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CRIMINOLOGY AS A FORCE FOR HUMAN TOLERANCE

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ABSTRACT

Criminology traditionally has been the study of twin forms of intolerance--crime and punishment. Punishment can only increase crime. Criminology ought to become a study of how to alleviate crime and punishment by engineering tolerance of greater varieties of human behavior, where "social control" takes on positive connotations. A framework is outlined for making criminology a force for human tolerance.

When national spirits are low as now in my country, crime is fearsome and war or its onset palpable. Spirits become low as it becomes apparent that national appetites are unsatisfied. Within a society, the problems may range from children dying of hunger to chieftains ordering death and destruction because palace vaults remain unfilled. While it is tempting to point fingers at villains to punish for national disspirit, and while the hungry children deserve more sympathy than chieftains whose thirst for power is unquenchable, the only cure for a national disease like ours is one that satisfies human appetites throughout society. Unless paths to power can be so directed that wealth moves toward the poor and the food moves to hungry children, even the chieftains risk a premature violent end.

Crime and punishment, then, are among many symptoms of a national meanness of spirit--of a disease of the central nervous system of a people that drives the people to victimize one another in the name of survival of the body politic.

Among our people today is a group who call themselves *criminologists*. Criminologists are those whose livelihood rests on the promise they offer of contributing to a prescription to relieve the symptoms of crime and punishment. The position of criminologist during national dispirit is both established and marginal. It is solid because people are willing to pay a lot to be able to victimize (or punish) offenders before the offenders victimize them. It is vulnerable because those at the top of the political order feel so vulnerable to collapse of the order itself. Criminologists whose work implies prescribing political reordering by extension question rulers' prerogatives, and question imprisonment and execution of dissolute poor young men. On the surface, they side with devils against national heroes and saviors. If not allied with the devil, if on the political side of the angels, the work of the criminologists must confirm the possibility that punishing poor young men can be a just and effective cure for crime. This constraint has the same effect as limiting medicine to treating hemophilia to the science of using bandaids for treatment. When patients keep dying because internal bleeding is ignored, suspicion can be expected to rise that the doctors do not know what they are doing. Promising young doctors stand to be cast as buffoons or quacks before their careers end. Some of these criminologists rise to wealth and prominence for a period. During this period, they may gain the sanctuary of sinecures at prominent institutions. But people soon stop expecting to learn anything new from them about crime or its control.

While few criminologists understand our marginality, all of us soon feel it. Whether we side with the devil or doom ourselves to ineffectuality, we are driven to form alliances against the form of marginality we encounter. Often, our safest targets turn out to be other criminologists. Our alliances take the form of declared allegiance to schools of criminology. The banners of these alliances carry many names, from the general to the esoteric, from the impersonal to the personal: such names as "science," "empirical," "critical," "ethnomethodological," "Marxist," and "humanist." Battles fought under these banners are largely a waste of lives of criminologists, who apart from secret signs and rituals among members have little sense of what about crime they are fighting to establish or vanquish. On the other hand, generally subconsciously, school members share basic religious assumptions about how crime can be understood and treated, about the origins of sin and redemption. Among those who assume that conformity to political authority is both natural and necessary, sinners are those who depart from reason and virtue, and redemption lies in supporting the forces of law and order. As Weber (1958, originally 1904-5) describes it, Calvinism is the purest expression of this religious premise. Offenders are born to be damned and those in a state of grace are born to maintain discipline among the damned. Discipline may range from lobotomies to sterilization to incarceration to education to positive peer pressure. At any rate, this kind of criminologist is called to help us understand how to do unto offenders before they do unto us.

