1973

Ideology and Criminal Justice Policy: Some Current Issues

Walter B. Miller

IDEOLOGY AND CRIMINAL JUSTICE POLICY: SOME CURRENT ISSUES

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There is currently in the United States a widespread impression that our country is experiencing a major transitional phase—a period in which long-established social arrangements and the moral and conceptual notions that undergird them are undergoing substantial change. Optimists see this process as a transition from one relatively effective social order to another; pessimists see it as a one-way passage to catastrophe.

It is hard to judge the validity of these conceptions. Few generations have been free from the conviction that the nation was in the throes of "the crisis of our times," and such perceptions have not always corresponded with judgments of later historians.[1]

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[1] A few examples of perceptions that "our times" are witnessing radical or unprecedented changes are found in selected excerpts from statements published in 1874, 1930, and 1939, respectively.

> Society has grave charges to answer in regard to its influence on the present and rising generation.... The social conditions of the present age are such as to favor the development of insanity. The habits inculcated by ... growing wealth ... among individuals of one class and the stinging poverty ... of another ... nurture dispositions which might ... under more equitable distributions ... have died out. Have we not seen [youth] emerging from the restraints of school, scoffing at the opinions of the world, flouting everything but their own conceit ... ?

Dickson, *The Science and Practice of Medicine in Relation to Mind, and the Jurisprudence of Insanity* (1874), quoted in M. ALTSCHULE, ROOTS OF MODERN PSYCHIATRY 122, 133 (1957).

> In our nineteenth century polity, the home was a chief reliance ... discipline was recognized as a reality ... the pressure of the neighborhood ... was strong ... in the urban industrial society of today there is a radical change .... This complete change in the background of social control involves much that may be easily attributed to the ineffectiveness of criminal justice....

Since criminal behavior, ways of thinking about crime, and methods of dealing with crime make up an intrinsic component of any social order, the notion of a transitional phase also affects the perceptions and actions of both criminals and criminal justice system personnel. As soon as one considers crime as one facet of a larger set of social and historical shifts, however, a paradox emerges. One gets an impression both of striking and substantial change, and striking and substantial stability.

This paradox seems to apply equally to crime and to societal response to crime. On the one hand, patterns of contemporary criminal behavior reflect substantial shifts—*e.g.*, a massive increase in drug use and drug-related crimes, a new dimension of political motivation affecting many adult prisoners. On the other hand, an impression of changelessness and stability is evident in the relatively unchanging nature of youth crime and periodic attention to youth gang violence.[2]

A similar paradox affects those responsible for making and implementing criminal justice policy. On the one hand, we seem to be in the midst of a radical shift in conceptualizing and coping with crime, indicated by a host of current slogans such as decentralization, decriminalization, deinstitutionalization, victimology and others. On the other hand, there is a surprising sameness in the basic issues which these slogans reflect—issues such as free will versus determinism, individual rights versus state's rights, concentration versus

Pound, *Criminal Justice in America* (1930), quoted in F. TANNENBAUM, CRIME AND THE COMMUNITY 29 (1938).

> Men's ways of ordering their common lives have broken down so disastrously as to make hope precarious. So headlong and pervasive is change today that ... historical parallels are decreasingly relevant ... because so many of the variables in the situation have altered radically .... Professor James T. Shotwell recently characterized "the anarchy we are living in today" as "the most dangerous since the fall of Rome."

R. LYND, KNOWLEDGE FOR WHAT 2, 11 (1939).

[2] An analysis involving long-term trends in youth gang violence and periodically recurrent representations of such violence as a new phenomenon engendered by contemporary conditions is included in Miller, *American Youth Gangs: Past and Present*, in A. BLUMBERG, ISSUES IN CRIMINOLOGY (in preparation).

diffusion of power. Do these concerns represent progressive movement or merely contemporary replays of ancient dramas?

Intriguing as it might be to explore these issues with respect to the behavior of both those who engage in crime and those who attempt to deal with it, I shall treat only the latter. The terms "criminologist" or "criminal justice personnel" will be used here to refer to those persons who maintain some consistent responsibility for dealing with criminals and their behavior.

One may seek to escape this paradox by employing the concept of "ideology." Ideology is also a central element in the complex patterns of change and stability, and a key to their understanding. A useful point of departure may be found in a quotation from Myrdal's *An American Dilemma*:

> The place of the individual scientist along the scale of radicalism-conservatism has always had strong influences on both the selection of research problems and the conclusions drawn from research. In a sense, it is the master scale of biases in social science.[3]

It is this master scale, and its influence on the field of criminal justice, which will be my major concern here.

The term "ideology" may be used in many ways.[4] It will be used here only to refer to a set of general and abstract beliefs or assumptions about the correct or proper state of things, particularly with

[3] G. MYRDAL, AN AMERICAN DILEMMA: THE NEGRO PROBLEM AND MODERN DEMOCRACY, 1038 (1944). Myrdal's citation of the "radicalism-conservatism" scale is part of an extended discussion of sources of bias in works on race-relations, appearing as Appendix 2, "A Methodological Note on Facts and Valuations in Social Science," at 1035-64. His entire discussion is germane to issues treated in this article.
[4] A classic treatment of ideology is K. MANNHEIM, IDEOLOGY AND UTOPIA (1936). *See* ch. II.1 "Definition of Concepts." *See also* G. MYRDAL, *supra* note 3, at 1035-64. There is an extensive literature, much of it sociological, dealing with ideology as it relates to a wide range of political and social phenomena, but the specific relation between ideology and criminal justice has received relatively little direct attention. Among more recent general discussions are E. SHILS, THE INTELLECTUALS AND THE POWERS (1972); Orlans, *The Political Uses of Social Research*, 393 ANNALS AM. ACAD. POLIT. & SOC. SCI. 28 (1971); Kelman, *I.Q., Race, and Public Debate*, 2 HASTINGS CENTER REP. 8 (1972). Treatments more specific to crime and criminal justice appear in L. RADZINOWICZ, IDEOLOGY AND CRIME (1966); Andanaes, *Punishment and the Problem of General Prevention*, 8 INT'L ANNALS CRIMINOLOGY 285 (1969); Blumberg, *The Adversary System*, in C. BERSANI, CRIME & DELINQ. 435 (1970); Glaser, *Criminology and Public Policy*, 6 AM. SOCIOLOGIST 30 (1971).

respect to the moral order and political arrangements, which serve to shape one's positions on specific issues. Several aspects of ideology as used in this sense should be noted. First, ideological assumptions are generally pre-conscious rather than explicit, and serve, under most circumstances, as unexamined presumptions underlying positions taken openly. Second, ideological assumptions bear a strong emotional charge. This charge is not always evident, but it can readily be activated by appropriate stimuli, in particular by direct challenge. During the process of formation, ideological premises for particular individuals are influenced by a variety of informational inputs, but once established they become relatively impervious to change, since they serve to receive or reject new evidence in terms of a self-contained and self-reinforcing system.

The major contention of this presentation is that ideology and its consequences exert a powerful influence on the policies and procedures of those who conduct the enterprise of criminal justice, and that the degree and kinds of influence go largely unrecognized. Ideology is the permanent hidden agenda of criminal justice.

The discussion has two major aims. First, assuming that the generally implicit ideological basis of criminal justice commands strong, emotional, partisan allegiance, I shall attempt to state explicitly the major assumptions of relevant divergent ideological positions in as neutral or as nonpartisan a fashion as possible. Second, some of the consequences of such ideologies for the processes of planning, program, and policy in criminal justice will be examined.

I shall use a simple conceptual device for indicating ideological positions—a one-dimensional scale that runs from five on the right to zero in the middle to five on the left. Various ideological positions under consideration will be referred to this scale, using the terms "left" and "right" in an attempt to achieve neutrality. Although not all eleven possible distinctions will be made in every analysis, five scale distinctions on each side seem to be the minimum needed for present purposes. Later discussions will in some instances attribute considerable importance to differences as small as one scale degree.

