BOOK REVIEWS

REVIEW ARTICLE

WHO ARE THE VICTIMS?*

JAMES O. FINCKENAUER**

There is currently a controversy raging in the United States with regard to our correctional system for dealing with juvenile delinquency and youth crime. This is not the only controversy concerning juvenile justice here, but it is one of the more difficult and sensitive ones. At issue is the nature and extent of institutional confinement for juvenile offenders. As is true with most controversial matters, there are polar extreme positions and a number of intermediate or moderate views falling somewhere along the spectrum.

This spectrum might be viewed as an illustration of Herbert Packer's crime control and due process models. The crime control model adapted to juvenile justice would advocate institutionalizing most juvenile criminal offenders for purposes of incapacitation, punishment and deterrence. At the other end of the spectrum is the due process model, or an adaptation described by Katkin, Hyman and Kramer as the rehabilitative model. The latter operates on the principle that the responsibility of the juvenile justice system is to ensure a range of comprehensive treatment programs and strategies which will meet the rehabilitative needs of individual children. Use of correctional institutions is de-emphasized, but where appropriate and necessary, non-punitive rehabilitative institutions could be used for treatment purposes.

Several recent developments or trends in thinking can be viewed in the context of these models. One is the work of the Juvenile Justice Standards Project of the American Bar Association Institute of Judicial Administration. This project recommends moving away from “the best interests of the youngster” basis for juvenile court dispositions to sentencing based upon the seriousness of the crime, the degree of guilt, and the juvenile’s age and prior criminal record. Specifically recommended is a required sentence of two years for juveniles who have committed crimes for which adults normally would be sentenced to death or to 20 years to life in prison. The recommended minimum sentence for a crime is two months. In the words of Irving R. Kaufman, Chief Judge of the United States Court of Appeals for the Second Circuit and co-chairman of the joint commission: “... young killers, muggers and rapists will be virtually certain to spend a substantial period of time in a state facility. Confinement will serve two goals currently given short shrift: isolation of dangerous individuals and deterrence of others.”

At another point on the spectrum, perhaps best personified by Dr. Jerome Miller and his so-called Massachusetts experiment, is the view that juvenile correctional institutions are essentially destructive and unnecessary, and that they can and should be replaced by a wide array of community programs. Other juvenile corrections administrators disagree with this view and argue that it would not be politically possible to do away with all institutions. The Office of Juvenile Justice and Delinquency Prevention created by the Juvenile Justice and Delinquency Prevention Act of 1974 seems to occupy a middle ground in the controversy. It advocates a reduction in the number of commitments to juvenile facilities and an increase in the use of non-secure community-based facilities, and it discourages the use of secure incarceration and detention. It does not, however, call for a total or even major program of deinstitutionalization. In the words of its administrator, Mr. Milton Luger: “I don’t think community-based programs are a panacea. I don’t
see them as a solution for all offenders. As a matter of fact, to put the wrong kids in a community program destroys both the kids and the program. I don’t have much patience with those who say that community-based programs are all we need.”

What are juvenile correctional institutions like? Are they as bad as the abolitionists say? What are their effects upon juvenile offenders confined in them? Into the debate on these and other critical questions has come an interesting and informative book entitled Juvenile Victimization: The Institutional Paradox, by Clemens Bartollas, Stuart J. Miller and Simon Dinitz. At the very least, this book should provide some important food for thought. At best it is a comprehensive evaluation of an example of juvenile incarceration, an evaluation which can have a significant impact upon our juvenile justice system.

The major focus of the book is upon juvenile victimization in a correctional setting. The authors report, “[W]e examine one institution, which we believe has its counterparts in almost every state in the union.” That institution is the Training Institution, Central Ohio (TICO), which houses a maximum of 192 boys (142 at the time of the study) and is the “end-of-the-line” maximum security setting in Ohio for male juvenile offenders.

The author’s definition of victimization is that it “involves a relationship in which one party loses material goods, becomes involved involuntarily in homosexuality, or is involved in any interaction which causes loss of face without personally satisfying compensation or restitution.” The research questions which structure the study are: “Does sexual exploitation constitute the major way in which victimization takes place? What forms of nonsexual exploitation occur? What is the extent of sexual/nonsexual exploitation? What are the characteristics of exploiters and victims? How do victims contribute to their victimization? What role does the staff play in the process of exploitation? And finally, what is the relationship among organizational, structural, and personality variables?” The major part of the book consists of the exploration and description of possible answers to these questions.

The methodology consisted of staff questionnaires and interviews, inmate interviews and schedules, and a review of institutional files. By far the most valuable method of gaining information seems to have been the use of a staff member at the institution as a participant observer. Based upon the staff questionnaires, the researchers constructed a five-fold exploitation typology ranging from Exploiters (made up of “heavies” and their lieutenants who control the cottages) to Give and Takes, Independents and Sometimes Boys, to Victims (cottage scapegoats and a group receiving extensive nonsexual exploitation). This typology is similar and comparable to Sykes’ Society of Captives as a description of an inmate society.

Bartollas, Miller and Dinitz utilize a number of quantitative and qualitative methods in their study. Although they indicate that their research is exploratory, issue can be taken with at least several aspects of their work. One such aspect is the drawing of conclusions based upon induction, which would more properly seem to be theories or speculations. This occurs particularly in the discussion of race and social class as variables influencing exploitation.

