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**HUMANISTIC CRIMINOLOGY:
IS IT POSSIBLE?**

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ABSTRACT

A humanistic criminology is one that would be oriented to human betterment and fulfillment, as opposed to conventional criminology oriented to the control of crime and suppression of offenders. Some of the obstacles that stand in the way of developing a humanistic criminology, as well as some of the reasons why these obstacles do not necessarily preclude its being established, are addressed. Some reasons why humanistic criminology is desirable are suggested. Given that humanistic criminology is viable a critique of contemporary schools of criminology/criminal justice is offered and a number of suggestions are made regarding what an academic department of criminology oriented to humanism would study and emphasize in its curriculum and goals.

1. This is a substantially revised and expanded version of a paper presented at the American Society of Criminology meetings in Denver, 1983. My thanks to S. Priyadarsini, Jayshree Parthasarathy, and Lucile Duberman for their comments and suggestions.

INTRODUCTION

A number of years ago Gibson (1970:56) commented on the underlying perspective criminologists have had of their subject matter and the purposes of their inquiry:

The assumptions of conventional criminology are that the law and all the apparatus which supports it can be taken for granted as a given fact. It could be, should be, improved this way or that as time goes on, but nevertheless it represents a norm which all right-thinking people support. Criminals are deviants, and it is the duty of criminologists to work towards the end of suppressing crime even if the ideal of abolishing it may never be reached.

Although they are not usually explicitly expressed, these assumptions provided the philosophical and programmatic bases for both the classical and positivist schools of criminology from the late eighteenth century to the present time (see Gibbons, 1979; Pelfrey, 1980). Even though the scope, character, and focus of criminological inquiry changed somewhat with the advent of the labeling perspective and the development of the conflict, critical, and radical criminologies that emerged during the 1960s-1970s, the fundamental nature of criminological inquiry has not been substantially altered. Praxis was advocated,

new villains (e.g., corporate criminals, the police) were brought forward as worthy objects of criminological attention, and new topics of inquiry (law and the criminal justice system) became popular. However, a "correctional" orientation still dominates criminological thinking and activities. Employing methods of scientific inquiry and geared to improving the criminal justice system (making it more effective, efficient, and/or fair, not to speak of "just"), contemporary criminology is still primarily concerned with explaining the causes of criminality and finding ways to prevent or reduce the frequency of criminal acts. Contemporary criminology has largely been justified in terms of an ideology which holds that through the accumulation of scientific knowledge about crime, its causes and control, criminology can "save us," either from the criminal or unfair justice (Reasons, 1975). Thus, by emulating the physical sciences and accepting as given the deterministic assumptions of positivism, the pursuit of empirical truth, numeric information, system management and improvement, and personnel training have become the hallmarks of modern correctional-oriented criminology/criminal justice. Understanding the human phenomenon of crime is, at best, a secondary and marginal concern.

It is my purpose in this paper to emphasize this secondary and marginal concern by articulating what I believe to be the characteristics and prospects of a new criminology -- a humanistic criminology. To do so, I shall address three issues: (1) the characteristic features of a humanistic criminology, (2) the possibilities for developing such an enterprise, and (3) what an academic department of criminology oriented to humanistic considerations might

look like.

DEFINING HUMANISTIC CRIMINOLOGY

What are the distinguishing features of a humanistic criminology? What would a humanistic criminology address, do, value, and seek to achieve? Given the rather diverse and not always clearly specified versions of humanism expressed by the members of various social scientific disciplines (primarily sociology and psychology) this is not as easy or noncontroversial a question as might be imagined.

Based upon the various characterizations of humanism expressed by a number of writers (e.g., Gouldner, 1970: 481-513; Lee, 1987; Gella, Jansen, & Sabo, Jr., 1978; Tiftt & Sullivan, 1980; and Young, 1984) I would suggest that in contrast to a correctional-criminology oriented to the scientific discovery of the causes and cures of crime, a humanistic criminology is a criminology that is also oriented to individual freedom and enjoyment of life, while striving to protect and promote human dignity and survival. Humanistic criminology is an active enterprise dedicated to social change and betterment. And it is fundamentally oriented to improving the human condition, not only in terms of technological advances but in terms of personal and social fulfillment as well. In pursuing this course, humanistic criminology is also existential and relative, as opposed to empirical and deterministic, in that it is concerned with the experiencing of life rather than mere description and explanation of "social facts" or human behaviors.