The substance of ideologically divergent positions with respect to selected issues of current concern will be presented in three ways. Positions will be formulated first as "crusading issues"—

shorthand catchwords or rallying cries that furnish the basic impetus for action or change in the criminal justice field. Such catch phrases are derived from a deeper and more abstract set of propositions as to desired states or outcomes. These will be designated "general assumptions." Third, differentiated positions will be delineated for all points along the full range of the scale—extreme right to extreme left—for three major policy issues.[5]

[5] The substance of ideologically-relevant statements formulated here as crusading issues, general assumptions, or differentiated positions was derived from examination and analysis of a wide range of materials appearing in diverse forms in diverse sources. Materials were selected primarily on the basis of two criteria: that they bear on issues of current relevance to criminal justice policy, and that they represent one possible stance with respect to issues characterized by markedly divergent stances. With few exceptions, the statements as formulated here do not represent direct quotes, but have been generalized, abstracted or paraphrased from one or more sets of statements by one or more representatives of positions along the ideological scale. A substantial portion of the statements thus derived were taken from books, articles, speeches, and media reporting of statements by the following: Robert Welch, writer; John Schmitz, legislator; Gerald L. K. Smith, writer; Meyer Kahane, clergyman; Edward Banfield, political scientist; William Loeb, publisher; George Wallace, government; Julius Hoffman, jurist; L. Patrick Gray III, lawyer; William Rehnquist, jurist; William Buckley, writer; Spiro Agnew, government; Robert M. McKiernan, police; Howard J. Phillips, government; Lewis F. Powell Jr., jurist; Andrew Hacker, political scientist; Kevin Phillips, writer; Victor Reisel, labor; Albert Shanker, educator; Fred P. Graham, lawyer/writer; Warren Burger, jurist; James Q. Wilson, political scientist; Hubert H. Humphrey, legislator; James Reston, writer; Jacob Javits, legislator; Ramsey Clark, lawyer; Tom Wicker, writer; Earl Warren, jurist; James F. Ahearn, police; Henry Steele Commager, historian; Alan Dershowitz, lawyer; Julian Bond, legislator; Herbert J. Gans, sociologist; Ross K. Baker, political scientist; Russell Baker, writer; William Kunstler, lawyer; Benjamin Spock, physician; Noam Chomsky, anthropologist; Richard Cloward, sociologist; Herman Schwartz, lawyer; Richard Korn, sociologist; Michael Harrington, writer; Richard Quinney, sociologist; Frank Reissman, sociologist; Tom Hayden, writer; Eldridge Cleaver, writer; H. Bruce Franklin, professor; Abbie Hoffman, writer; Phillip Berrigan, clergyman; Jerry Rubin, writer. Among a range of non-academic reports, pamphlets, and periodicals which served as sources for statements by these and other persons were: JOHN BIRCH SOCIETY REPRINT SERIES; ERGO: THE RATIONAL VOICE OF LIBERTARIANISM; NEW SOLIDARITY: NATIONAL CAUCUS OF LABOR COMMITTEES; THE HASTINGS CENTER REPORT; S.D.S. NEW LEFT NOTES; Guardian; Ramparts; National Review; The Nation; The New Republic; The New York Review; Commentary; Fortune; Time; Life; Newsweek; New York Times; New York Times Magazine; The Washington Post; The Manchester Union Leader. It should be noted that the substance of materials appearing in published sources represents the publicly-taken positions of the individuals involved. The relation between public positions and

IDEOLOGICAL POSITIONS

Right: Crusading Issues

Crusading issues of the right differ somewhat from those of the left; they generally do not carry as explicit a message of movement toward new forms, but imply instead that things should be reconstituted or restored. However, the component of the message that says, "Things should be different from the way they are now," comes through just as clearly as in the crusading issues of the left. Current crusading issues of the right with respect to crime and how to deal with it include the following:

1. *Excessive leniency toward lawbreakers.* This is a traditional complaint of the right, accentuated at present by the publicity given to reform programs in corrections and policing, as well as to judicial activity at various levels.

2. *Favoring the welfare and rights of lawbreakers over the welfare and rights of their victims, of law enforcement officials, and the law abiding citizen.* This persisting concern is currently activated by attention to prisoners' rights, rehabilitation programs, attacks on police officers by militants, and in particular by a series of well-publicized Supreme Court decisions aimed to enhance the application of due process.

3. *Erosion of discipline and of respect for constituted authority.* This ancient concern is currently manifested in connection with the general behavior of youth, educational policies, treatment of student dissidents by college officials, attitudes and behavior toward law-enforcement, particularly the police.

4. *The cost of crime.* Less likely to arouse the degree of passion evoked by other crusading issues, resentment over what is seen as the enormous and increasing cost of crime and dealing with criminals—a cost borne directly by the hard working and law abiding citizen— nevertheless remains active and persistent.

5. *Excessive permissiveness.* Related to excessive leniency, erosion of discipline, and the abdication of responsibility by authorities, this

"actual" or private positions can be very complex, ranging from "close" to "distant" along a "degree of correspondence" axis, and with variation involving changes over time, differences according to the sub-issue involved, nature of audience addressed, and other factors.

trend is seen as a fundamental defect in the contemporary social order, affecting many diverse areas such as sexual morality, discipline in the schools, educational philosophies, child-rearing, judicial handling of offenders, and media presentation of sexual materials.

Right: General Assumptions

These crusading issues, along with others of similar import, are not merely ritualized slogans, but reflect instead a more abstract set of assumptions about the nature of criminal behavior, the causes of criminality, responsibility for crime, appropriate ameliorative measures, and, on a broader level, the nature of man and of a proper kind of society. These general assumptions provide the basic charter for the ideological stance of the right as a whole, and a basis for distinguishing among the several subtypes along the points of the ideological scale. Major general assumptions of the right might be phrased as follows:

1. The individual is directly responsible for his own behavior. He is not a passive pawn of external forces, but possesses the capacity to make choices between right and wrong— choices which he makes with an awareness of their consequences.

2. A central requirement of a healthy and well functioning society is a strong moral order which is explicit, well-defined, and widely adhered to. Preferably the tenets of this system of morality should be derived from and grounded in the basic precepts of a major religious tradition. Threats to this moral order are threats to the very existence of the society. Within the moral order, two clusters are of particular importance:

   a. Tenets which sustain the family unit involve morally-derived restrictions on sexual behavior, and obligations of parents to maintain consistent responsibility to their children and to one another.

   b. Tenets which pertain to valued personal qualities include: taking personal responsibility for one's behavior and its consequences; conducting one's affairs with the maximum degree of self-reliance and independence, and the minimum of dependency and reliance on others, particularly public agencies; loyalty, particularly to one's country; achieving one's ends

through hard work, responsibility to others, and self-discipline.

3. Of paramount importance is the security of the major arenas of one's customary activity—particularly those locations where the conduct of family life occurs. A fundamental personal and family right is safety from crime, violence, and attack, including the right of citizens to take necessary measures to secure their own safety, and the right to bear arms, particularly in cases where official agencies may appear ineffective in doing so.

4. Adherence to the legitimate directives of constituted authority is a primary means for achieving the goals of morality, correct individual behavior, security, and other valued life conditions. Authority in the service of social and institutional rules should be exercised fairly but firmly, and failure or refusal to accept or respect legitimate authority should be dealt with decisively and unequivocally.

5. A major device for ordering human relations in a large and heterogeneous society is that of maintaining distinctions among major categories of persons on the basis of differences in age, sex, and so on, with differences in religion, national background, race, and social position of particular importance. While individuals in each of the general categories should be granted the rights and privileges appropriate thereto, social order in many circumstances is greatly facilitated by maintaining both conceptual and spatial separation among the categories.

Left: Crusading Issues

Crusading issues of the left generally reflect marked dissatisfaction with characteristics of the current social order, and carry an insistent message about the desired nature and direction of social reform. Current issues of relevance to criminal justice include:

1. *Overcriminalization.* This reflects a conviction that a substantial number of offenses delineated under current law are wrongly or inappropriately included, and applies particularly to offenses such as gambling, prostitution, drug use, abortion, pornography, and homosexuality.

2. *Labelling and Stigmatization.* This issue is

based on a conception that problems of crime are aggravated or even created by the ways in which actual or potential offenders are regarded and treated by persons in authority. To the degree a person is labelled as "criminal," "delinquent," or "deviant," will he be likely to so act.

3. *Overinstitutionalization.* This reflects a dissatisfaction over prevalent methods of dealing with suspected or convicted offenders whereby they are physically confined in large institutional facilities. Castigated as "warehousing," this practice is seen as having a wide range of detrimental consequences, many of which are implied by the ancient phrase "schools for crime." Signalled by a renewed interest in "incarceration," prison reform has become a major social cause of the left.

4. *Overcentralization.* This issue reflects disatisfaction with the degree of centralized authority existing in organizations which deal with crime—including police departments, correctional systems, and crime-related services at all government levels. Terms which carry the thrust of the proposed remedy are local control, decentralization, community control, a new populism, and citizen power.

5. *Discriminatory Bias.* A particularly blameworthy feature of the present system lies in the widespread practice of conceiving and reacting to large categories of persons under class labels based on characteristics such as racial background, age, sex, income level, sexual practices, and involvement in criminality. Key terms here are racism, sexism, minority oppression and brutality.

Left: General Assumptions

As in the case of the rightist positions, these crusading issues are surface manifestations of a set of more basic and general assumptions, which might be stated as follows:

1. Primary responsibility for criminal behavior lies in conditions of the social order rather than in the character of the individual. Crime is to a greater extent a product of external social pressures than of internally generated individual motives, and is more appropriately regarded as a symptom of social dysfunction than as a phenomenon in its own right. The correct objective of ameliorative

efforts, therefore, lies in the attempt to alter the social conditions that engender crime rather than to rehabilitate the individual.

2. The system of behavioral regulation maintained in America is based on a type of social and political order that is deficient in meeting the fundamental needs of the majority of its citizens. This social order, and the official system of behavioral regulation that it includes, incorporates an obsolete morality not applicable to the conditions of a rapidly changing technological society, and disproportionately geared to sustain the special interests of restricted groups, but which still commands strong support among working class and lower middle class sectors of the population.