Those who call themselves humanists have rejected religions that absolve some of the sins of others. As a corollary, victims and

their allies cannot be redeemed without redeeming offenders. This religion is called "humanism" because it acknowledges no higher purpose to the life of each of us than to improve the lot of the meanest, least successful people among us. Each of us who lives among badness shares responsibility for failure to give wrongdoers enough power to do good and justice to others. In a nutshell, our redemption lies in giving killers and thieves power to profit more from saving lives and sharing wealth. Means to redemption must be just and beneficial in themselves, since humanists reject knowledge that destructive or hurtful means can be revealed to have served good ends in some future day of judgment. Human beings can do no better than to pass judgment on their own actions here and now, and to presume that another's offenses represent a failure of one's own social imagination in practice. Ultimately, sin in others is a mark of one's own social inadequacy, and deserves to be dealt with as such.

So it is that humanist criminologists presume their choice of calling to lie in their own hands. No practical reality of earning a livelihood can justify to a humanist overlooking an immediate responsibility to address how to reduce crime by changing the political order shared by offenders and victims. It is axiomatic to the humanist that crime is caused by a political disease that infects the entire society and everyone in it. Crime is presumed somehow to be caused by a tacit agreement of a society's members to reward sin rather than redemption by good works. Humanists, therefore, characteristically engage in critical analyses of social reward and property structures. They assume that crime occurs because virtue does not pay big enough dividends, and ask how pay scales

might be adjusted to reward virtue, so that the rich get richer faster the more quickly they arrange for the poor to catch up with them, in sum as rich and poor redeem one another. Humanists presume that a gap between rich and poor impoverishes most the spirit of the rich--that the appetite for redemption takes precedence over all others, so that the appetite of those who rise highest above others in power is the appetite for power that is least sated. As compassion in action, the redemption of the criminologist that entails improvement of the material lot of the poor also entails improvement of the spiritual and impoverished intellectual lot of the rich.

This article falls within the humanist tradition. It addresses the issue of what kind of impoverishment of holders of economic power impoverishes those denied economic power, and in the process exacerbates crime and punishment. Crime and punishment to this humanist criminologist are what law and order are to a Calvinist criminologist: I assume you cannot have more of one without having more of the other. Punishment is an inextricable part of the forces that produce crime, and the solution must somehow entail a new system of rewards. The question that confronts me as a humanist criminologist boils down to this: How can people be freed from having to engage in the business of crime and punishment?

THEORY AND PRACTICE

This article is unabashedly theoretical. It has become commonplace to figure that theory is by definition impractical and unempirical. Nothing could be further from the truth. In any science, a theory is

simply a way of explaining the mistakes people have experienced (that is, doing an empirical analysis) that implies odds-on bets as to how to avoid similar mistakes in future experiments (that is, being practical). According to the theory derived here, it is the height of impracticality to invest in more police and prisons in the hope that crime will be conquered. And yet, implicit in the finding that punishment just makes crime worse is the possibility of a prescription for success at reducing crime and making our streets safe to walk. According to the theory, new forms of government investment in American enterprise can be hypothesized to free us from crime. In recognition that being practical requires a theory of how to achieve success, I cannot as I write rest content to let facts about crime and punishment speak for themselves.

FREEDOM THROUGH SOCIAL CONTROL

One should engineer for variety.

--Les Wilkins, 1975

We study social control.

--Vic Streib, 1977

When Les Wilkins made his assertion in a class on philosophical issues of law and social control we taught, I argued that he was contradicting himself. When Vic Streib made his assertion (see Streib, 1977) during faculty discussions of how to rename our Department (almost everyone having agreed that "Forensic Studies" needed changing), I dissented vehemently. I have since learned that I was wrong on both counts. I credit Les and Vic--both trained as engineers--with forcing a major insight on me.

I am a criminologist who wants to learn how to make my society freer from crime, violence, predation and fear. I am inclined toward seeking ways to free us from crime by giving citizens greater liberty to control their own destinies. *Engineer* and *social control* connote restriction of personal liberty, and I have therefore been predisposed to resist them. But wait. Perhaps Les and Vic have a point. Perhaps there are organized ways to expand personal liberty, and perhaps this kind of organization offers paths to crime control. If so, the business of the criminologist who seeks to free people, as from crime, may well be to design and test plans for engineering social control. Social control can connote shared control of personal destiny; social control can bestow power on citizens and set them free.