Moreover, it is value committed, rather than value neutral, but strives for objectivity in matters of fact and truth. It is skeptical of scientific claims, but it is not necessarily anti-scientific. It is, instead, opposed to "scientism" (as depicted by Lee, 1978). Thus, a humanistic criminology would be people-centered, ethical, critical, oriented to ameliorating social adversity, and dedicated to undermining the myths and rationalizations that have been and continue to be employed to maintain and justify the position and privileges of the elites in human societies (Lee, 1978:94; 1980:5; also see Pepinsky & Jesilow, 1984; Young, 1984).

Such a criminology would (indeed, should) continue to employ scientific methods of research, but it would not be scientific in the traditional "positivistic" notions of science. Instead, "rather than trying to find out what is, the humanist uses data to calculate what can be" (Pepinsky, 1979:250). Indeed, scientific methods of data collection are ways of systematically and purposively experiencing the social and natural worlds, although they are not necessarily the only viable or possible ways of acquiring such experience (see Hartjen, 1981). Many humanistic-criminologists do employ scientific research techniques as useful tools in gaining the kind of understanding they need to pursue their goal of human fulfillment and betterment. Using the techniques of science does not prevent one from being a humanist. It is not the "technique" so much as the attitude one has in employing it that distinguishes between a humanistic versus a "scientism" approach in criminology. That is, it is not how one goes about acquiring knowledge as it is the kinds of understanding one pursues and what one does with it that separates the criminological humanist from the agent of

social control.

Also, while law and its administration would remain central topics for criminological analyses, a humanistic criminology would ultimately be oriented to political anarchy, to the abolition of law, or, more correctly, the need for its coercive force (see Black, 1976; 1980). In this regard, a humanistic criminology would be sensitive to topics such as racism, sexism, and militarism (as suggested by Herman & Julia Schwendinger, 1970). However, it would continue to retain a "legal" definition of crime, for it is only by so doing that the political (legal) nature of crime as a construct in the service of elites could be highlighted. Insofar as law (especially criminal law) is used to justify exploitation or does not itself provide or help to secure an improved human condition, it is the duty of humanistic criminology to critique the legal order and to reveal its antihuman structures. The definition of crime used by political authorities (legal definitions) facilitates accomplishing this task by, on the one hand, revealing the persons and behaviors such authorities seek to repress and, on the other hand, exposing what they choose to promote or sanction (see Hartjen, 1972; also see Quinney, 1979; Chambliss, 1984).

A number of criminologists already practice some version of humanistic criminology, wittingly or not. And many others have made important contributions central to the concerns of criminological humanists. Thus, while it would be inappropriate to associate criminological humanism with any specific works or individuals in this essay, and while some of us even call ourselves humanists or humanistic criminologists, the issue of

concern here is not who is or is not humanistic but that of assessing whether a humanistic criminology is possible? By possible, I mean "doable," or achievable, as a viable intellectual enterprise rather than an individual endeavor on the part of some criminologists. Moreover, given its plausibility, what would such a criminology look like?

THE POSSIBILITY OF HUMANISTIC CRIMINOLOGY

There are at least three different answers to the central question posed here: (1) a negative answer **NO**, (2) a positive answer **YES**, and (3) a **HUMANISTIC** answer.

THE NEGATIVE CASE

Undoubtedly a host of obstacles stand in the way of a humanistic criminology. Among these are three reasons why some people may feel that the kind of humanistic criminology described above is not possible, or at least not likely to develop. One, such a criminology is adverse to governmental and political interests. As Kennedy (1970) notes, crime is a political phenomenon, essential to the maintenance of the political state. Thus, insofar as the creation of crime is a major means of governmental social control (Black, 1976), governments are not likely to support, and may actually resist an active, value-committed criminology, one dedicated to change, betterment, freedom, and social justice. On the other hand, "scientific" criminology is well-suited to

the interests of government. Officials want data about offenders, systems, and outcomes. Primarily, they want facts that may be ignored or used as needed to maintain control and dominance (Quinney, 1974; Jackson, 1984). Humanistic criminologists would not only refrain from providing such information, but the whole humanistic tradition is directly opposed to so doing. Indeed, humanistic criminology would be oriented to questioning and investigating government, especially with regard to its role in the crime-creation process. Financial support from the government to pursue this activity is therefore not likely to be forthcoming, and without such support the criminological enterprise is jeopardized.