3. A fundamental defect in the political and social organization of the United States and in those components of the criminal justice enterprise that are part of this system is an inequitable and unjust distribution of power, privilege, and resources—particularly of power. This inequity pervades the entire system, but appears in its more pronounced forms in the excessive centralization of governmental functions and consequent powerlessness of the governed, the militarylike, hierarchical authority systems found in police and correctional organization, and policies of systematic exclusion from positions of power and privilege for those who lack certain preferred social characteristics. The prime objective of reform must be to redistribute the decision-making power of the criminal justice enterprise rather than to alter the behavior of actual or potential offenders.

4. A further defect of the official system is its propensity to make distinctions among individuals based on major categories or classes within society such as age, sex, race, social class, criminal or non-criminal. Healthy societal adaptation for both the offender and the ordinary citizen depends on maintaining the minimum separation—conceptually and physically—between the community at large and those designated as "different" or "deviant." Reform efforts must be directed to bring this about.

5. Consistent with the capacity of external societal forces to engender crime, personnel of

official agencies play a predominantly active role, and offenders a predominantly reactive role, in situations where the two come in contact. Official agents of behavioral regulation possess the capacity to induce or enhance criminal behavior by the manner in which they deal with those who have or may have engaged in crime. These agents may define offenders as basically criminal, expose them to stigmatization, degrade them on the basis of social characteristics, and subject them to rigid and arbitrary control.

6. The sector of the total range of human behavior currently included under the system of criminal sanctions is excessively broad, including many forms of behavior (for example, marijuana use, gambling, homosexuality) which do not violate the new morality and forms which would be more effectively and humanely dealt with outside the official system of criminal processing. Legal codes should be redrafted to remove many of the behavioral forms now proscribed, and to limit the discretionary prerogatives of local authorities over apprehension and disposition of violators.

An Ideological Spectrum: Differentiated Positions of Left and Right

The foregoing ideologically-relevant propositions are formulated as general assumptions common to all those designated as "left" or "right." The present section will expand and differentiate these generalized propositions by distributing them along the ideological scale proposed earlier. Charts I, II, and III (See Appendix) present thirty differentiated positions with respect to three major issues of relevance to criminal justice policy. Statements concerning each issue are assigned ten positions along scales running from right five through left five. The three issues are: conceptions as to the causes of crime and the locus of responsibility for criminality; conceptions of proper methods of dealing with offenders; conceptions of proper operating policies of criminal justice agencies. Not included in these tables is a theoretically possible "centrist" position.

Several features of the charts in the appendix should be noted. Statements representing ideologically-influenced positions on the scale are formulated in a highly condensed and simplified manner, lacking the subtleties, qualifications, and supporting arguments which characterize the actual stances of most people. The basic model is that of an "ideal type" analysis which presents a series of simplified propositions formulated to bear a logical relationship to one another and to underlying abstract principles, rather than to reflect accurately the actual positions of real people.[6] Few readers will feel entirely comfortable with any of the statements exactly as phrased here; most will feel instead that given statements might reflect the general gist of their position, but with important qualifications, or that one can subscribe to selected parts of statements at several different points along the scale. On the other hand, few readers will fail to find some statements with which they disagree completely; it is most unlikely, for example, that one could support with equal enthusiasm the major tenets attributed here to positions at left four and right four.

In "placing" oneself with respect to the scaled positions outlined here, one should look for those statements with which one feels least uncomfortable rather than expecting to find formulations which correspond in all respects to his viewpoint. The process of ascertaining discrepancies between actual positions and those represented here as "pure" examples of rightist or leftist ideology serves one of the purposes of ideal-typical analysis; few are ideological purists, but this type of analysis makes it possible to identify positions which correspond more or less closely to ideological orthodoxy. Those whose positions are closer to the extremes will feel least comfortable with statements attributed to the opposing side of the spectrum; those closer to "centrist" positions will tend to find orientations congenial to their own at a larger number of scale positions, possibly including positions on both sides of the spectrum.

To say that the statements show some logical relationship to one another and to underlying principles is not to say that they are logically consistent; in fact, several obvious inconsistences appear in the charts. For example, right five maintains that criminals are unwitting puppets of a radical

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[6] The classic application of ideal-type method is that of Max Weber. *See, e.g.,* the discussion of Weber's method and typology of authority and coordination in A. Henderson & T. Parsons, Max Weber: The Theory of Social and Economic Organization 98, 329 (1947). In the field of criminology, MacIver applies ideal-type analysis to discussions of social causality in general and crime causality in particular. R. MacIver, Social Causation, 174 *passim* (1942). Neither of these applications directly parallels present usage, but underlying principles are similar.

conspiracy and, at the same time, holds that they are responsible for their own behavior. Left four calls for maximum access to information concerning the inner workings of criminal justice agencies and, at the same time, advocates minimum access by employers, personnel departments and others to criminal records of individuals. If one fails to find in internal consistency the "logical" basis for these propositions, where do the logical relationships lie?

Although some degree of logical inconsistency is likely in almost any developed set of propositions about human behavior, the consistency in the above propositions lies largely in the degree to which the interests of particular classes of persons are supported, defended, and justified. The inconsistencies often lie either in the means advocated to achieve such ends or in the rationales used to defend or exculpate favored interests and condemn opposing ones. In the above examples, if one assumes that a basic interest of left four is maximum protection of and support for actual or putative offenders, then these ends are served in the one instance by maximum access to information which might reveal errors, inequities or violations in their treatment by criminal justice officials, and in the other by denying to potential employers and others access to information that might jeopardize their welfare. Similarly, in attempting to reconcile the apparent contradiction in assertions that offenders are pawns of a radical conspiracy and also that they are directly responsible for their behavior, a rightist could argue that offenders are indeed responsible for their behavior, and that they make a deliberate personal choice to follow the crime-engendering appeals of the radicals.

While statements at different scale positions frequently present differing orientations to the same sub-issue (*e.g.*, scope of criminal law, appropriate degree of restraint of offenders, extent to which "rehabilitation" should be an objective), not all of the statements on each major issue treat all of the included sub-issues. The positioned statements are defective with respect to "dimensionality," the possibility of full scalability across all issues. Each of the included sub-issues represents an independently scalable dimension. The "cause" issue incorporates approximately 14 distinguishable dimensions or sub-issues, the "offender" issue 15, and the "agencies" issue 18. To include a separate statement for each dimension at each scale position for all three issues would require a minimum of 470 statements—an impractical

number for a presentation at this level. Selection of sub-issues and their assignment to given positions was guided by an attempt both to produce internally-coherent statements and to cover a fairly broad range of sub-issues.

One often finds convergences at the extremes of a distribution of ideological positions. Several instances can be found in the charts; for example, both right five and left five attribute criminality to deliberate or systematic efforts or policies of highly-organized interest groups, although of differing identities (radicals, the ruling class). If quantifiable weights can be assigned to the scalable dimensions of the chart, two major types of distribution are included—"opposition" and "convergence" distributions. "Opposition" distributions occur where the maximum weight or magnitude is found at one extreme of the scale and the minimum at the other, with intermediate positions showing intermediate values. Examples may be found in the sub-issues "degree of coercive power to be exercised by official agencies"; (left five espouses the minimum degree, right five the maximum, with others occupying intermediate positions), and "degree of personal culpability of offenders" (right five maximum, left five minimum, others in between). Policy disputes involving this type of distribution tend to be most difficult to resolve.

In "convergence" distributions similarities or partial similarities are found in the positions of those at opposing ends of the spectrum. One instance is found in attitudes toward rehabilitation of offenders—an objective strongly opposed by partisans at both left four and right four, although for different reasons. A rather complex but crucial instance is found in the statements concerning "localized" versus "centralized" authority. Both left four and right four call for increased local autonomy, whereas the more "moderate" of both left and right favor continued or increased federal authority and support for criminal justice programs and operations. The apparent convergence of the extremes is, however, complicated by a number of factors. One relates to which branch of government exercises authority; another relates to the particular policy area at issue. Those at left four are not adverse to strong federal initiatives to improve social-service delivery capacity of local welfare agencies. Those at right four, while decrying the iron grip of federal bureaucrats over local affairs, are not adverse to strong federal initiatives to improve technological capacity of local police forces.

The more extreme leftists seek greatly increased local autonomy for citizen control over police and correctional operations, but welcome strong federal power in formulating and enforcing uniform civil rights measures. The more extreme rightists adamantly oppose the use of centralized power to enforce "mixing" of racial and other social categories or to compel uniform operations of local police, courts and corrections, but welcome strong federal power in the development and maintenance of military forces, or a strong federal investigatory branch with the power to probe corruption and collusion in local programs, particularly those of left-oriented agencies.

The unifying principle behind these apparent contradictions is the same as that noted for intra-position inconsistencies; ideologically-derived objectives are supported despite possible discrepancies involving the means to achieve them or the identity of sources of support. An additional dimension of considerable importance is also involved—that of time. Ideological positions of left and right are delineated on the basis of a given point in time earlier designated as "current." But specific stances of the left and right can change rapidly in response to changing circumstances, or they can even reverse themselves. Moreover, some of the "crusading issues" currently fashionable will become passé in the near future.