In this article, I hope to show how to distinguish repressive social control from liberating social control. I shall try to show that criminology has largely been a science of repressive social control, but that it need not remain so. Indeed, if our knowledge of crime is to help us achieve greater freedom from crime, our science will have to be one of liberating social control. Ours will have to become a force for human tolerance.

CONSTRAINING METHOD TO FREE SUBSTANCE

We must learn to accommodate variety.

--Les Wilkins, n.d.

Les Wilkins's starting point for analyzing crime and criminal justice is information theory (as in Wilkins, 1974). It is a useful starting point to put ideas ahead of material

conditions. As Les also argues, it is useless to ask whether a model is "true" or "real." The issue ought instead to be whether a model "works," whether application of the model helps us to do things we otherwise could not conceive or evaluate. Granted, material conditions--as reflected in the class structure--must be changed before Americans can become freer of crime. Granted that material circumstances shape much of our thinking. Still, as Marx for instance recognized in his early writing, if people are to break free of material circumstance and change their social world, someone must first break free of material constraints on thinking enough to conceive a critique of the present and a plan for the future. If we criminologists, especially those of us who enjoy the relative freedom of tenured faculty status, cannot break free to think independently of material circumstance, we might as well give up on having others break through to something like a true class consciousness. Material conditions are no excuse for us to fail to try thinking freely, independently, radically. This is the underlying premise of an information systems model that challenges us to think about how variety can be accommodated. The model implies that we must first conceive how to think less unjustly, more tolerantly, to generate hypotheses about what changes from present material circumstance might improve, or at other times or places have improved, our social lot.

Wilkins (1964) has most thoroughly described his model as one of "deviance amplification." Whatever norms of behavior, appearance or status members of a society impose, whatever system or model we impose to describe or prescribe behavior, some behavior, appearances or statuses will lie outside the system. Any definition of

conformity implies the existence of deviance--of inexplicable departures from the norm. No model of information can account for all cases. We are then left with what Les Wilkins portrays as a crucial choice. We can reject or ignore or try to suppress the deviance, or we can learn from it and incorporate what we have learned into a new model. As he stresses, this is not merely an academic issue; it has profound practical implications.

He cites auto theft as an example. We invent cars, and create registration systems to maintain an order of car ownership, hence of car usage. Lo and behold, no matter how hard we try to perfect the system, some people use or steal cars without the owners' permission. The more resources we put into the creation of cars and car ownership, the more defiance of norms of ownership we encounter. In fact, auto theft rises in direct proportion to the number of cars we put on the roads. We have two options as to how to respond to this deviance.

We can persist in using our model. We can persist in the belief that the more force and resources we put into perfecting and protecting a system of owner registration, the more conformity will prevail over deviance.

Or we can presume that the rise of auto theft throws the model of ownership and registration into question. We can recognize that expanded auto registration and enforcement in fact creates auto theft. We can recognize that the more determined our efforts to regulate car usage, the greater the variety of arrangements we create to confound our system. For instance, when we succeed in stamping the serial number of a car indelibly on the engine block and body, and ensure that the police will check the number before anyone can take out

registration, we create chop shops to take parts off the engine block and body, and encourage the growth of a market in stolen parts. This drives up the overall price of transferring stolen cars or parts, and requires that more conspirators--including insurance agents--be corrupted into deviance. Auto theft--the deviance--expands to confound our model of control of car ownership.

The better option, then, is to change our model--our definition--of the problem of controlling access to transport. We might, for example, project that the more readily and cheaply available public transport became, the less people would care to invest in private autos, and the fewer cases of stolen autos we would encounter. Notice that when the model changes, not only our means of addressing the problem changes, but so does our very definition of the problem (from car usage to transport). Our new model proposes to explain not only what the former model proposed to explain (orderly auto usage), but the deviance (auto theft) or confounding of the old model. The new model implies that auto theft is lawful and normative. It *accommodates* auto theft as conformity to a system of transport, and poses an alternative to creating this *normative* problem. The message: If you cannot fight auto theft, join it and make the force underlying auto theft work for you. Or: You cannot stamp out deviance, but perhaps you can include it in future plans.