Second, as Sylvester (1975: 224) points out, criminology, regardless of type or form, inevitably deals with questions of right and wrong. The only credence people are likely to give to any statements criminologists might make about such questions (above and beyond their proclivity to agree beforehand with any of them) is that our statements are valid depictions of objective reality; an assessment of our truth-claims that is not likely to be made unless such claims are cloaked in the robe of scientific respectability. Thus, to the extent that we want to be listened to, heard, and to some extent make a difference, departing from scientific objectivity (i.e., being openly value committed) detracts from that achievement. A discipline, however noble and well intended, is not likely to survive as a discipline for very long if no one listens or values what its members have to say.

Third, humanistic criminology may also face internal defeat. A criminology that is committed and actively oriented to achieving good and to improving the human condition

invariably encounters the problem of deciding what values are to be pursued -- what constitutes an improved human condition. For example, is it our purpose to (a) rid the streets of drug dealers, (b) successfully rehabilitate drug addicts, (c) see to it that drug users receive their constitutional rights, (d) promote the right of addicts to use drugs as they want as a humanistic right to pursue the enjoyment of life as they see it, or (e) all of the above? Moreover, how active should we be in pursuing any of these goals, or how are we to go about doing so at all? Are we to be scholar-activists; and, if so, what are the limits of our activism? Even now criminology is torn between those who think human betterment could be achieved if more lawbreakers were put behind bars or kept there for longer periods of time, whereas others argue that we should tear down the walls -- either of prisons or the capitalist state (see Inciardi, 1980 for discussions of these various views). To the extent that criminologists are not likely to concur on the basic agenda for a humanistic criminology (or, indeed, over the way I have characterized it here), it is not likely that they would actually engage in such an enterprise as an organized discipline.

THE POSITIVE CASE

Regardless of the kinds of obstacles one might envision, it is possible to achieve a humanistic criminology for a number of reasons. One, in contemporary society, "science" may have lost some of its aura and the respect it received from the general public (as well as many scientists). Although technological advances from the computer chip to nuclear energy have done

much to change the quality of physical life, these changes have not always or necessarily been for the better. Word-processing machines may make it less physically onerous to produce written documents, but they hardly compensate for life with "the bomb." People are becoming skeptical about the credibility of scientific claims or its ability to actually uncover valid information. In fact, such skepticism is engendered by the very nature of the scientific enterprise itself. In criminology, for instance, squabbling over how best to measure crime rates, whether or not lower-class people are really more criminal than more privileged persons, or whether the crime problem can be solved through mandatory sentencing policies or more funds for rehabilitation may not only be viewed by the lay public as exercises in intellectual trivia in many cases but does little to install confidence in the conclusions reached by conventional criminology.

People have also become more educated and sophisticated. They now realize that Lundberg's (1947) claim that science (social or otherwise) can save us was an overstatement, to say the least. Science cannot answer all questions or solve all problems. In fact, science may have done much to generate many of the problems people now face (such as "the bomb," overpopulation, and chemical contaminants). And science seems to have made few inroads in reducing the appeal of religious dogma and the bigotry espoused by various "moral entrepreneurs." In this respect, the cloak of science may not be as necessary to a viable criminology as some believe or as it may have been at one time. Perhaps it is not how scientifically valid our statements are that counts, but how meaningful they are to the people who hear them (see Lynd, 1936 and Lazarsfeld, et al.,

1967).

Second, money is nice, but it is not essential to criminological inquiry or activities. One can and many people have done research in criminology without large government grants or extensive financial backing. Indeed, excellent criminological insights and thought have been expressed by numerous criminologists who were not necessarily subsidized by some funding agency or institution. Conversely, in spite of the peer review process, large sums of money poured into a research project do not guarantee the quality or relevance of the results. Besides my own experiences working for government agencies, a number of other people employed in such agencies have also told me that their research often has little, if anything, to do with the discovery of scientifically valid or interesting information. Instead, emphasis is placed on keeping the agency "in business" and not making waves. In some instances the results of such research may even be suppressed when it is politically or bureaucratically inexpedient to allow public dissemination.