The "decentralization" issue again provides a good example. Whether one favors more or less power for "centralized" or federal agencies depends on the current ideological complexion of the several federal departments or branches. Viewed very broadly, in the early 1930's the left looked to the executive branch as a prime source of support for policies they favored, and the right to the judicial and legislative; in the 1960's the left viewed both the executive and judicial as allies, the legislature as a potential source of opposition, and sought more power for the High Court and the Presidency. At present the right views the executive as supportive, and the left looks to the legislature as an ally in an attempt to curb the power of the presidency. Reflecting these shifts have been changes in attitudes of the left and right toward "local control." While traditionally a crusading issue of the right (state's rights), the banner for community control was taken up in the 1960's by the left as an effective method of bypassing entrenched political power at the local level—primarily with respect to civil rights. Recently the

trend has begun to reverse because of a resurgence of the right's traditional "anti-big-government" stance and an increasing resort to local control by community groups pursuing rightist causes (*e.g.*, exclusion of blacks from white schools).

Further detailed analyses of convergences and divergences, consistencies and contradictions, past, present and future fashions of both these issues and others could be developed. It might be useful at this point, however, to briefly consider a more fundamental level—the basic philosophical underpinnings of the two sides—and to compress the variety and complexity of their varied positions into a single and simple governing principle.

For the right, the paramount value is order—an ordered society based on a pervasive and binding morality—and the paramount danger is disorder—social, moral and political. For the left, the paramount value is justice—a just society based on a fair and equitable distribution of power, wealth, prestige, and privilege—and the paramount evil is injustice—the concentration of valued social resources in the hands of a privileged minority.

Few Americans would quarrel with either of these values since both are intrinsic aspects of our national ideals. Stripped of the passion of ideological conflict, the issue between the two sides could be viewed as a disagreement over the relative priority of two valuable conditions: whether *order with justice*, or *justice with order* should be the guiding principle of the criminal justice enterprise.

These are ancient philosophical issues, and their many aspects have been argued in detail for centuries. Can both order and justice be maximized in a large, heterogeneous, pluralistic society? Can either objective be granted priority under all circumstances? If not, under what circumstances should which objective be seen as paramount? It might appear that these issues are today just as susceptible to rational discussion as they have been in the past; but this is not so, because the climate militates against such discussion. Why this is so will be considered shortly—after a brief discussion of the ideologies of the formal agencies of criminal justice.

IDEOLOGICAL COMPLEXION OF CRIMINAL JUSTICE AGENCIES

The ideological positions of four major professional fields will be discussed—academic criminology, the police, the judiciary, and corrections. Rather than complex analysis or careful delinea-

tion, tentative impressions will be offered. Each system will be characterized on a very gross level, but it is important to bear in mind the possibility that there is as much ideological variability within each of the several systems as there is among them. Of particular importance within these systems are differences in age level, social class and educational level, and rank.

Academic Criminologists: This group is included not out of any presumption about the importance of the role they play, but rather because academic criminology provides the platform from which the present analysis is presented. Probably the most important point to make here is that the day-to-day ideological environment of the average academic criminologist, viewed within the context of the total society, is highly artificial; it reflects the perspectives of a deviant and unrepresentative minority. Academic criminology, reflecting academic social science in general, is substantially oriented toward the left, while the bulk of American people are oriented toward the right.[7] Further-

[7] Several recent studies provide indirect evidence of differences between academics and the general public in the likelihood that one will characterize his ideological position as "right" or "left." Of 60,000 professors surveyed by the Carnegie Commission, approximately 70% characterized themselves as "left" or "liberal," and fewer than 25% as "conservative" or "middle-of-the-road." A survey of social science professors by Everett Ladd and Seymour Lipset showed that approximately 70% voted against the "conservative" presidential candidate in 1972, compared with approximately 75% against four years before. These studies were reported in Hacker, *On Original Sin and Conservatives*, N.Y. Times, Feb. 25, 1973, § 6 (Magazine) at 13. Henry Turner and Carl Hetrick's survey of a systematic sample of members of the American Political Science Association showed that approximately 75% characterized themselves as Democrats (among academics "Democratic" almost invariably means "liberal", whereas it generally means "conservative" in blue collar populations), a percentage which had remained stable for ten years. Those designating themselves as "Republicans" had declined to about 10% at the time of the survey. Turner and Hetrick's survey also showed that the Democratic majority was significantly more active in publication and political activity than the non-Democratic minority. H. Turner & C. Hetrick, Political Activities and Party Affiliations of American Political Scientists, (paper delivered at the 1971 Meetings of the American Political Science Association).

By comparison, a Gallup survey conducted in 1972 found that 71% of a systematically-selected sample of voters designated themselves as "conservative" (41%) or "Middle-of-the-road" (30%), with 24% characterizing themselves as "liberal." A survey by Daniel Yankelovich during the same period found that 75% of the voters surveyed viewed themselves as "conservative" (37%) or "moderate" (38%), and 17% as "liberal" (15%) or "radical" (2%). *See* Rosenthal, *McGovern is Radical or Liberal to Many in Polls*, N.Y.

more, the members of the large liberal academic majority do proportionately more writing and speechmaking than those of the small conservative minority, so that their impact on the ideological climate exceeds even their large numbers. If the proportion of right-oriented persons in academic criminology comes close to being just the reverse of that in the general population, then this marked ideological divergence certainly has implications for those situations in which academicians come in contact with the public, particularly where they interact with representatives of other criminal justice branches. It also has an important impact on their own perceptions of the ideological positions of the public and other criminal justice professionals.

Police: The bulk of police officers have working-class backgrounds, and the contemporary working class is substantially rightist. Archie Bunker is a caricature, but the reality he exaggerates is a significant one. Rightist ideology in one of its purest versions may be found in the solemn speeches of Officer Joe Friday to temporarily discouraged young police officers or disgruntled citizens. Among police departments, differences in ideological complexion are found in different regions (for example, West Coast departments generally have higher proportions of college-trained personnel), different sized communities, and departments with different personnel policies. Within departments, age differences may be important (some younger officers are less rightist), as well as differences in rank and function (some departments have more liberally-oriented chiefs or research and planning personnel). The majority of working police professionals, however, subscribe to the ideological premises here designated as "rightist."

Judiciary: The legal and judicial field is probably characterized by greater ideological diversity than either the police or corrections. One reason is that leftist positions are more common among those with college degrees than among those with less education. Since college education is a prerequisite to formal legal training, lawyers are more likely to

Times, Aug. 27, 1972, at 34, col. 3. An earlier poll by Yankelovich of American college students, seen by many as among the most liberal of large population categories, showed that approximately 70% reported themselves as holding "mainstream" positions, and that among the remainder, conservatives outnumbered left-wing radicals by two-to-one. D. YANKELOVICH, THE CHANGING VALUES ON CAMPUS: POLITICAL AND PERSONAL ATTITUDES OF TODAY'S COLLEGE STUDENTS (1972).

have been exposed to the leftward orientation characteristic of most academic faculties, particularly those of the larger and more prestigious universities.[8] Judges show enormous variation in ideological predilections, probably covering the full range from right five to left four. Variation is related to factors such as the law school attended, size of jurisdiction, social status of jurists and their clientele, region, level of the court. While public attention is often directed to the actions of highly moralistic, hard line judges at right four and five positions, such jurists are probably becoming less common.

Ideological orientations of the legal profession have recently been subject to public attention, particularly in connection with two developments. First, the Supreme Court has in the recent past been associated with a series of decisions that reflect basic tenets of the left. Included have been such issues as increased protection for the rights of suspected and accused persons, inadmissibility of illegally-obtained evidence, minimization of distinctions based on race, reduction of discretionary powers of law-enforcement personnel, and reduction of judicial discretion in juvenile proceedings.[9]

These decisions and others were perceived by the right as posing a critical threat to an established balance of power and prerogatives between law-enforcement personnel and offenders, seriously endangering the law-enforcement process and the security of the public.

The second development is the emergence during the past ten years of a group of young left-oriented lawyers whose influence is probably disproportionate to their small numbers. Able, dedicated, active on a variety of fronts, many representing low-income or black clients, their activities became best known in connection with Federal Anti-Poverty programs. Many of these lawyers have assumed positions along the ideological scale as far left as the left three and left four positions.

Despite these well-publicized manifestations of leftward orientations in some sectors of the legal profession, it is unlikely that a substantial proportion of the profession consistently espouses the tenets of the left, particularly those of left three and beyond. The more liberal judges are generally found in federal and higher-level state courts, but conservative views are still common among jurists of the lower level courts, where the great bulk of day-to-day legal business is transacted. Moreover, as part of the ideological shifts noted earlier, the Burger court is regarded by the right with considerably less antipathy than the Warren court.[10]

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[8] Hacker states that ". . . the higher one climbs on the prestige ladder [of American colleges and universities] the less likely are conservatives to be found on the faculty." Hacker, *supra* note 7, at 71.