Race and social class are defined as “stimulus qualities,” meaning “characteristics which indicate to others, consciously or unconsciously, the type of person a youth is and the likelihood of his being exploited.” The authors indicate that empirical data (staff ratings of the 73 whites and 76 blacks on four exploitation categories) demonstrate that whites are exploited more than blacks. It is in the attempt to interpret and explain these data that problems arise. The authors attribute to one youth leader (staff member) in the institution the opinion that black domination is due to blacks’ greater aggressiveness and greater group cohesion. Further, this youth leader offers the opinion that “blacks are just naturally more aggressive because most of the black kids we get here are from the ghetto.” He feels that the willingness of blacks to stick together makes whites fearful of retaliation if they contest black power, and further, that victimization and injustices suffered by blacks in the community motivate them to retaliate against whites and to use the opportunity to gain revenge.

Based on little more than the staff ratings and the aforementioned opinion, the authors engage in an elaborate discussion and explanation of these extremely sensitive and controversial topics. The discussion breaks down in a number of areas. For example, the authors assert that, “The animosity held against whites motivates blacks to pursue retribution for exploitation occurring before incarceration.” How, except for the youth leader’s opinion, is this known? There seems to be no empirical basis for this conclusion.

There is also little basis for concluding that certain “values” such as “don’t kiss ass,” “don’t rat on your peers,” “be cool,” “don’t steal,” etc., are uniquely values of the black ghetto. Do they have their counterparts in the outside world? Certainly! But
are they unique to a particular group or race or social class? I don't know, although I doubt it, and I don't think the authors know either. Why do "values" imported into the institution by kids from the black ghetto override other values imported from other sources by other inmates? Again, there is no clear basis or evidence for this conclusion.

Other examples of these same seemingly unsupported conclusions concerning race and social class are:

A lower-class white... is not as easy to victimize as the middle-class white because of his physical and mental toughness.

...many of the white victims come from rural settings and are more prejudiced toward blacks than urban whites. This prejudice, in turn, creates animosity and causes retaliation from black inmates.

Social class background... sets the stage for who becomes the victim and who becomes the aggressor.

This latter conclusion is additionally subjected to a methodological weakness in that the authors indicate that adequate data on social class were unavailable. Assumptions of homogeneity among race and social class groupings seem unwarranted.

Methodological problems exist with each of three tests used to determine whether the boys differed psychologically. The three tests used were the Gough Adjective Checklist, the Machover Draw-a-Figure Test and the Jesness Personality Inventory.

The first of these, the Gough Adjective Checklist, is a series of 24 scales consisting of 300 adjectives used to rank either oneself or others. The authors admit that many of the adjectives were far too difficult for the inmate to understand. The solution of the researchers to this problem was to define the words when requested by the inmates. This raises numerous questions of validity: Did the boys always request a definition when they failed to understand an adjective? Did boys who received definitions have the same understanding of adjectives as boys who did not? What is the effect of interviewer bias in giving definitions?

A further complication was the resulting increased length of the testing period which made it boring for the inmates. This, too, subjects the results to some suspicion. One interesting finding from the use of the Gough was that boys with "R" institutional classifications (considered dangerous to himself or others) and "E" institutional classifications (mentally disturbed) ranked first or second on 18 of the 21 scales used, indicating they were the emotionally healthiest of the boys. Boys without R or E labels scored lowest, indicating they were the most disturbed. Obviously something is wrong with either the institutional diagnosis and classification or the Gough, or possibly both.

The Machover Draw-a-Figure Test was given "because it is a projective test designed to reveal hidden propensities" regarding sexual identity, feelings of inferiority, aggression, maladjustment and anxiety. The authors indicate that the reliability of this instrument has been challenged, but apparently they decided to use it as an experiment. There was considerable resistance by the boys to taking this particular test. In discussing the findings from the Machover, the authors conclude that, "Considering the vast amount of psychological literature challenging the validity of the Machover, considerable reservation must be exercised before accepting any of its findings." Although the authors are forthright in acknowledging these problems, one is not sure whether the Machover is unreliable, invalid or both. Also, one would have to question the wisdom of its use, even on an experimental basis, if these serious problems were known beforehand.

Lastly, the Jesness Personality Inventory consists of 155 true-false items constructed to distinguish disturbed or delinquent children from normals and to measure attitudes toward self and others. None of the Jesness findings was statistically significant. While apparently able to discriminate social characteristics, according to the authors, the Jesness did not discriminate personality characteristics. The authors conclude again that there are problems with the validity of this test.

In sum, these tests are of doubtful appropriateness for the population being tested, as Bartollas, Miller and Dinitz acknowledge. Their recommendation that future research be done to document the relationship between personal and social characteristics in institutional adjustment is well taken.

Juvenile Victimization has significant implications for several reader audiences. For persons interested and concerned about the juvenile justice system in general, it offers evidence in support of separating juvenile delinquents who have committed criminal offenses from those juveniles who are simply in need of supervision. For example, one of the institutional social role types, the "scapegoat," is described as follows: "He normally is committed to the Ohio Youth Commission for incorrigibility and running away from other institutions. . . . In contrast to that of other boys, his anxiety does not subside, principally because he realizes that he is a 'prime candidate' for extensive exploitation—being small, lower-middle-class, and white." Of 25 boys definitely exploited, 16 were regarded as chronic sexual victims.
who were considered to be cottage scapegoats. Under a JINS, PINS, etc. status, would not such youths who are most amenable to exploitation and victimization be barred from confinement in this type of institution?