Lack of government support would, of course, hinder members of the discipline. But it may also liberate them. And it may help to stimulate the creativity and reflective thought essential to the pursuit of knowledge and understanding. Even then, there are a number of resources that criminologists have largely left untapped in their quest for funds in the service of the agencies of law and governmental control. And if being heard is essential to a humanistic criminology, but the lack of a national sample or an appropriate "This research was funded by ..." citation inhibits publication in established journals, humanistic publications are by no means

unknown. And as some humanistically-oriented criminologists have come to realize, ultimately there is also the soapbox, the political caucus, and the duplicating machine at our disposal. If what we say is worth saying, someone will eventually hear us.

Third, humanistic criminologists may not agree among themselves as to the dimensions or agenda of the field. But little such agreement has ever been found in the discipline anyway. Dispute is inevitable and healthy, whether one is talking about crime control versus due process, regression versus correlation analysis, praxis, or survival. Humanistic criminologists have a place and a stake in the disputes that concern our lives, both within and outside criminology. Not getting into the ruckus, not playing the game, not hustling our own point of view or interests guarantees that others will express and secure theirs. We may not know or agree on what "a better human condition" looks like, but it is not likely to get any better by doing nothing. As Pepinsky (1979:250) states: "Human beings do not have to do research to find out what it takes to conform to the world as it is. Instead, the species who have even created the idea of God in their own heads can create ideas of how the species can build new ways of life in their changing environments." It is the task of humanistic criminology to help create these ideas and to show how they might be implemented, not to dictate the ways of life we are to choose.

A HUMANISTIC ANSWER

Regardless of its practicality or ultimate form, a humanistic criminology is

possible for the very simple reason that it is necessary. In the first place, as a discipline of knowledge and action criminology must be humanistic, in large part because of the very subject matter with which it deals. To be anything else would be at best androidic and at worst barbaric. Right and wrong, crime and justice, punishment and freedom are not trivial matters. They are central to the very essence of human life. Taking another's life, either in the form of a crime or legal execution, is not an occasion for bland unconcern. Although one should be objective in assessing or gathering facts concerning such matters, if only because securing reasonably accurate information requires such a stance, to be purely objective, to be purely pragmatic, to be simply interested in "truth" when confronted with criminal matters is to deny the very humanness of the criminological enterprise. As physicians must retain a sense of detachment when dealing with patients (to apparently deflect the cultural taboos regarding physical intimacy or to keep their balance among the horrors they routinely must face) criminologists also may be required to develop a similar attitude. But as with the physician, to be uncaring, unfeeling, unsympathetic, or unemotional about our subject matter and the human beings with whom it is concerned is to be inhuman. Although there are probably few if any criminologists who actually fit this description, the ethos of humanism as opposed to scientism maintains that such detachment is both unnecessary and unwarranted.

Second, what has scientific criminology (in the restricted sense) done any way? Essentially none of the main questions or concerns of scientific criminology have been answered or accomplished. To again quote Pepinsky (1979:250):

... ostensibly new discoveries about crime turn out, upon historical reflection, to look just like old discoveries in a former heyday for partisans of a competing truth about crime. Give it a century or two to grow, and the course of development of positivist knowledge takes on an awful banality, provoking pessimism and cynicism about human beings' capacity to shape their social destiny.

If anything, the major accomplishment of scientific criminology has been one that is central to a humanistic orientation or point of view -- the politicalization of criminological thought. After more than a century of failing to prove that criminals are somehow different from (and inferior to) noncriminals, some criminologists have come to realize that criminals are not the central subject of the field anyway. Rather, as Quinney (1980) and Turk (1982) suggest, it is the political nature of the crime-creation process, indeed, the political nature of crime as such that is of principle criminological concern. Such a concern is eminently humanistic. It is humanistic because it directs our attention to the fundamental human condition, the social, economic, and political relations of persons in societies that not only engender criminality (both legally prohibited and condoned) but also necessitate as well as facilitate the use of formal, repressive means of social control. The political individualization of responsibility and its sanctification in law provided not only for the creation of crime, but for the

criminological investigation of the very conditions of privilege and oppression that necessitated crime's creation in the first place.