[9] Issues involved here fall into two general clusters: those affecting the rights and resources available to law-enforcement officials relative to those available to persons suspected, accused, or convicted of crimes; those relating to the conceptual or physical separation or combining of major population categories. Stands of the right and left with respect to the first cluster have been delineated in several places (right crusading issue 2; left general assumptions 3, 5; right policies respecting offenders 3, 4, respecting agencies 3, 4; left policies respecting offenders 3, 4, respecting agencies 3, 4). Major decisions of the United States Supreme Court during the 1960's which appear to accord with ideological stances of the left and to run counter to those of the right include: Mapp v. Ohio, 367 U.S. 643 (1961), which reduced resources available to law-enforcement officials and increased resources available to the accused by extending limitations on the admissibility of illegally-obtained evidence; Escobedo v. Illinois, 378 U.S. 478 (1964), and Miranda v. Arizona, 384 U.S. 436 (1966), which reduced the power of law-enforcement officials to proceed with criminal processing without providing suspects with knowledge of and recourse to legal rights and resources; *In re* Gault, 387 U.S. 1 (1967), which reduced the power of judges to make dispositions in juvenile proceedings and increased the legal rights and resources of defendants; Katz v. United States, 389 U.S. 347 (1967), which reduced prerogatives of law-enforcement officials with respect to the gathering of evidence by increasing protection of suspects against intrusions of privacy; Gilbert v. California, 388 U.S. 263 (1967), and United States v. Wade, 388

U.S. 218 (1967), which decreased the freedom of law enforcement officials to seek identification of suspects, and increased the legal rights and resources available to suspects.

With respect to the second cluster, separation of population categories, stands of the right are delineated under general assumption 5, sources of crime 4, policies respecting criminal justice agencies 4, and of the left under crusading issue 5 and general assumption 4. The landmark decision here was Brown v. Board of Education, 347 U.S. 483 (1954), which held that racially segregated public education was *per se* discriminatory. While preceding the above-cited decisions by about a decade, *Brown* set a precedent for later court actions which provided support for the diminution of categorical segregation, as favored by the left, and reduced support for the maintenance of such separation, as espoused by the right.

[10] It has been widely held that the Burger Court, reflecting the influence of right-oriented Nixon appointees such as Justices Rehnquist and Powell, would evince marked support for rightist ideological premises, stopping or reversing many of the initiatives of the Warren Court in areas such as equal protection and due process. This viewpoint is articulated by Fred P. Graham, who writes, "Mr. Nixon's two new justices are strikingly like his first two appointments in conservative judicial outlook, and . . . this cohesion is likely to produce a marked swing to the right—par-

Corrections: Corrections, the current hot spot of the criminal justice field, probably contains a mixture of ideological positions, with the bulk of correctional personnel ranged along the right. The average lower-echelon corrections employee has a working-class background similar to that of the average patrolman, and thus manifests the rightist orientation characteristic of that class. As in the case of police, age may be an important basis for differentiation, with older officials more likely to assume right-oriented positions. Among other bases are size of the institution and age level of the bulk of inmates. Juvenile corrections tends to have a higher likelihood of left-oriented staff, both at administrative and lower-echelon levels.

Prison reform is currently one of the most intense crusading issues of the left. While most reform efforts are exerted by persons not officially part of the correctional system, there has been some influx of left three and four persons into the official system itself, particularly among younger staff in juvenile correction facilities.

CONSEQUENCES OF IDEOLOGY

If, as is here contended, many of those involved in the tasks of planning and executing the major policies and procedures of our criminal justice system are subject to the influence of pervasive ideological assumptions about the nature of crime

ticularly on criminal law issues . . . ." Graham, *Profile of the "Nixon Court" Now Discernible,* N.Y. Times, May 24, 1972, at 28, col. 3. *See also* Graham, *Supreme Court, in Recent Term, Began Swing to Right That Was Sought by Nixon,* N.Y. Times, July 2, 1972, at 18, col. 1; *Nixon Appointees May Shift Court on Obscenity and Business,* N.Y. Times, October 2, 1972, at 16, col. 4. However, Gerald Gunther, in a careful review of the 1971 term of the Burger court, characterizes the court essentially as holding the line rather than moving to reverse the directions of the Warren Court or moving in new directions of its own. Gunther writes "There was no drastic rush to the right. The changes were marginal . . . . The new Court . . . has shown no inclination to overturn clear, carefully explained precedent." Gunther, *The Supreme Court 1971 Term, Foreword: In Search of Evolving Doctrine on a Changing Court: A Model for Newer Equal Protection,* 86 HARV. L. REV., 1, 2–3 (1972). *Cf.* Goldberg, *Supreme Court Review 1972, Foreword—The Burger Court 1971 Term: One Step Forward, Two Steps Backward?,* 63 J. CRIM. L.C. & P.S. 463 (1972). Although the court has shown an inclination to limit and specify some of the broader decisions of the Warren Court (*e.g.,* limiting rights to counsel at line-ups as dealt with in *Gilbert* and *Wade, see* Graham, July 2, 1972, *supra*), there does not appear at the time of writing any pronounced tendency to reverse major thrusts of Warren Court decisions relevant to presently-considered ideological issues, but rather to curb or limit momentum in these directions.

and methods of dealing with it—assumptions which are largely implicit and unexamined—the question then arises: what are the consequences of this phenomenon?

While both the crusading issues and graded ideological positions presented earlier were phrased to convey the tone of urgent imperatives, the assumptions from which they arise were phrased in relatively neutral terms as a set of general propositions about the nature, causes, and processes of coping with crime. So phrased and so regarded, these assumptions are susceptible to rational consideration. Their strengths and weakness can be debated, evidence can be employed to test the degree of validity each may possess, contradictions among them can be considered, and attempts made to explain or reconcile differences among them. Formulated and used in this manner, the question arises: why are they characterized here as "ideological?"

The scale of ideology presented comprises a single major parameter—substantive variation along a left-right scale with respect to a set of issues germane to crime and the criminal justice process. But there is an additional important parameter which must also be considered: that of intensity—the degree of emotional charge which attaches to the assumptions. It is the capacity of these positions to evoke the most passionate kinds of reactions and to become infused with deeply felt, quasi-religious significance that constitutes the crucial element in the difference between testable assumptions and ideological tenets. This dimension has the power to transform plausibility into ironclad certainty, conditional belief into ardent conviction, the reasoned advocate into the implacable zealot. Rather than being looked upon as useful and conditional hypotheses, these assumptions, for many, take the form of the sacred and inviolable dogma of the one true faith, the questioning of which is heresy, and the opposing of which is profoundly evil.

This phenomenon—ideological intensification—appears increasingly to exert a powerful impact on the entire field. Leslie Wilkins has recorded his opinion that the criminal justice enterprise is becoming progressively more scientific and secularized;[11] an opposite, or at least concurrent, trend is here suggested—that it is becoming progressively more ideologized. The consequences are many.

[11] Wilkins, *Crime in the World of 1990,* 4 FUTURES 203 (1970).

Seven will be discussed briefly: Polarization, Reverse Projection, Ideologized Selectivity, Informational Constriction, Catastrophism, and Distortion of Opposing Positions.

Polarization. Polarization is perhaps the most obvious consequence of ideological intensification. The more heavily a belief takes on the character of sacred dogma, the more necessary it becomes to view the proponents of opposing positions as devils and scoundrels, and their views as dangerous and immoral. Cast in this framework of the sacred and the profane, of virtuous heroes and despicable villians, the degree of accommodation and compromise that seems essential to the complex enterprise of criminal justice planning becomes, at best, enormously complicated, and at worst, quite impossible.

Reverse Projection. This is a process whereby a person who occupies a position at a given point along the ideological scale perceives those who occupy any point closer to the center than his own as being on the opposite side of the scale. Three aspects of this phenomenon, which appears in its most pronounced form at the extremes of the scale, should be noted. First, if one grants the logical possibility that there can exist a "centrist" position—not a position which maintains no assumptions, but one whose assumptions are "mixed," "balanced," or not readily characterizable—then this position is perceived as "rightist" by those on the left, and "leftist" by those on the right.

A second aspect concerns the intensity of antagonism often shown by those occupying immediately adjacent positions along the ideological scale. Perhaps the most familiar current manifestation of this is found in the bitter mutual denunciations of those classified here as occupying the positions of left four and left five. Those at left four are often taken by those at left five as far more dangerous and evil than those seen as patent facists at right four and five. Left fours stand accused as dupes of the right, selling out to or being coopted by the establishment, and blunting the thrust of social activism by cowardly vaccilation and compromise.

A third aspect of reverse projection is that one tends to make the most sensitive intrascale distinctions closest to the point that one occupies. Thus, someone at right four might be extremely sensitive to differences between his position and that of an absolute dictatorship advocate at right five, and at the same time cast left four and five into an undifferentiated class of commies, communist dupes and radicals, quite oblivious to the distinctions that loom so large to those who occupy these positions.