Perhaps a larger issue is the finding that 61 per cent of the boys were exploited at least on items such as food, clothes, and cigarettes, "leaving only about 29 per cent who were not intimidated or forced into a victim role at some time." Does this not have implications for what constitutes cruel and unusual punishment? Can juveniles, or adults for that matter, be confined in this type of institution in a constitutional manner?

Correctional administrators and treatment staff should note the authors’ conclusion that: "Resident victimization is facilitated by the diagnostic processing and labels, psychiatric and institutional, affixed to the residents’ dossiers and to them as people. . . . This is a concrete illustration of the self-fulfilling prophecy; of the effectiveness of stigma in promoting exploitation and a pecking order within the institution." What does this imply for any form of inmate classification system? For example, at the time of the study, TICO was implementing the Interpersonal Maturity Level Classification System (I-level). Will this system also become a self-fulfilling prophecy promoting stigma and exploitation?

For those persons who are considering working with offenders or who are already doing so, the chapter entitled, “Inmate Games: The Staff As Target,” should be extremely interesting and informative. Anyone who has worked in this type of institution should find much that is familiar in this particular discussion. How can the culture clash which seems to occur between middle-class treatment professionals and lower-class offenders be ameliorated so as to prevent the destruction, disillusionment and cynicism of staff which impairs their performance? Can staff training resolve these kinds of problems?

For the Ohio Youth Commission and its institutional administrators, as well as for comparable bodies and individuals elsewhere, the book provides a valuable evaluation which can lead to change and reform. In TICO, for example, one wonders why the alleged influence of the black culture cannot to some degree be minimized by such administrative remedies as exercising control over the types of food served in the institution. The authors assert that "only a few whites feel secure and strong enough to eat what they want,” and that "blacks control the kinds of food eaten.” Why must this be so? There are other examples of this kind occurring throughout the book. What might be done about them?

Last and perhaps least, for Bartollas, Miller, Dinitz, and their editors, the index of subjects is somewhat exasperating. The index is both incomplete in that it does not fully cite its subjects, and inaccurate in that some subjects cannot be found on the pages cited. This is an unfortunate and unnecessary flaw. It is, however, only a minor flaw in the otherwise valuable Juvenile Victimization: The Institutional Paradox.


This recent addition to the new criminology is a product of the Berkeley wing (Platt, Schwendinger, Takagi), and indeed utilizes the York group in Britain very sparingly beyond the opening obligatory mentions. Krisberg demands a criminology which promotes social justice, if necessary in defiance of the powers which feed and pamper criminologists. Indeed, he contends that criminology must play a central role in fostering social justice, and it is hard to argue with his point that “developing a critical perspective in criminology is particularly crucial because in the area of crime and crime control we encounter myths designed to legitimate the use of force to maintain order.” So he presents a text composed of two exhortative chapters, at beginning and end, and three substantive chapters (Crime and Privilege, The Struggle Inside [prison], and Controlling the Dangerous Classes: Punishment and Social Structure). “The Struggle Inside” is a reprint chapter written by other radical authors, including Angela Davis and the younger Eldridge Cleaver.

Krisberg continually refers the reader to C. Wright Mills and the sociological imagination, especially Mills’ work on the power elite and the professional ideology of social pathologists. It is in a way ironic that Mills is lauded for unraveling the hidden ideologies of [the traditional] criminologists in the same chapter where the unsupported assertion is advanced that “piecemeal reform efforts . . . support the myth that progress and improvement can occur without major restructuring of the social order” (italics mine). Or consider the following: “Describing the process of domination in a given society is a difficult task because the available social theory tends to dismiss the existence of privilege.” Despite such occasional intemperate lapses, Krisberg
makes an effective case for the prominence of unconscious criminological ideologies in various historical periods. I also found his chapter on the history of penal sanctions ["Controlling the Dangerous Classes . . ."] both informative and intriguing. Although the economic interpretation of penal sanctioning [a la Rusche and Kirchheimer] is not wholly convincing, Krisberg makes a strong persuasive case for the prominence of the economic dimension in historical penology.

One discouraging aspect appears in spite of the quality of the presentation: Krisberg is totally predictable, over dozens of issues. Surely, one feels, he will emerge on the conservative side on some one issue! Here is the irritating feature of the new criminology, brought into sharper focus by the very obvious intelligence of this book: it is one hundred per cent predictable. A matter merely of logical consistency? Not at all: there are just too many disparate topics addressed to support the idea that a position on one necessitates a comparable position on specific others. There is, to those reared on criminological texts in which the author sometimes displayed strange idiosyncrasies, a certain lack of judiciousness in works where one can perfectly predict the stance to be assumed at the very onset of a new topic. But perhaps such sentiment on the reviewer's part merely betrays his origins in an era that emphasized judiciousness rather than righteous indignation.

Like all revisionist work, the new criminology must necessarily expand its coverage beyond the traditional boundaries. So it has been with the new criminology in general, and so it is with Krisberg in Crime and Privilege. At many times the book reads more like a text in social stratification than in criminology, "old" or "new." But he always manages quite skillfully to weave a tapestry that both hangs together in a coherent fashion and returns again and again to the traditional subject matters of criminology, albeit from a different vantage point. His command of the literature, both of criminology and of a wider sociological framework, is excellent and clearly in evidence.