It is no accident that engineers like Streib and Wilkins are inclined to think this way. They know that you cannot beat structural weakness into submission. If too much weight is put on a beam, a bridge will collapse no matter how hard you beat on the manufacturer of the beam. Better to redesign the bridge, to allow for the tolerance to

stress of beams and other components. Engineers are trained to redesign systems to accommodate deviance from the best-laid plans.

Consider now the basic structural flaw confronted by criminologists. History demonstrates that for periods not exceeding one generation, political revolutions like that in China in 1949 can direct law enforcement toward corruption by officials and by persons of wealth. But in the longer run, our model of the crime problem produces a consistent, persistent problem in any society with chronic unemployment: Young, male members of the underclass--the chronically unemployed group--will threaten the breakdown of law and order. The more we try to punish and confine this "dangerous class," the worse the crime problem gets, and the more people fear to walk the streets of their communities. This model assumes that crime is inextricably linked to poverty. Either poverty itself causes crime, or something like bad genes that cause crime also cause poverty. Within the model, then, the poor must be beaten, cajoled or encouraged into submission to societal norms in order to free us from crime.

It is time to recognize that the model will not work. Its use will not free us from crime, and indeed its use dooms us to crime. If we cannot succeed by fighting the poor, we had better join them to fight whatever it is that keeps them poor and deviant. Our new model had better accommodate the poor, and assume that they are as normal as the rest of us. This indeed was the tenor of the work of a number of prominent Depression-era criminologists, such as Robison (1936), Sellin (1938), Sutherland (1940), and Tannenbaum (1938). But we criminologists largely fell back to our old model in the

wake of World War II, and here most of us remain to this day.

Fortunately, criminologists at the fringes of the profession (commonly known as "radical" or "critical" criminologists) have been laying the foundation for a new model of crime that accommodates the poor. Within the model, crime and punishment are treated as an inherently political game--a game of power. Those who have the greater power will be more inclined to victimize others, and greater license to victimize without paying a penalty. Thus, it is wealth and the power that goes with it, not poverty, that is the chief cause of crime. There is a wealth of corroborative evidence for this proposition. For instance, doctors alone unlawfully kill and steal far more than all street criminals combined (see, e.g., Sutherland, 1949; Reiman, 1984; Pepinsky and Jesilow, 1985). Even if nine out of ten police officers were assigned to patrol corporate and professional suites instead of the streets, (a) perhaps more unlawful harm would be detected and curtailed than at present, but still, (b) rich offenders would be less likely than poor to be caught and punished, since in most cases, it is hard even to detect that rich offenders have victimized anyone.

By this model, wars on crime cannot be won basically because they ignore the heart of the crime problem. They teach that might is right. They teach that poverty, or failure to get ahead by fair or foul means as circumstances permit, is a sin. Wars on crime teach people that naught but a thin blue line keeps at bay those who would take their television sets, their money, their paychecks, their dignity, their health or their very lives for profit. In a vicious circle, they teach that the Golden Rule is naive--that the real world requires one to do

unto others before they do unto oneself. These wars emerge when the babies of foreign or other civil wars reach adolescence, in post-war economies where too much money is chasing too few goods and too little employment in a cycle we have come to call "stagflation." General anxiety that livelihood and general support, respect and comfort are lacking becomes focused on a tangible, relatively powerless scapegoat--the poorest of the adolescent men in the society. (Women in these political cultures more than share the burden. While law enforcement toys with the men in the streets, women are charged with bearing and raising the next generation of men and of women to tend their homes.) The force with which suppression of the unemployed is pursued, to the exclusion of employment of the citizenry, only heightens popular insecurity. Prison populations swell to record heights, which serves only to fuel the general insecurity and fear of crime. This phenomenon has recurred for centuries (Melossi and Pavarini, 1981); today's Fourth American War on Crime is especially violent and frightening (Pepinsky and Jesilow, 1985).