Ideologized Selectivity. The range of issues, problems, areas of endeavor, and arenas of activity relevant to the criminal justice enterprise is enormous. Given the vastness of the field relative to the availability of resources, decisions must be made as to task priorities and resource allocation. Ideology plays a paramount but largely unrecognized role in this process, to the detriment of other ways of determining priorities. Ideologized selectivity exerts a constant influence in determining which problem areas are granted greatest significance, which projects are supported, what kinds of information are gathered and how research results are analyzed and interpreted. Divergent resource allocation policies of major federal agencies can be viewed as directly related to the dominant ideological orientation of the agency.

Only one example of ideologized selectivity will be cited here. The increasing use of drugs, soft and hard, and an attendant range of drug-related crime problems is certainly a major contemporary development. The importance of this problem is reflected in the attention devoted to it by academic criminologists. One major reason for this intensive attention is that explanations for the spread of drug use fit the ideological assumptions shared by most academicians (drug use is an understandable product of alienation resulting from the failure of the system to provide adequate meaning and quality to life). Also one major ameliorative proposal, the liberalization of drug laws, accords directly with a crusading issue of the left—decriminalization.

Another contemporary phenomenon, quite possibly of similar magnitude, centers on the apparent disproportionate numbers of low-status urban blacks arrested for violent and predatory crimes, brought to court and sent to prison. While not entirely ignored by academic criminologists, the relatively low amount of attention devoted to this phenomenon stands in sharp contrast to the intensive efforts evident in the field of drugs. Important aspects of the problem of black crime do not fit the ideological assumptions of the majority of academic criminologists. Insofar as the issue is studied, the problem is generally stated in terms of oppressive, unjust and discriminatory behavior by society and its law-enforcement agents—a formulation

that accords with that tenet of the left which assumes the capacity of officials to engender crime by their actions, and the parallel assumption that major responsibility for crime lies in conditions of the social order. Approaches to the problem that involve the careful collection of information relative to such characteristics of the population itself as racial and social status run counter to ideological tenets that call for the minimization of such distinctions both conceptually and in practice, and thus are left largely unattended.

Informational Constriction. An attitude which is quite prevalent in many quarters of the criminal justice enterprise today involves a depreciation of the value of research in general, and research on causes of crime in particular. Several reasons are commonly given, including the notion that money spent on research has a low payoff relative to that spent for action, that past research has yielded little of real value for present problems, and that research on causes of crime in particular is of little value since the low degree of consensus among various competing schools and theorists provides little in the way of unified conclusions or concrete guidance. Quite independent of the validity of such reasons, the anti-research stance can be seen as a logical consequence of ideological intensification.

For the ideologically committed at both ends of the scale, new information appears both useless and dangerous. It is useless because the basic answers, particularly with respect to causes, are already given, in their true and final form, by the ideology; it is dangerous because evidence provided by new research has the potential of calling into question ideologically established truths.

In line with this orientation, the present enterprise, that of examining the influence of ideology on criminal justice policy and programs, must be regarded with distaste by the ideologically intense—not only because it represents information of relevance to ideological doctrine, but also because the very nature of the analysis implies that ideological truth is relative.

Catastrophism. Ideological partisans at both extremes of the scale are intensely committed to particular programs or policies they wish to see effected, and recurrently issue dire warnings of terrible castastrophes that will certainly ensue unless their proposals are adopted (Right: Unless the police are promptly given full power to curb criminality and unless rampant permissiveness toward criminals is halted, the country will surely be faced with an unprecedented wave of crime and violence; Left: Unless society promptly decides to provide the resources necessary to eliminate poverty, discrimination, injustice and exploitation, the country will surely be faced with a holocaust of violence worse than ever before). Such predictions are used as tactics in a general strategy for enlisting support for partisan causes: "Unless you turn to us and our program . . . ." That the great bulk of catastrophes so ominously predicted do not materialize does not deter catastrophism, since partisans can generally claim that it was the response to their warnings that forestalled the catastrophe. Catastrophism can thus serve to inhibit adaptation to real crises by casting into question the credibility of accurate prophets along with the inaccurate.

Magnification of Prevalence. Ideological intensification produces a characteristic effect on perceptions of the empirical prevalence of phenomena related to areas of ideological concern. In general, targets of ideological condemnation are represented as far more prevalent than carefully collected evidence would indicate. Examples are estimates by rightists of the numbers of black militants, radical conspirators, and welfare cheaters, and by leftists of the numbers of brutal policemen, sadistic prison personnel, and totally legitimate welfare recipients.

Distortion of the Opposition. To facilitate a demonstration of the invalidity of tenets on the opposite side of the ideological scale it is necessary for partisans to formulate the actual positions of the opposition in such a way as to make them most susceptible to refutation. Opposition positions are phrased to appear maximally illogical, irrational, unsupportable, simplistic, internally contradictory, and, if possible, contemptible or ludicrous. Such distortion impedes the capacity to adequately comprehend and represent positions or points of view which may be complex and extensively developed—a capacity that can be of great value when confronting policy differences based on ideological divergencies.

IMPLICATIONS

What are the implications of this analysis for those who face the demanding tasks of criminal justice action and planning? It might first appear that the prescription would follow simply and directly from the diagnosis. If the processes of formulating and implementing policy with respect to crime problems are heavily infused with ideological doctrine, and if this produces a variety of

disadvantageous consequences, the moral would appear to be clear: work to reverse the trend of increased ideological intensification, bring out into the open the hidden ideological agenda of the criminal justice enterprise, and make it possible to release the energy now consumed in partisan conflict for a more direct and effective engagement with the problem field itself.

But such a prescription is both overly optimistic and overly simple. It cannot be doubted that the United States in the latter 20th century is faced with the necessity of confronting and adapting to a set of substantially modified circumstances, rooted primarily in technological developments with complex and ramified sociological consequences. It does not appear too far-fetched to propose that major kinds of necessary social adaptation in the United States can occur only through the medium of ardently ideological social movements—and that the costs of such a process must be borne in order to achieve the benefits it ultimately will confer. If this conception is correct, then ideological intensification, with all its dangers and drawbacks, must be seen as a necessary component of effective social adaptation, and the ideologists must be seen as playing a necessary role in the process of social change.

Even if one grants, however, that ideology will remain an inherent element of the policy-making process, and that while enhancing drive, dedication and commitment it also engenders rigidity, intolerance and distortion—one might still ask whether it is possible to limit the detrimental consequences of ideology without impairing its strengths. Such an objective is not easy, but steps can be taken in this direction. One such step entails an effort to increase ones' capacity to discriminate between those types of information which are more heavily invested with ideological content and those which are less so. This involves the traditional distinction between "fact" and "value" statements.[12] The present delineation of selected

ideological stances of the left and right provides one basis for estimating the degree to which statements forwarded as established conclusions are based on ideological doctrine rather than empirically supportable evidence. When assertions are made about what measures best serve the purposes of securing order, justice, and the public welfare, one should ask "How do we know this?" If statements appear to reflect in greater or lesser degree the interrelated patterns of premises, assumptions and prescriptions here characterized as "ideological," one should accomodate one's reactions accordingly.

Another step is to attempt to grant the appropriate degree of validity to positions on the other side of the scale from one's own. If ideological commitment plays an important part in the process of developing effective policy, one must bear in mind that both left and right have important parts to play. The left provides the cutting edge of innovation, the capacity to isolate and identify those aspects of existing systems which are least adaptive, and the imagination and vision to devise new modes and new instrumentalities for accomodating emergent conditions. The right has the capacity to sense those elements of the established order that have strength, value, or continuing usefulness, to serve as a brake on over-rapid alteration of existing modes of adaptation, and to use what is valid in the past as a guide to the future. Through the dynamic clash between the two forces, new and valid adaptations may emerge.

None of us can free himself from the influence of ideological predilections, nor are we certain that it would be desirable to do so. But the purposes of effective policy and practice are not served when we are unable to recognize in opposing positions the degree of legitimacy, validity, and humane intent they may possess. It does not seem unreasonable to ask of those engaged in the demanding task of formulating and implementing criminal justice policy that they accord to differing positions that measure of respect and consideration that the true idealogue can never grant.

[12] The classic formulations of the distinction between "factual" and "evaluative" content of statements about human behavior are those of Max Weber.

See, e.g., A. HENDERSON & T. PARSONS, *supra* note 6, at 8 *passim*. *See also* G. MYRDAL, *supra* note 3.

APPENDIX

CHART I

SOURCES OF CRIME: LOCUS OF RESPONSIBILITY

Left	*Right*

Left

5. Behavior designated as "crime" by the ruling classes is an inevitable product of a fundamentally corrupt and unjust society. True crime is the behavior of those who perpetuate, control, and profit from an exploitative and brutalizing system. The behavior of those commonly regarded as "criminals" by establishment circles in fact represents heroic defiance and rebellion against the arbitrary and self-serving rules of an immoral social order. These persons thus bear no responsibility for what the state defines as crime; they are forced into such actions as justifiable responses to deliberate policies of oppression, discrimination, and exploitation.