This is not to say that I agree with all, or even most, of Krisberg's conclusions. The work is openly didactic and polemical. To say that it hangs together well is not to say that any entirely opposed interpretation of American society and its social control institutions would not cohere equally well. The works cited and discussed are transparently selective, as they have to be for Krisberg to make his indictment. What strikes one, then, is not the correctness of his interpretation but the certainty that a very strong case has been made. Critics of the new criminology must respond with equally penetrating analyses if their rebuttals are to be convincing.

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For years, criminologists have been developing theories of human behavior, each intended to explain the "crime problem." Thus far, these efforts have proven unsatisfactory. Wilson's Thinking About Crime is a reaction against further theory construction and a critique of the costs and benefits involved.

Thinking About Crime is a collection of essays concerning various forms of predatory crime—robbery, burglary, larceny and auto theft; apparently, Wilson presumes corporate, professional, organized and political crimes are less serious—not sufficient to warrant attention. Wilson's sole concern with predatory crimes stems from his belief that the "community" is the most sacred element bonding people and neighborhoods. Wilson states:

Predatory crime does not merely victimize individuals, it impedes and, in the extreme case, even prevents the formation and maintenance of community. By disrupting the delicate nexus of ties, formal and informal, by which we are linked with our neighbors, crime atomizes society and makes of its members mere individual calculators estimating their own advantage, especially their own chances for survival amidst their fellows. . . .

Once demonstrating the magnitude of the predatory "crime problem," Wilson's effort is toward developing immediate action plans aimed at reducing crime, not constructing a theory of human behavior. In fact, throughout the book, Wilson reacts against social scientists' efforts directed toward theory development. Why? Because, Wilson argues, the "crime problem" is current and something needs to be done now. Theory construction takes years, and even then, history has demonstrated what has been accomplished is minimal. Simply, efforts toward theory development have failed because they do not deal with the "crime problem": getting lawbreakers off the streets. Thus, Wilson implies that present and future rehabilitative strategies will fail. Consequently, all rehabilitative efforts should be abandoned and society should be satisfied with incapacitating offenders.
Overall, Wilson asks social scientists to stop considering the "root" causes of crime, because these call for camouflage solutions which are not readily available. Further, and most important for Wilson, governmental programs cannot respond to "root" causes, because they are subjective, not structural. Therefore, nearly all previous efforts examining "root" causes have actually deflected policy makers from effective action plans. After all, governments can only alter the "game plan" for would-be predatory offenders and incapacitate them; they can do nothing more. Research aimed at uncovering "root" causes is therefore detrimental to reducing crime rates.

In the book's final section, Wilson focuses on specific structural changes needed to reduce crime; these are not ones often found in the literature. Wilson argues that we should not concentrate on reforming the police, who do their job by arresting thousands of people. Instead, attention should be given to reworking the court system, which is loaded with flaws and needs to be redone. As everybody knows, arrested persons are quickly released, do not come to trial for months, and are often returned to society without any penalty (even after guilt has been determined). Consequently, Wilson prescribes that certainty of punishment be increased, so that, in an ideal world, the court system:

1. would be organized around the primary task of sentencing, not around the largely mythic task of determining guilt . . .
2. the sentencing process would be placed under central management, with uniform standards enforced by a presiding officer and applied under his direction . . .
3. every conviction for a nontrivial offense would entail a penalty that involved a deprivation of liberty . . .
4. "Deprivation of Liberty" need not, and usually would not, entail confinement in a conventional prison . . .
5. Conviction for a subsequent offense would invariably result in an increased deprivation of liberty . . .

Wilson leaves no doubt regarding his position for lawbreakers: they should be punished, and we as a society should not concern ourselves with rehabilitation. It is through punishment that offenders are off the streets and prevented from doing additional damage.

Wilson's argument is sound and well composed. He is a social scientist who possesses both skill and influence; Thinking About Crime demonstrates that. But his position is questionable. First, it is too early to adopt Wilson's "lock-em up" attitude; rehabilitative efforts should not be written off completely, as he advocates. Wilson assumes that because earlier "people-changing" efforts have failed, so will newer and innovative techniques. Obviously, not all forms of rehabilitation need be conceived and tried, but Thinking About Crime asks us to "throw in the towel." Second, Wilson implies that governments can intimidate potential lawbreakers. This writer, and others, disagree, arguing that it may be possible to intimidate some prospective lawbreakers through increasing certainty, celerity and severity of sanctions, but that in the long run, these strategies will not alter the crime rate significantly.

Overall, Thinking About Crime is worth reading. It is a well-designed book and will challenge many readers. It is representative of the "neo-conservatism" approach and is filled with ideas that may become a reality in the not too distant future.

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One suspects from its title and table of contents that Conklin's effort characterizes crime as a causal agent—a factor disrupting social organization and precipitating social conflict. He states in the preface that it is "an analytical study of the effects of crime on the social structure." In this he adopts a functionalist framework centering the analysis on crime within singular groups or collectives. Crime is viewed as a cause of fear and distrust and perceived as socially divisive among community members. Because of the fear it instills, crime reduces communication and interaction and thereby leads to a general breakdown of important social controls.

The thrust of Conklin's argument is that crime weakens the social fabric and, in contrast to Durkheim's thesis on its positive social functions, divides and fragments communities. Whereas Durkheim held crime unifies community members by raising their collective conscience, Conklin maintains the opposite is more common. From journalistic accounts of violence in rural communities as well as surveys of suburban and urban areas, he discovers crime is dysfunctional. Suspicions arise; fears are provoked and association among members is fractured. From this and supportive evidence reported throughout the book, Conklin infers the Durkheimian position is invalid, reasoning instead that crime is harmful to community solidarity. In drawing this inference,
special attention is paid to reactions to crime and how these reactions alienate community members from one another.