And this, perhaps, is why humanistic criminology is essential. That is, without a humanistic orientation criminology is a sterile enterprise. Without humanism, criminology would do little more than crank out numbers, descriptions of criminals, evaluations of programs, and conflicting strategies to solve the crime problem -- with little meaning or purpose beyond maintaining or enhancing positions of dominance and privilege. Scientific methods and techniques, of course, are among the tools we may use to gain experience and hopefully the understanding we need to achieve human betterment. But, positive science provides neither the basis or the essential condition for achieving criminological understanding. Crime and crime control are human and not merely behavioral or social phenomena. As such, humanism is the very heart of criminology. In short, a humanistic criminology is, of course, possible because no other kind of criminology would be worth pursuing.

DOING HUMANISTIC CRIMINOLOGY

Theoretically humanistic criminology could be practiced wherever criminologists pursue their craft, whether conducting research, providing technical or consultant services, administering programs, or teaching. In practice, outside the academic setting, criminologists have little chance to pursue the goals of humanism insofar as they

largely work for government agencies that are more concerned with crime control or efficiency than they are with human betterment. Thus, as with criminological activities generally, humanistic criminology is likely to find its home in the college and university, primarily in academic schools, departments, or programs of criminology, criminal justice, or some euphemism for "police science." Such schools have blossomed in the past decade throughout the system of higher education in America and are found in academic settings throughout the world. Although varying greatly in emphasis and curriculum, a separate and distant discipline made up of "criminologists" appears to have taken root.

But what is the program pursued by this discipline? Based on an informal, nonrandom (i.e., unscientific) sampling of graduate and undergraduate catalogues and course descriptions, departments of criminal justice or criminology tend to be oriented to one or both of two basic pursuits -- criminal justice research or management. Although it is well known that college catalogue descriptions of courses and course offerings have little to do with reality and that it is impossible to discern what is actually taught in a course from its course descriptions, it appears clear that graduate schools particularly (but some undergraduate departments also) are heavily oriented to producing criminal justice "scientists" who are well trained in research methods and statistics (particularly involving the acquisition of computer skills). Although the members of these departments are undoubtedly concerned with producing scholars modeled after the social and behavioral sciences, the skills and knowledge students in these departments receive is well suited to employment opportunities in

criminal-justice agencies of various kinds. Purposively or not, such departments are producing criminal-justice management experts, persons who can organize, administer, and interpret data banks, generate evaluation reports, establish and implement certification standards, or act in an advisory capacity to higher-level administrators (see Quinney, 1980: 13-15).

Many of these departments also appear to be oriented to offering a diverse number of courses best described as courses in "Handcuffing 101" that are geared either to training persons to work in the criminal-justice field, often at lower-level starting positions, or to gain promotion credits for those already employed in it. Students taking such courses (except for those who desire "gut course" credits or are enrolled because they are "interested") normally are looking for the training and credentials they need to become police officers, probation or parole officers, criminal attorneys, or other kinds of crime-control experts. Although by taking such courses as "The Police and the Community," "The Juvenile Justice System," and "Parole Procedures," criminal-justice majors may in fact wind up being better criminal-justice workers, the intellectual sophistication and liberalization they experience by undertaking a liberal arts degree may well have a greater humanizing effect than any of the criminology/criminal justice courses they may encounter. The point to note is that little by way of humanism is apparently contained in criminology-department curricula. Instead, the emphasis is on training experts in the business of crime control, a purpose that would find little significance in a humanistic discipline. Indeed, as Young (1984: 12) suggests:

Rather than seeking to motivate, train and place students in the criminal justice system, criminology should critically analyze the systems of social control in ... society. It should distance itself from any given system of law, of corrections, of political philosophy or of economic endeavor.

In short, the first step in achieving a truly humanistic criminology is for criminologists to get out of the crime-control business and into the business of human understanding.

But concretely what would a humanistic department of criminology look like? What kinds of courses could be offered and what kinds of subject matter could be emphasized or included? The following represents a bare minimum.