Wars on crime are one of many forms that failure to accommodate variety takes. During these wars, parents tend to hate and fear spontaneity in their children. So while prisons, training schools and death rows are set aside for young men, parents work to create the atmosphere of prisons in their homes (Pogrebin, 1983; Aries, 1962). For the past century, and especially during wars on crime, concerted efforts have also been made to keep children in schools for most of their waking hours, where as now, discipline and suppression of youthful energy are stressed over inquiry and intellectual growth (Collins, 1979). Intolerance of variety at home has its counterpart in foreign

relations, where stronger nations aim to suppress weaker peoples (Tuchman, 1984). Whatever the rhetoric (as in advocacy of "socialism," "national socialism," "free markets," "liberalism," "conservatism," "demand economies," "supply-side economics," or "protectionism"), government intervenes on the side of preserving the power and prerogatives of the wealthiest and biggest entrepreneurs, rather than encouraging reinvestment in new systems of production. From the bedroom to the nursery to the streets to the schools to the workplace to the boardrooms and halls of government, the norm is to try to hold the line--to resist deviation from established models of exchange and instruction, notably by blaming the poor and the young for threatening established prerogatives of rich elders. In this climate of intolerance, lines are redrawn to cast larger proportions of outliers as ungrateful, irascible deviants. Or as Wilkins puts it, deviance is amplified, as determination *not* to accommodate deviance grows.

What would accommodation of variety entail? Jesilow (1982a; 1982b), for one among today's criminologists, gets straight to the heart of the matter. He asks that we look back to Beccaria (1968; originally 1764) and Smith (1937; originally 1776) for key insights. Both these thinkers were preoccupied with how to structure the political economy to promote the general welfare. Both assumed that government needed to be so structured as to constrain the citizenry to be productive rather than destructive. Taken together, they analyzed the *yin* (Beccaria's deterrence of crime) and *yang* (Smith's "invisible hand" promoting the greatest good for the greatest number) of the political universe. Read the two works carefully, and it becomes apparent that what deterrence requires for Beccaria is

essentially what Smith requires for the invisible hand to operate. Each thinker recognizes that destructive forces cannot be blocked by the wrong form of government. Despots and oligarchs cannot achieve peace and prosperity for the general public. Beccaria notes that repressive punishment does not deter crime. The public has to see that a captain of industry who steals a million dollars is as likely to lose a million-and-one dollars to the state as a mugger who steals ten dollars is to lose \$10.01. Deterrence requires class-blind, restrained punishment; otherwise, punishment becomes a spectacle that invites rather than discourages crime. But Beccaria glosses over the hard question of how to make the state class-blind. Smith does not.

Smith recognizes that no market can be free, nor justice evenhanded, when government allows any economic enterprise to become too large and free of personal control. Instead, the governments of his time actually intervened to build oligopolies. A prime intervention was to issue charters of incorporation. These charters absolved investors (owners) from personal liability for the conduct of business affairs. Thus, investors could risk joining together as irresponsible strangers, and the large pools of capital that resulted could dominate markets with no one in particular being responsible for the conduct of corporate affairs. Alternatively, where incorporation were precluded, each entrepreneur would have to stake all personal assets on keeping the business honest, lawful and responsive to consumers. Even wealthy brothers would think twice about trusting all to a partnership that the partner might betray, or from incurring too much liability in a single enterprise. So, without this government intervention, enterprises would be