Substantively, the significance of this inference is undermined by the inadequate conceptual support given the analysis. This stems primarily from the cursory treatment given Durkheim's position and a failure to elaborate on the important distinction between the effects of crime and societal responses to it. Clearly Durkheim concluded that reactions to crime, whether collectivistic or individualistic, mirror the nature of social organization and are not isolated effects of criminal behavior, as Conklin implies. Rather, these reactions are shaped by social solidarity and cannot be divorced from it. Because of this, Conklin's starting point and inference that reactions to crime reflect its impact on the social structure is entirely too narrow. His neglect of social organization—the norms and values which pattern behavior and attitudes—as affecting these reactions leaves open to question whether the differences he observes in the solidarity of high-crime and low-crime areas stem from the effects of crime or from antecedent differences in the composition of these communities.

This is not to argue that crime has no effect on attitudes and interaction within collectives; the author evidences this clearly and convincingly. Yet if we maintain crime is a social phenomenon and one of many symptoms of disorganization or conflict, then its effects can only be gauged from a position much broader than Conklin's. Specifically, one must consider the impact of social organization on both the nature of crime and societal reactions to it. The effects of crime on community reactions, at least on the conceptual level, must be differentiated from effects growing from inherent differences in a community's norms and values as well as those arising from other sources. By overlooking this distinction and identifying the fear, distrust and other reactions precipitated by crime as its impact, Conklin loses sight of the crucial relationship between crime, the reactions it elicits, and community organization. Both crime and its "impact" emanate from social organization and not vice versa. This oversight is a serious flaw in his analysis and by far the major weakness of the book.

In contrast are his discussions of informal controls on crime and public perceptions of the law. Comparisons are first drawn between urban and rural areas in the degree that informal control is affected by patterns of social relationships. Predictably, homogeneous communities with intense social interaction are found to have strong informal control over their members and thus to have very little crime. This evident concern for the role of community organization is further elaborated in an analysis of community perceptions of law. Although we question his operationalization of support for the law (the willingness to report crimes to the police may only reflect the ulterior motives of those who report them), Conklin's interpretation of findings clearly stresses the potential effects of community norms on members' attitudes. Important emphasis is given the impact of social organization (i.e., the lower-class culture posited by Walter Miller) on perceptions of crime and law. Conklin states that subcultural norms and values "can reduce support for the law at the same time [they increase] the actual and perceived amounts of crime in the community." Hence, Conklin demonstrates a clear recognition of the effects of social structure on behavior and attitudes and thus on community reactions to crime. Regrettably, this recognition is not evident in his earlier treatment of Durkheim.

Apart from this substantive problem are some weaknesses in the presentation of quantitative results that should be noted. Beyond the standard hazards involved in using low correlations and small samples, no measures of variation are provided for the reader to assess the effects of these hazards on reported results. This style of presentation precludes any empirical challenge to the author's inferences and technique and thereby handicaps the reader interested in a deeper empirical inquiry. Furthermore, we often found the interpretations of results equivocal and unfounded. For example, survey results in an important assessment of the salience of crime are ambivalently described as "not affected very much by the personal characteristics of the respondents." We should note that the magnitude of this effect is examined in a scant and superficial manner.

A similar example of this haphazardness appears in the same chapter, where Conklin incorrectly infers that "crime produces insecurity, distrust, and a negative view of the community." Forgetting that only indirect measures of crime were employed (group perceptions of its salience), he makes an empirically unfounded leap in substituting crime as a determinant of community sentiment. Moreover, the possibility is left unexamined that the attitudinal data from which this inference is drawn may only reflect the very apparent differences in the demographic and attitudinal composition of the areas studied.

These weaknesses in the organization of Professor Conklin's work suggest it is not the analytical study
he promises in the preface. It is instead a rough outline of some of the issues and research surrounding the important relationship between crime and community organization. Although his discussions of the costs of crime, the types of reactions it has elicited historically (vigilante groups, civilian police patrols, etc.) and his repetitious accounts of the Kitty Genovese homicide in New York are colorful as well as informative, the effort adds little to our understanding of the social functions and dysfunctions of crime. There is a noticeable absence of the theoretical and empirical rigor these important subjects demand.

George Bridges

University of Pennsylvania


Women and Crime is the best of the few recent works which examine patterns and trends in female crime and the processing of female offenders through the criminal justice system. Its strength lies in the systematic empirical analyses of a number of types of data: arrest, conviction, sentence and parole data over the past twenty years in the United States; criminal statistics on the British case; interviews with criminal trial court judges and prosecuting attorneys; and comparative arrest data for twenty-five countries. Surprisingly, these divergent data sources point to similar conclusions which tend to contradict recent media and pop-criminological assertions that first, women’s “liberation” has created increases in female crime rates and new female criminals who are equally adept at committing property crimes and acts of violence, and second, sexist justice prevails and is most detrimental to women. Both assertions receive little empirical support, the former even less than the latter.

Analyses of UCR arrest data show that women are still typically nonviolent, petty property offenders. For example, the “proportion of female arrests for violent crimes has changed hardly at all over the past two decades,” and the real rate increases in female property offenses are primarily in larceny (e.g., shoplifting) and secondarily in fraud (e.g., “bad checks” and embezzlement) and in forgery (e.g., “naive” check forgery). These are either traditionally “female” offenses which have been tied to the consumption role of women as houseworkers or offenses which reflect the increased opportunity among women to engage in occupational or white collar crime.