For one, a humanistic department of criminology would give as much attention to philosophy and ethics as it does to statistics, research methods, and computer programing. Such offerings could not only be included in the list of electives, but could be required subjects for graduation. They could include but not be limited to subjects such as the philosophy of punishment; the philosophical, ethical, and moral issues regarding law and social justice; and the ethics of justice and law enforcement (involving, for example, the ethicality as opposed to the simple expedience or necessity of plea negotiation). From the perspective of humanism, lectures and seminars on a topic such as rehabilitation would include more than discussion of "how to do it.", "does it

work?", "how cost-effective is it?", and the like. They could also, or instead, focus on such matters as "should it be done?", "is it legitimate or moral?" and "what forms of rehabilitative activity are ethical or unethical, regardless of their effectiveness?". These topics may of course be addressed in contemporary courses, but I doubt whether they form the core or central theme of many.

Most schools of criminology pay special attention to teaching (at least at a rudimentary level) criminal law and procedure. Such topics would also receive extensive attention in a humanistic criminology. But, rather than simply discussing the "technocratics" (e.g., mens rea) of law, attention could focus on the social, economic, and political forces that shape criminal law and its administration, as well as the consequences which emanate from its existence. Insofar as crime is a legal construct made possible and justified by criminal law, an understanding of the nature and implications of law is as crucial to criminological education as is a knowledge of the law itself (e.g., Chambliss and Seidman, 1982).

Although the study of criminal behavior (etiology) would probably find less emphasis in humanistic criminology than it has traditionally received, to the extent that such conduct is studied at all, humanistic criminology could considerably broaden the scope and purpose of such inquiry. While conventional (scientific) criminologists have been fascinated with the criminality of the under-classes of society and concerned with finding ways of controlling such conduct, a humanistic perspective would direct our attention to upper-world, "political," governmental, corporate, and various other

forms of criminality and could broaden our purpose beyond simply finding ways to "curb" it but to understanding the larger social realm in which such conduct proliferates and the humanistic implications these forms of criminality have. Although some rather significant work has already begun in this regard (e.g., Geis & Meier, 1977; Clinard & Yeager, 1980; Turk, 1982) in a humanistic criminology much more extensive inquiry would be found.

Conventional course offerings in the administration of justice tend to lean toward a "how to do it" variety with little emphasis on the social and other implications administering justice entails. In addition to addressing these implications (in a philosophy of justice course perhaps) in a department of humanistic criminology other kinds of "how to do it" courses could also be offered. Such courses could address the task of revolutionary change, how to achieve social liberation, and the analysis of political power and government. "How to" courses in the administration of justice, regardless of how well intended (i.e., its fair dispensation) they may be, ultimately serve to perpetuate the status quo. They do so because they give credence to and promote administrative efficiency on the part of the political structures that rest on the pillars of law and which, by their very nature, underpin existing relationships. Invariably these relationships advantage some people or groups over others. Therefore, to the extent that humanistic criminology is dedicated to social change, betterment, and justice "how to" courses in social change are basic to the education of humanistic criminologists. If criminology is to be a science at all (which does not preclude it being humanistic at the same time) it must be a "political" science as well as a science of politics and

government.

CONCLUSION

In answer to the question: "Is humanistic criminology possible?" we can offer but one response: "Of course it is!" But accomplishing it would require change on the part of the discipline. This would undoubtedly be extremely difficult, and criminologists who benefit from their roles as servants of the political state would surely resist changes that threaten their enterprise. But I do not think these obstacles are impossible to overcome.

The necessary changes would not only be in the form of curriculum changes, or modifications in research topics, strategies, theory, and orientation. They would be fundamental changes in purpose. Criminology would no longer be simply a science of people, but a discipline resource for people. Criminology would no longer be an enterprise in the service of governments, but a field devoted to the study and critique of government. Criminology would no longer devote its investigations to the benefit of elites, but a means for a radical appraisal of elitism. Criminology would no longer rest its subject matter on the foundations of criminal law, but would be devoted to the analyses of law and legal oppression. By so doing criminology would cease to be merely another social science, another academic discipline, another cog in the machinery of modern bureaucracies and governments. Rather criminology would become a humanistic enterprise, an instrument for human betterment, freedom, and fulfillment.

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