constrained to remain small. Each entrepreneur would be loath to trust personal wealth to strange suppliers and customers, and so markets would tend to be localized. Meanwhile, there was no reason to expect demand to be any smaller in such a free market than it would be under oligopolies, and so in place of small numbers of large producers, one would expect large numbers of small producers. Given the stake in adapting to market conditions that came with personal liability of entrepreneurs, and given that small enterprises are more manageable and easier to change than large ones, small enterprises would adapt to changing markets faster than large corporations. Small enterprises would be deterred from defrauding or cheating customers; they could not afford it, and local customers would detect fraud and dishonesty faster than strange, distant customers. When the state tried to enforce honest compliance with contracts, when it sought to punish white-collar criminals, the relative powerlessness and vulnerability of relatively equal small enterprises would facilitate evenhanded justice. And since entry into a market of small businesses is easier and cheaper than entry into a market dominated by large corporations, those who sought work could more easily create it for themselves; the underclass would dwindle, and with it crime and punishment. Smith's utopia was much like Marx's, where ownership of the means of production was as widely spread as possible among the general populace. It coincides with Schumacher's (1975) premise that "small is beautiful," that the scale of technology must be kept small enough for little groups of workers to afford it and to shape it to the forces of supply and demand. Indeed, Smith's initial prototype of the

successful enterprise is a needle factory employing three workers. To read Smith carefully is to wonder whether he is turning over in his grave at how economists like Milton Friedman pervert his ideas.

Smith's liberal economy is designed precisely to accommodate variety. Within a free market, he aims to maximize the variety of production systems, of worker methods and skills utilized, of products themselves, and of consumer preferences satisfied. Where, as here, variety is the norm, it becomes pretty hard to isolate idiosyncratic producers and consumers as deviant. And the scale of economic dislocation and conflict is kept small. If a typical three-person enterprise in Podunk goes under because it loses its market, that hardly presents the occasion for a major police crackdown on the newly swelled ranks of the unemployed. Because of the variety of producers, the failure of one scarcely entails the failure of many others. Nor will this be the occasion for a representative government to go to war, as when a threat to Anaconda Copper and ATT occasions our government's complicity in a military coup in a place like Chile. Since no producer has the wealth or power to do much damage even by determined fraud and criminality, the state has no call to impose heavy sanctions to deter crime. Hence, Smith's political and economic order is designed to permit the state to deter as Beccaria advocates. In sum, variety in the substance of production entails peace, deterrence, and relative justice.

As political scientist Elinor Ostrom has urged upon me, it is equally important to recognize that every variety entails a corollary rigidity. This goes to the heart of the seeming paradox posed by Streib and Wilkins. The methods delineated by Beccaria and Smith for achieving peace, justice and

general prosperity could hardly tighter. Put another way, when Wilkins calls for developing models to accommodate variety, he is advocating logically tight, carefully specified models for achieving the objective. The need to specify a method for encouraging personal variety should be quite familiar to us in the U.S.; it is enshrined in our Constitutional history. Like Adam Smith, the framers of our Constitution recognized that unconstrained government invited despotism. But as Tocqueville (1945, originally 1840: vol. 2, 336-39) recognized, the American Constitution and the values it represents invite a kind of despotism, in which people concede political responsibility to an oligarchy of state and economic leaders, indeed the very kind of oligarchy that Adam Smith criticized. So the question remains: How can a government be constrained to accommodate variety?

There is nothing wrong with what our Constitution contains. The problem lies in what it omits: principles of government investment. As Smith helps demonstrate, governments like ours invest heavily in the economy; even the most conservative government shapes the market by its patterns of investment. Not only do state governments ratify corporate charters. Some 30% of our workforce are literally government employees. A quarter of our gross national income is manifestly, directly expended by the national government for defense. Large corporate enterprise is subsidized via tax law, as by investment credits and depreciation allowances which favor enterprises with the largest revenues. Federal Reserve policies are designed primarily to guard the profitability of the largest corporate banks, which in turn favor the largest corporate and national borrowers. So to argue that American

governments engage in principled investment in our economy is not to advocate a change from non-involvement to government intervention; it is instead to argue that principles of intervention be changed. One shortcoming of Smith's analysis is that it assumes social processes to be reversible; the analysis assumes that a government which has intervened in the economy can simply back out. Darwin (1968, originally 1859) established the basic fact that life processes, from embryonic development to species survival, move forward with no turning back (Bateson, 1980). We have reached the stage at which government control is vital to moving the economy toward Smith's dreams. If governments were to withdraw subsidies from big business, such as defense contracts, investment credits, depreciation allowances and tax abatements, how would they reinvest?