Court, prison, and parole data indicate that the "eyes of justice are neither blinded nor fully opened," but sometimes wink in favor of women. For example, “although one in 6.5 arrests are women, and one in nine convictions are women, only about one in thirty of those sentenced to prison are women. These ratios have not changed drastically over the past two decades, even though these years have seen a women’s movement develop and expand, and an increase in the proportion of women working full time outside their homes.” This suggests that women are ostensibly the benefactors of sexist justice, but it denies equal protection to women and men and does create situations where women are punished more severely and denied resources simply because they are women.

The book can be divided roughly into four sections, the first of which focuses on the criminal, political, and social statuses of women. The first chapter is a review of the theoretical and research literature on female crime, emphasizing its paucity, disarray and inadequacy. The other two chapters in this section address the history and goals of the women’s movement and the current status of women in the labor market. The second section is the analytical core of the book. Each of its four chapters presents a statistical analysis of a different stage in the criminal justice process—the police, courts, prisons, and parole. The next section consists of a chapter which reviews British criminal statistics on female crime as a comparison case. And the last section contains a summary and concluding chapter, which includes an assessment of female criminality by criminal trial court judges and prosecuting attorneys. The book also includes an appendix on international comparative arrest data, a short but comprehensive bibliography of recent works on women and crime, and fifty-one tables.

Women and Crime is an excellent book. For such a short book, it is a surprisingly comprehensive treatment of a difficult topic. It is well-written, free of excess ideological baggage, and a work which is already the handbook on women and crime.

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Joseph G. Weis


Jails: The Ultimate Ghetto closes with a blueprint for restructuring the jails of America. Our jails, which hold both those sentenced for short terms and those who lack the resources to make bail, are places for punishment—Goldfarb thinks it cruel and un-
usual punishment—for innocent and guilty alike. Typically jail inmates are poor, uneducated, of a minority group, possess both physical and psychological problems, and have, of course, failed at coping with the system.

Crowded as our jails are, we ask them to return inmates to the street no worse than they found them. Goldfarb has no trouble establishing that we do not do so. He documents, at times with considerable passion (and too frequent digressions), the multiple shortcomings, the horrors, and ultimately the untenable position of the jail as presently constituted. His view is best reported in his own words:

My argument on this point proceeds along the following lines. It is generally agreed that physically hurting or beating a prisoner with a blackjack—would be a form of cruel and unusual punishment that would not be tolerated. Indeed, most states have outlawed corporal punishment of any kind. Yet in jails, where theoretically men are not sent for punishment of any kind but rather to await trial, we regularly are subjecting inmates to subtle but equally damaging forms of punishment which also should be considered constitutionally impermissible.

So little researched material is available on the jail and its place in the system that this book must be considered a very welcome addition to the criminological literature, although lacking in theoretical sophistication.

Over half of the book focuses on specific types of problem people found in jail—the physically and mentally sick, the narcotic addict, the alcoholic, and the juvenile. In these chapters, Goldfarb’s rhetoric diminishes and is replaced by abundant, documented detail. It should be noted that although the book was published in 1975, there are no references after 1973. Some of the examples used to illustrate points may therefore no longer obtain, but, in general, the situation has not changed.

Goldfarb, who is an attorney in the criminal justice system, is not content to leave the reader with fact finding and instead, at the end, formulates a detailed, action-oriented design for restructuring the jail. The plan which aligns structure to function deserves careful analysis and review by corrections administrators and policy level public officials. Goldfarb closes by calling for public scrutiny by all groups, such as his own profession, which have either access to jails or the resources to bring about change.

The obligation ought to extend to all citizens—social scientist, community interest groups, the press, politician and practitioner. This book is a beginning.

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The forward describes in sometimes poetic terms the subject of the report to follow. The subject? Vermont and life in Vermont. The forward would have been appropriate for almost any book promoting the virtues of the Green Mountain State, whether it be farming, quarrying or tourism. It is also appropriate for this book, which describes in detail the administration of justice in drunk driving cases in Vermont.

The present reviewer, having had more than the usual exposure to a number of state judicial systems, including that of Vermont, appreciates the candor of the author in describing the “softness” of the data. Such candor bestows credibility on the book.

It is divided into five chapters and is well organized. Beginning with a description of the system, it progresses to a series of empirical studies of the actual operation of the system and then to the human factors that affect that operation. The book concludes with a commentary discussing a number of the weaknesses and suggested ways to strengthen the program.

The report is concluded with the statement that, “Justice can be improved in Vermont and elsewhere by making changes in laws and procedures. The effectiveness of the system may be slightly enhanced also. But fundamental changes in death and crash rates will await fundamental changes in the underlying pervasive social realities, including, importantly, public knowledge and attitudes.”

The limitation of this book is also its strength. It is provincial; its immediate usefulness is limited to the State of Vermont. For anyone needing to understand or to work with the judicial system in Vermont, this is required reading. Its strength is that it is a model that should be emulated by other states. It is only through such searching analysis that the system can be strengthened.