4. Those who engage in the more common forms of theft and other forms of "street crime" are essentially forced into such behavior by a destructive set of social conditions caused by a grossly inequitable distribution of wealth, power, and privilege. These people are actually victims, rather than perpetrators of criminality; they are victimized by discrimination, segregation, denial of opportunity, denial of justice and equal rights. Their behavior is thus a perfectly understandable and justified reaction to the malign social forces that bring it about. Forms of crime perpetrated by the wealthy and powerful—extensive corruption, taking of massive profits through illicit collusion, outright fraud and embezzlement—along with a pervasive pattern of marginally legal exploitative practices—have far graver social consequences than the relatively minor offenses of the so-called "common" criminal. Yet these forms of crime are virtually ignored and their perpetrators excused or assigned mild penalties, while the great bulk of law-enforcement effort and attention is directed to the hapless victims of the system.

3. Public officials and agencies with responsibility for crime and criminals must share with damaging social conditions major blame for criminality. By allocating pitifully inadequate resources to criminal justice agencies the government virtually assures that they will be manned by poorly qualified, punitive, moralistic personnel who are granted vast amounts of arbitrary coercive power. These persons use this power to stigmatize, degrade and brutalize those who come under their jurisdiction, thus permitting them few options other than continued criminality. Society also manifests enormous reluctance to allocate the resources necessary to ameliorate

Right

5. Crime and violence are a direct product of a massive conspiracy by highly-organized and well-financed radical forces seeking deliberately to overthrow the society. Their basic method is an intensive and unrelenting attack on the fundamental moral values of the society, and their vehicle is that sector of the populace sufficiently low in intelligence, moral virtue, self-control, and judgment as to serve readily as their puppets by constantly engaging in those violent and predatory crimes best calculated to destroy the social order. Instigators of the conspiracy are most often members of racial or ethnic groups that owe allegiance to and are supported by hostile foreign powers.

4. The bulk of serious crime is committed by members of certain ethnic and social class categories characterized by defective self-control, self-indulgence, limited time-horizons, and undeveloped moral conscience. The criminal propensities of these classes, which appear repeatedly in successive generations, are nurtured and encouraged by the enormous reluctance of authorities to apply the degree of firm, swift, and decisive punishment which could serve effectively to curb crime. Since criminality is so basic to such persons, social service programs can scarcely hope to affect their behavior, but their low capacity for discrimination makes them unusually susceptible to the appeals of leftists who goad them to commit crimes in order to undermine the society.

3. The root cause of crime is a massive erosion of the fundamental moral values which traditionally have served to deter criminality, and a concomitant flouting of the established authority which has traditionally served to constrain it. The most extreme manifestations of this phenomenon are found among the most crime-prone sectors of the society—the young, minorities, and the poor. Among these groups and elsewhere there have arisen special sets of alternative values or "countercultures" which actually provide direct support for the violation of the legal and moral norms of law-abiding society. A major role in the alarming increase in crime and vio-

CHART I—*Continued*

the root social causes of crime—poverty, urban deterioration, blocked educational and job opportunities—and further enhances crime by maintaining widespread systems of segregation— separating race from race, the poor from the affluent, the deviant from the conventional and the criminal from the law-abiding.

lence is played by certain elitist groups of left-oriented media writers, educators, jurists, lawyers, and others who contribute directly to ciminality by publicizing, disseminating, and supporting these crime-engendering values.

2. Although the root causes of crime lie in the disabling consequences of social, economic, and educational deprivation concentrated primarily among the disadvantaged in low-income communities, criminal behavior is in fact widely prevalent among all sectors of the society, with many affluent people committing crimes such as shoplifting, drunkenness, forgery, embezzlement, and the like. The fact that most of those subject to arrest and imprisonment have low-income or minority backgrounds is a direct consequence of an inequitable and discriminatory application of the criminal justice process—whereby the offenses of the more affluent are ignored, suppressed, or treated outside of a criminal framework, while those of the poor are actively prosecuted. A very substantial portion of the crime dealt with by officials must in fact be attributed to the nature of the criminal statutes themselves. A wide range of commonly pursued forms of behavior such as use of drugs, gambling, sexual deviance—are defined and handled as "crime", when in fact they should be seen as "victimless" and subject to private discretion. Further, a substantial portion of these and other forms of illegal behavior actually reflect illness—physical or emotional disturbance rather than criminality.

2. A climate of growing permissiveness and stress on immediate personal gratification are progressively undermining the basic deterrents to criminal behavior—self-discipline, responsibility, and a well-developed moral conscience. The prevalent tendency by liberals to attribute blame for criminality to "the system" and its inequities serves directly to aggravate criminality by providing the criminal with a fallacious rationalization which enables him to excuse his criminal behavior, further eroding self-discipline and moral conscience.

1. Crime is largely a product of social ills such as poverty, unemployment, poor quality education, and unequal opportunities. While those who commit crimes out of financial need or frustration with their life conditions deserve understanding and compassion, those who continue to commit crimes in the absence of adequate justification should in some degree be held accountable for their behavior; very often they are sick or disturbed persons who need help rather than punishment. Officials dealing with crime are often well-meaning, but they sometimes act unjustly or repressively out of an excessively narrow focus on specific objectives of law-enforcement. Such behavior in turn reflects frustration with the failure of society to provide them adequate resources to perform their tasks for which they are responsible, as it also fails to provide the resources needed to ameliorate the community conditions which breed crime.

1. The behavior of persons who habitually violate the law is caused by defective upbringing in the home, parental neglect, inadequate religious and moral training, poor neighborhood environment, and lack of adequate role-models. These conditions result in a lack of proper respect for the law and insufficient attention to the basic moral principles which deter criminality. The federal government also contributes by failing to provide local agencies of prevention and law-enforcement with sufficient resources to perform adequately the many tasks required to reduce or control crime.

CHART II

MODES OF DEALING WITH CRIME: POLICIES WITH RESPECT TO OFFENDERS

Left	*Right*
5. Since the bulk of acts defined as "crime" by the ruling classes simply represent behavior which threatens an invalid and immoral social system, those who engage in such acts can in no sense be regarded as culpable, or "criminal". There is thus no legitimate basis for any claim of official jurisdiction over, let alone any right to restrain, so-called offenders. Persons engaging in acts which help to hasten the inevitable collapse of a decadent system should have full and unrestrained freedom to continue such acts, and to be provided the maximum support and backing of all progressive elements. The vast bulk of those now incarcerated must be considered as political prisoners, unjustly deprived of freedom by a corrupt regime, and freed at once.	5. Habitual criminals, criminal types, and those who incite them should bear the full brunt of social retribution, and be prevented by the most forceful means possible from further endangering society. Murderers, rapists, arsonists, armed robbers, subversives and the like should be promptly and expeditiously put to death. The more vicious and unregenerate of these criminals should be publicly executed as an example to others. To prevent future crimes, those classes of persons who persistently manifest a high propensity for criminality should be prevented from reproducing, through sterilization or other means. Those who persist in crimes calculated to undermine the social order should be completely and permanently removed from the society, preferably by deportation.
4. All but a very small proportion of those who come under the jurisdiction of criminal justice agencies pose no real danger to society, and are entitled to full and unconditional freedom in the community at all stages of the criminal justice process. The state must insure that those accused of crimes, incarcerated, or in any way under legal jurisdiction be granted their full civil rights as citizens, and should make available to them at little or no cost the full range of legal and other resources necessary to protect them against the arbitrary exercise of coercive power. Criminal justice processing as currently conducted is essentially brutalizing—particularly institutional incarceration, which seriously aggravates criminality, and which should be entirely abolished. "Rehabilitation" under institutional auspices is a complete illusion; it has not worked, never will work, and must be abandoned as a policy objective. Accused persons, prisoners, and members of the general public subject to the arbitrary and punitive policies of police and other officials must be provided full rights and resources to protect their interests—including citizen control of police operations, full access to legal resources, fully developed grievance mechanisms, and the like.	4. Dangerous or habitual criminals should be subject to genuine punishment of maximum severity, including capital punishment where called for, and extended prison terms (including life imprisonment) with airtight guarantees that these be fully served. Probation and parole defeat the purposes of public protection and should be eliminated. Potential and less-habituated criminals might well be deterred from future crime by highly visible public punishment such as flogging, the stocks, and possibly physical marking or mutilation. To speak of "rights" of persons who have chosen deliberately to forfeit them by engaging in crime is a travesty, and malefactors should receive the punishment they deserve without interference by leftists working to obstruct the processes of justice. "Rehabilitation" as a policy objective is simply a weakly disguised method of pampering criminals, and has no place whatever in a proper system of criminal justice. Fully adequate facilities for detection, apprehension, and effective restraint of criminals should be granted those police and other criminal justice personnel who realize that their principal mission is swift and unequivocal retribution against wrongdoers and their permanent removal from society to secure the full protection of the law-abiding.
3. Since contacts with criminal justice officials—particularly police and corrections personnel—increase the likelihood that persons will engage in crime, a major objective must be to divert the maximum number of persons away from criminal justice agencies and into service programs in the community—the proper arena for helping offenders. There should be maximum use of probation as an alternative to incarceration, and parole as an	3. Rampant permissiveness and widespread coddling of criminals defeat the purposes of crime control and must be stopped. Those who persist in the commission of serious crime and whose behavior endangers the public safety should be dealt with firmly, decisively and forcefully. A policy of strict punishment is necessary not only because it is deserved by offenders but also because it serves effectively to deter potential criminals among the general public.