The constitution of a British enterprise, the Scott Bader Commonwealth as described by Schumacher (1975: 274-92), provides sound guidelines for investment:

First, the firm shall remain an undertaking of limited size, so that every person in it can embrace it in his mind and imagination. It shall not grow beyond 350 persons or thereabouts. If circumstances appear to demand growth beyond this limit, they shall be met by helping to set up new, fully independent units organised along the lines of the Scott Bader Commonwealth.

Second, remuneration for work within the organisation shall not vary, as between the lowest paid and the highest paid, irrespective of age, sex, function or experience, beyond a range of 1:7,

before tax.

Third, as the members of the Commonwealth are partners and not employees, they cannot be dismissed by their co-partners for any reason other than gross personal misconduct. They can, of course, leave voluntarily at any time, giving due notice.

Fourth, the Board of Directors of the firm, Scott Bader Co. Ltd., shall be fully accountable to the Commonwealth. Under the rules laid down in the Constitution, the Commonwealth has the right and duty to confirm or withdraw the appointment of directors and also to agree to their levels of remuneration.

Fifth, not more than forty per cent of the net profits of Scott Bader Co. Ltd. shall be appropriated by the Commonwealth--a minimum of sixty per cent being retained for taxation and for self-finance [e.g., capital investment] within Scott Bader Co. Ltd.--and the Commonwealth shall devote one-half of the appropriated profits to the payment of bonuses to those working within the operating company and the other half to charitable purposes outside the Scott Bader organisation.

And finally, none of the products of Scott Bader Co. Ltd. shall be sold to customers who are known to use them for war-related purposes.

Schumacher goes on to report on this manufacturer of sophisticated petroleum

distillates:

When Mr. Ernest Bader and his colleagues introduced these revolutionary changes, it was freely predicted that a firm operating on this basis could not possibly survive. In fact, it went from strength to strength, although difficulties, even crises and setbacks, were by no means absent. In the highly competitive setting within which the firm is operating, it has, between 1951 and 1971, increased its sales from 625,000 to 5 million pounds; net profits have grown from 72,000 to nearly 300,000 pounds a year; total staff has increased from 161 to 379; bonuses amounting to over 150,000 pounds (over the twenty-year period) have been distributed to the staff, and an equal amount has been donated by the Commonwealth to charitable purposes outside; and several new firms have been set up.

(Schumacher, 1975: 276-77)

In an American context, where the scale of production has grown bigger than in Britain, we might have to accommodate the difference by encouraging the development of larger enterprises than Scott Bader. This would be especially so in using abandoned plants like steel or auto assembly factories. Here, where several thousand workers might be needed to use existing capital, we need not require that the plant stay closed because its workforce would so far exceed Scott Bader limits. Otherwise, the Scott Bader model ought to be as appropriate to American as to British circumstance.

Note that Scott Bader does not seek to revert to pre-corporate times; it uses laws of incorporation and shapes them to a new purpose--to provide guarantees to its workers and to its community. Its constitution sets minimal, basic restrictions on size, ownership, management and purpose of the enterprise.

I suggest that Smith and Beccaria's objectives might be approached if governments were to limit their investment to businesses that constituted themselves like the Scott Bader Commonwealth. There need be few restrictions on corporate purpose. Would-be entrepreneurs ought instead to be encouraged to invent all manner of products and services to meet local needs. For services like those of law and medicine, subsidies could take the form of special government insurance coverage of clients. Indeed, the enterprise of this kind that provided the lowest-cost service could be used as the standard by which limits on insurance coverage were set. The government could also reserve consulting services--for problems of management, marketing, training and accounting--for such enterprises.