RICHARD ZYLMAN
Rutgers University


The main goal of Evaluating Treatment Environments is to develop techniques for the systematic
characterization of human environments. Most of this book focuses on the development of perceived climate scales for hospital-based and community-based treatment programs. The research procedure includes both a “subjective” perceptions methodology and an “objective” ecological methodology. Social ecology is defined as the multi-disciplinary study of the impact of physical and social environments on human beings. The emphasis is on the measurement of objective and physical characteristics of environments and the evolutionary adaptive consequences of these environments.

Moos identifies six types of dimensions to consider when relating characteristics of an environment to human functioning: (1) ecological dimensions; (2) dimensions of behavior settings; (3) dimensions of organizational structure; (4) dimensions identifying the collective, personal and/or behavioral characteristics of the milieu inhabitants; (5) dimensions related to psychosocial characteristics and organizational climates; and (6) variables relevant to the functional or reinforcement analysis of environments. Each of these dimensions has a decisive and important impact on individual and group behavior.

There are three basic dimensions that characterize and discriminate among subunits within different kinds of environments: (1) relationship; (2) personal development; and (3) system maintenance and system change. Relationship dimensions identify the nature and intensity of personal relationships in an environment. Personal development dimensions assess the basic directions for personal growth and self-enhancement within an environment. System maintenance and system change dimensions focus on the extent to which an environment: (1) is orderly; (2) is clear in its expectations; (3) maintains control; and (4) is responsive to change.

Based on the six types of environmental dimensions, the author provides guidelines for compiling program descriptions, and he proposes a framework for guiding future research which includes the various instruments which should be used to measure the three dimensions of organizational climate (i.e., relationship, personal development, and system maintenance and system change).

In analyzing the relationship between treatment environment and treatment outcome, Moos utilizes three indicators of treatment outcome: (1) drop-out rate; (2) release rate; and (3) community tenure rate. Drop-out rate is the number of patients in each program who were formally discharged against medical advice. Release rate is the number of patients released from each program divided by the overall patient number. Community tenure rate is the percentage of patients released from a given program who are still in the community at the end of a stipulated period.

A multitude of significant research findings are presented in this book. A sample of the findings is as follows: (1) negative perceptions and deviant responses may be due to the lack of information about a new milieu, therefore, systematic information about a new milieu may help to socialize an individual and increase the probability of positive outcomes; (2) environmental and stimulus variables may reduce and shape the potential variability of human behavior; and (3) the common assumption that adjustment in the treatment milieu is highly related to adjustment in the community is not correct because this research found that the patient’s behavior in treatment settings differs remarkably from the behavior in “out of hospital” settings.

This book provides an in-depth look at the complexities of evaluation research. It is a significant contribution to the social sciences because it develops innovative measurement instruments for evaluating treatment strategies. Of equal importance is the implementation of these measurement instruments in treatment environments, and the deliberate interpretation of research findings. Moos’ concern for research rigor is exemplary. However, the book is “geared” for sophisticated methodologists who have a basic understanding of treatment environments and for this reason, it is not appropriate reading for the lay practitioner. A systematic summary of the various research findings would have made this book more useful to the practitioner who is a research novice.

This book is not recommended to novices in research, but it is recommended to individuals who are actively involved in evaluation research. Evaluating Treatment Environments may have utility as a supplement in an advanced research methods course or in an evaluation research course.

The second book, Evaluating Correctional and Community Settings, focuses on evaluating the social environments of correctional programs (both institutional and community-based), families, and military companies. The goal is to relate both perceptual measures and objective measures of correctional programs to different types of adaptation in these settings.

This research utilizes a similar methodology to that used in Evaluating Treatment Environments. Moos developed social climate scales to measure the characteristics of social environments by asking the
individual participant about the characteristics of the environment. For example, he constructed the Correctional Institutions Environment Scale (CIES) in order to assess nine dimensions of the social climate of correctional programs. This scale measures the impact of correctional programs on resident morale, modes of adaptation, and coping; and it assesses the interaction between program, staff and residents. A similar methodology is applied to the evaluation of community-based correctional programs, families and military companies. This research methodology is applicable to a wide variety of social environments and it includes guidelines for changing environments in desired directions.

This study found that people are more satisfied and perform better when their relationship dimensions are emphasized and when the environment focuses upon personal growth dimensions. Although students learn more in classrooms that emphasize competition and difficulty, they are also absent more often. College students learn more when the emphasis is on independent study, high standards, criticism and breadth of interest. Hospital patients do better in treatment programs that emphasize economy and practical orientations.

Order and clarity of the social environment have an impact on satisfaction, moods and performance of system participants. Although control can have a negative impact, this will depend on the rigidity of the control and the developmental maturity of the individuals involved. People actively select and create their own environment, and environments also actively select their own people. In most cases, people do not have adequate power to change their environmental conditions which other people have created (e.g., young people, teenagers, minorities, and inmates). Moos includes a quote from Winston Churchill to illustrate this point: "We shape our buildings, and afterwards, our buildings shape us." People vary their behavior in social environments, therefore, researchers must include environmental and social setting variables in their analysis of human behavior.

This book provides an in-depth view of evaluation methodology and evaluation research finding (due to space limitations, many of the findings were not discussed here). The findings of this research have practical implications for a variety of correctional programs; therefore, this book has some utility in an advanced corrections course. It may also have value in a research methods course or an evaluation research course in that Moos stresses accurate measurement of concepts and innovative strategies for evaluating treatment programs. However, this book assumes an elementary knowledge of the research process, and it is not appropriate reading for the research novice.

