged the methods of society in treating delinquents, but it rarely went further. Interactionist criminology examined the experience and existential values of deviants and delinquents. New light was brought to bear on many phenomena which had previously been studied unilaterally. A whole series of legal and administrative measures, attitudes and opinions were challenged because of this contribution. At last a criminology based on the experience of the victim is now being outlined. Victimology is exploring the first data—above all, clinical data. There will be an immediate analysis of the social reaction of victims toward their aggressor and toward the social organizations set up for their protection. Criminologists exploring these even more unknown areas of the so-

<sup>65</sup> Pinatel, *supra* note 12.

cial reality with themselves contribute an awareness and interest very different from that which was previously the case.

It is not only the relationship between science and its application, ideological bias and scientific analysis that we must note among the elements which converge to prepare the basis of a comparative criminology of the future. On the basis of true scientific theory, along with Wolfgang<sup>66</sup> we can see an increasing integration between what he calls micro- and macro-criminology:

Criminology is joined by other areas of behavioural science in looking at larger sciences of analysis. Criminal deviance is seen as a part of the fabric of deviance and conformity, of riots and revolutions, of conflict and control, of peace research and interdictions and counter-interdictions. Compromise, arbitration, game theory, intellectual groupings, and mass movements are in the general theorizing mold, and criminology should become increasingly a part of this large social organization theory. Theories of political mobilization and developing nations are intellectually akin to criminological concern with culture systems. the data on industrialization and culture conflict. Conflict resolution models of analysis can find utility in crime control programmes and theory.<sup>67</sup>

#### CONCLUSION

This macro-criminological "general theory" will be enriched by the contribution of more

<sup>66</sup> Wolfgang, *Developments in Criminology in the United States with Some Comments on the Future*, 1973 (unpublished manuscript).

<sup>67</sup> *Id.* at 30-31.

and more searching techniques of multivariate analysis, multiple regressions, of analysis through a dichotomy of attributes, and analysis of the discriminant function, in short, techniques of analysis through which the science of econometrics brought a level of refinement previously unthinkable in theoretical analysis.

This marriage of measurement and general theory, of macro- and micro-criminology, as Wolfgang calls it, will contribute, without question, to the tremendous progress of criminology. In order for its contribution to be as great in comparative criminology, the complementary importance of the ethno-methodological approach must be added. There is needed very deep monographic analyses to discover the meaning of the variables to which we resort, both in micro as well as macro-criminology. This is already important within the national criminologies. The approach is all important in comparative criminology, considering the profoundly different significance given human conduct and the social reaction it evokes within different cultures at very different levels of socio-economic development. The exploration of simpler societies than the industrial society is indicated in this regard, and the works of V. Goldschmidt<sup>68</sup> and his collaborators demonstrate the benefits of this approach for the future.

<sup>68</sup> Goldschmidt, *Decriminalization as a Resource Problem*, April 3-10, 1973 (seminar given on Deviance and Social Control in Greenland, at the International Center for Comparative Criminology, Montreal, Canada); Goldschmidt, *The Greenland Criminal Code and its Sociological Background*, 1 ACTA SOCIOLOGICA 217 (1956); Goldschmidt, *New Trends in Studies on Greenland Social Life: Criminal Law in Changing Greenland*, 5 FOLK 113-121 (1963).