Thus constrained, government investment would foster variety in production and consumption. It would encourage enterprises to commit themselves to long-term planning and to community welfare. While the variance in products and services, and in consumer preferences, within and among markets, should be increased if the model works as projected, the variance in indices of method should narrow. Two such indices of method are employment (level and average length of unemployment should decline as regular employment becomes the norm) and income disparity (both among corporations and among individuals, which should also decline).

Variance in cost of living over time should also decline, under a model that favored long-term investment over short-term profit-taking. Because the failure of any enterprise would cause minimal economic dislocation, and because re-entry into the market for displaced workers would be eased, bail-outs like those of Chrysler would not be needed. If the model worked, businesses would be rewarded for honesty toward their workers, suppliers and customers, and so the major crime problem--that of white-collar crime--should decline. The underclass should shrink, and so reported crime and punishment should also decline. As the variance in income among citizens declined, so, too, should severity and disparity of criminal justice sanctions. In sum, the model predicts that economic forces would combine to diminish and accommodate deviance rather than amplifying it. (This is essentially a summary of the argument laid out in Pepinsky and Jesilow, 1985.)

CONCLUSION

Social control and social engineering need not restrict human opportunity. Properly modeled, they can increase and vary opportunity, and in the process, reduce levels of injustice, crime, and war.

Since World War II, timidity has dominated American criminology. This is only natural for criminologists who had been confronted with bold, broad and penetrating critiques by Depression-era colleagues, but who were unwilling to forsake traditional models of crime and punishment. Until criminologists abandon the premise that poverty is unavoidably linked to crime, and that crime can only be controlled by restricting behavior most characteristic of underclass

young men, ours is bound to be a science of intolerance. We are bound to assume that crime is a departure from middle- or upper-class values, and to limit solutions to the problem to strategies for restricting variance from success within the dominant political and economic system.

If, then, traditional criminology produces practical knowledge of crime and its control, it must by definition aid repression and restriction of forms of human endeavor. Consciously or unconsciously, I think this reality is recognized by all of today's criminologists. At the same time, many of us are committed to empowering and helping rather than hurting and restricting those we study. Within the traditional model, our good will drives us to restrict the scope of our science, as to problems of "the middle range," and to what we assert are apolitical or value-neutral questions (Pepinsky, 1980: 190-93). Indeed, as I have heard many a colleague argue, it is dangerous to do grander work within traditional models. But middle-range, value-neutral work is no solution to the problem. In the aggregate, such works perpetuate, legitimize and foster the growth of repressive crime control. It is the models themselves that turn good-faith efforts to bad ends.

Above all, criminology is the study of human intolerance. We study how criminals fail to tolerate what is precious to their victims, and how victims and would-be allies fail to tolerate offenders. The corollary is that crime and punishment decline only as tolerance of people, and of their control of their own destiny, increases--where people choose not to restrict others' exercise of freedom to be and do differently by victimizing or punishing them for deviance from their own life patterns. Very few

criminologists (Christie, 1981, being one outstanding exception) even try to find what makes tolerance possible. If the models change, insofar as criminologists become scientists of human tolerance, they can in good conscience become avowedly and grandly political in building and testing theories of crime and its control. We have a strong classical tradition to build this effort upon in works of scholars like Cesare Beccaria and Adam Smith. We have in fact a highly developed body of empirically based and tested theory from which to proceed, once it is recognized that the work of scholars like Adam Smith and E. F. Schumacher belongs in our field. As here, paradigm shift is never easy not because the new paradigm is unproven, but because of the political and psychological investment all scientists tend to have in asking traditional questions (Kuhn, 1974). There is a way for the criminological community to build knowledge that enables Americans and others to free themselves from crime. Whether there is a will remains to be seen.

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