Although different treatment environments are evaluated, this book is somewhat repetitive of Evaluating Treatment Environments. It utilizes a similar rationale and methodology, and it illustrates the methodology in much the same manner. Therefore, many of the comments in the first review are applicable.

The material contained within this book is an excellent supplement to Evaluating Treatment Environments. In fact, it may have been more appropriate to include both books in one volume, thereby minimizing repetition. In addition, these books would have been more beneficial if they had included a step-by-step summarization of the major conclusions.

Wichita State University

Galan M. Janekseka

AUTHOR'S REPLY

Reviewers have a right to their opinions, however nonsensical (from the author's viewpoint). I respect that right—which Jack P. Gibbs fully uses in his review (June 1976) of my Punishing Criminals. Gibbs has chosen to review my Punishing Criminals as a deviation from his own (sui generis meritorious) Crime, Punishment and Deterrence. Fine. But he also has torn quotations from Punishing Criminals out of context. That goes beyond reviewer's license, even in my latitudinarian view of it, and does require the following corrections:

(1) Gibbs quotes "Retribution is to restore an objective order rather than to satisfy a subjective craving for revenge..." He does not tell the reader that I am doing no more here than explaining the origin of the scales usually found in the hands of statues of justice. On the contrary, he suggests that I present what I explicitly explain as a "visual metaphor" of historical interest as my theory advocating capital punishment (advocated 16 chapters later on quite different grounds).

(2) Gibbs suggests that "some of [my] statements about order may traumatize the tender minded" because I write: "order necessitates a punishment far above what justice would countenance." Gibbs does not tell that I am here explicitly analyzing Adam Smith's illustration of the conflict between order and justice: a penalty such as shooting a sentry who fell asleep may be required even though unjust, i.e., too severe for a trivial act not intended to do the harm it
might do. Unbeknownst to Gibbs' readers, but not to Gibbs, I was paraphrasing Smith's illustration. Actually, in my opinion, order may require more or less severe punishment than justice, and is discussed by me as an independent variable.

(3) Gibbs quotes my "conduct prohibited by law is wrong" suggesting that I am making an ethical or political (rather than a legal) statement, which he finds "difficult to accept." He quoted the first sentence of a section headed "Two Kinds of Wrong," which analyzes the distinction between malum in se and malum prohibitum, and in no way suggests that what the law prohibits is always (independently or morally or politically) wrong. I was acquainting my readers with the legal notion of wrong, with which Gibbs is surely familiar.

(4) Gibbs has me "committed to the principle" he quotes "that the law differentiate among offenders only in terms of their offenses." My phrase begins: "Justice requires" and I was distinguishing its requirements from those of deterrence, charity, etc. Thus, Gibbs' objection that the principle "is scarcely a basis for promoting deterrence" is beside the point. Deterrence is discussed as a separate principle. I may not have solved the compounding problem to Gibbs' liking. But any reader of my book will know that I did not ignore it, or reduce punishment to either justice or deterrence, as Gibbs suggests.

(5) Elsewhere Gibbs notes that an exclusively deterrence-based punishment would "justify or be conducive to the punishment of the innocent" and wonders why I "pay so little attention to [this] primary ethical objection to the deterrence doctrine." Actually, I insist on the retributive (justice) element in punishment as necessary precisely because a purely deterrence (rehabilitation) based punishment has no more moral dimension than the treatment of disease does. Guilt becomes irrelevant. Only problems of prevention and cure remain, and these are neither just nor unjust, only effective or ineffective. Wherefore I wrote: "deterrent effects are hoped for. But they are neither necessary nor sufficient for punishment. Only a crime is. Yet once a person is guilty of crime, society is entitled to make his punishment deterrent, because by committing the crime, the offender voluntarily risked not less." Gibbs calls me a retributionist—which I am, *inter alia*—and then accuses me of omitting just the elements that I explicitly present to justify my retributionism.

(6) Gibbs also notes that I indicate that the relative severity of punishments cannot be morally justified in *cardinal* terms, nor the gravity of crimes *cardinally* measured. But Gibbs ignores what I point out: that an *ordinal* coordination of crimes and punishments is possible and sufficient. He uses my statement and his omission to deny that one can meaningfully require (as I do) that the guilty be punished in proportion to desert, to the gravity of their crimes. This requirement has to be compounded with the demands of charity and of social order (deterrence). Thus Gibbs contends that a retributionist (justice) view cannot consistently include a deterrence view. My book explains why it can and must. I may be wrong. But Gibbs unfairly distorts my view to make it a convenient target for his objections to exclusively retribution or exclusively deterrence-based punishments.

(7) Gibbs also reproaches me for paying "scant attention" to "specific deterrence." I defined "deterrence" as the expected restraining effects of the credible threat of punishment on others than the one punished. I called the hoped-for effects on the person punished "incapacitation" or, upon release, "rehabilitation." Since I define "rehabilitation" as the decrease in the frequency of the released offender's unlawful conduct, whether brought about by intimidation or by changes in character, it describes what Gibbs calls "specific deterrence," a term I reject as confusing and duplicative. Gibbs writes "the alternative to rehabilitation programs is a penal policy that promotes specific deterrence . . ." as though specific deterrence could be distinguished from rehabilitation operationally defined. His terminology must have confused him. I don't think he should reproach me for not having shared his confusion. Far from paying scant attention, I discuss rehabilitation at length.

Since he regards my attempts to define it so far as insufficient, let me add this ostensive definition: justice is what Gibbs has not done to *Punishing Criminals*.

**Ernest van den Haag**