CHART II—*Continued*

alternative to extended incarceration. However, both services must be drastically overhauled, and transformed from ineffective watchdog operations manned by low-quality personnel to genuine and effective human services. Institutionalization should be the alternative of last resort, and used only for those proven to be highly dangerous, or for whom services cannot be provided outside of an institutional context. Those confined must be afforded the same civil rights as all citizens, including full access to legal resources and to officially-compiled information, fully-operational grievance mechanisms, right of petition and appeal from official decisions. Every attempt must be made to minimize the separation between institution and community by providing frequent leaves, work-release furloughs, full visitation rights, full access to citizen's groups. Full rights and the guarantee of due process must be provided for all those accused of crimes—particularly juveniles, minorities, and the underprivileged.

2. Since the behavior of most of those who commit crimes is symptomatic of social or psychological forces over which they have little control, ameliorative efforts must be conducted within the framework of a comprehensive strategy of services which combines individually-oriented clinical services and beneficial social programs. Such services should be offered in whatever context they can most effectively be rendered, although the community is generally preferable to the institution. However, institutional programs organized around the concept of the therapeutic community can be most effective in helping certain kinds of persons, such as drug users, for whom external constraints can be a useful part of the rehabilitative process. Rehabilitation rather than punishment must be the major objective in dealing with offenders. Treatment in the community—in group homes, halfway houses, court clinics, on probation or parole—must incorporate the maximum range of services, including vocational training and placement, psychological testing and counselling, and other services which presently are either unavailable or woefully inadequate in most communities. Where imprisonment is indicated, sentences should be as short as possible, and inmates should be accorded the rights and respect due all human beings.

1. Effective methods for dealing with actual or putative offenders require well-developed and sophisticated methods for discriminating among varying categories of persons, and gearing treatment to the differential needs of the several types thus discriminated. A major goal is to insure that those most likely to benefit from psychological counseling and

A major effort must be directed toward increasing the rights and resources of officials who cope with crime, and decreasing the rights and resources—legal, statutory, and financial—of those who use them to evade or avoid deserved punishment. Predetention measures such as bail, suspended sentences and probation should be used only when it is certain that giving freedom to actual or putative criminals will not jeopardize public safety, and parole should be employed sparingly and with great caution only in those cases where true rehabilitation seems assured. The major objective both of incarceration and rehabilitation efforts must be the protection of law-abiding society, not the welfare of the offender.

2. Lawbreakers should be subject to fair but firm penalties based primarily on the protection of society, but taking into account as well the future of the offender. Successful rehabilitation is an important objective since a reformed criminal no longer presents a threat to society. Rehabilitation should center on the moral re-education of the offender, and instill in him the respect for authority and basic moral values which are the best safeguards against continued crime. These aims can be furthered by prison programs which demand hard work and strict discipline, for these serve to promote good work habits and strengthen moral fiber. Sentences should be sufficiently long as to both adequately penalize the offender and insure sufficient time for effective rehabilitation. Probation and parole should not be granted indiscriminately, but reserved for carefully selected offenders, both to protect society and because it is difficult to achieve the degree of close and careful supervision necessary to successful rehabilitation outside the confines of the institution.

1. An essential component of any effective method for dealing with violators is a capability for making careful and sensitive discriminations among various categories of offenders, and tailoring appropriate dispositional measures to different types of offenders. In particular, the capacity to differentiate between those with a good potential for reform and those with

CHART II—*Continued*

other therapeutic methods will receive the kinds of treatment they need, rather than wasting therapeutic resources on that relatively small group of offenders whose behavior is essentially beyond reform, and are poor candidates for rehabilitation. All those under the jurisdiction of criminal justice agencies should be treated equitably and humanely. Police in particular should treat their clients with fairness and respect—especially members of minority groups and the disadvantaged. Careful consideration should be given before sentencing offenders to extended prison terms to make sure that other alternatives are not possible. Similarly, probation and parole should be used in those cases where these statutes appear likely to facilitate rehabilitation without endangering public safety. Prisoners should not be denied contact with the outside world, but should have rights to correspondence, visiting privileges, and access to printed and electronic media. They should also be provided with facilities for constructive use of leisure time, and program activities aimed to enhance the likelihood of rehabilitation.

a poor potential will ensure that the more dangerous kinds of criminals are effectively restrained. Probationers and parolees should be subject to close and careful supervision both to make sure that their activities contribute to their rehabilitation and that the community is protected from repeat violations by those under official jurisdiction. Time spent in prison should be used to teach inmates useful skills so that they may re-enter society as well-trained and productive individuals.

CHART III

MODES OF DEALING WITH CRIME: POLICIES WITH RESPECT TO CRIMINAL JUSTICE AGENCIES

Left	*Right*
5. The whole apparatus of so-called "law-enforcement" is in fact simply the domestic military apparatus used by the ruling classes to maintain themselves in power, and to inflict harassment, confinement, injury or death on those who protest injustice by challenging the arbitrary regulations devised by the militarists and monopolists to protect their interests. To talk of "reforming" such a system is farcical; the only conceivable method of eliminating the intolerable injustices inherent in this kind of society is the total and forceful overthrow of the entire system, including its so-called "law-enforcement" arm. All acts which serve this end, including elimination of members of the oppressor police force, serve to hasten the inevitable collapse of the system and the victory of progressive forces.	5. Maximum possible resources must be provided those law-enforcement officials who realize that their basic mission is the protection of society and maintenance of security for the law-abiding citizen. In addition to substantial increases in manpower, law-enforcement personnel must be provided with the most modern, efficient and lethal weaponry available, and the technological capacity (communications, computerization, electronic surveillance, aerial pursuit capability) to deliver maximum force and facilities possible to points of need—the detection, pursuit, and arrest of criminals, and in particular the control of terrorism and violence conducted or incited by radical forces.
4. The entire American system of criminal justice must be radically reformed. Unless there is a drastic reduction in the amount of power now at the disposal of official agencies—particularly the police and corrections, a police state is inevitable. In particular, unchecked power currently possessed by poorly qualified, politically reactionary officials to deal with accused and suspected persons as they see fit must be curtailed; their behavior brutalizes and radicalizes the clients of the system. To these officials, "dangerous"	4. The critical crime situation requires massive increases in the size of police forces and their technological capacity to curb crime—particularly in the use of force against criminals and radical elements. It is imperative that police command full freedom to use all available resources, legal and technical, without interference from leftist elements seeking to tie their hands and render them impotent. The power of the courts to undermine the basis of police operations by denying them fundamental legal

usually means "politically unacceptable". Increasing concentration of power in entrenched bureaucracies must be checked, and the people given maximum rights to local control of their own lives, including the right to self protection through associations such as citizens councils and security patrols to counter police harassment and brutality and to monitor the operations of local prisons. Means must be found to eliminate the extensive corruption which pervades the system—exemplified by venal criminality within police departments and the unholy alliance between organized crime, corrupt politicians, and those who are supposedly enforcing the laws. Most of the criminal offenses now on the books should be eliminated, retaining only a few truly dangerous crimes such as forceful rape, since most of the offenses which consume law-enforcement energies have no real victims, and should be left to private conscience. However, statutes related to illegality by business interests, bureaucrats, corporations and the like should be expanded, and enforcement efforts greatly increased. Virtually all prisons should be closed at once, and the few persons requiring institutional restraint should be accommodated in small facilities in local communities.

3. The more efficiency gained by law enforcement agencies through improvements in technology, communications, management, and so on, the greater the likelihood of harrassment, intimidation, and discrimination directed against the poor and minorities. Improvements in police services can be achieved only through fundamental and extensive changes in the character of personnel, not through more hardware and technology. This should be achieved by abandoning antiquated selection and recruitment policies which are designed to obtain secure employment for low-quality personnel and which systematically discriminate against the minorities and culturally disadvantaged. Lateral entry, culture-free qualification tests, and other means must be used to loosen the iron grip of civil-service selection and tenure systems. The outmoded military model with its rigid hierarchical distinctions found among the police and other agencies should be eliminated, and a democratic organizational model put in its place. The police must see their proper function as service to the community rather than in narrow terms of law-enforcement. As part of their community responsibility, law enforcement agencies should stringently limit access to information concerning offenders, especially younger ones, and much of such information should be destroyed. There must be maximum public access to the inner operations of police, courts and prisons by insuring full flow of

powers must be curbed. The nation's capacity for incarcerating criminals—particularly through maximum security facilities—must be greatly expanded, and prison security strengthened. The "prison reform" movement rests on a mindless focus on the welfare of convicted felons and a blind disregard for the welfare of law-abiding citizens. Particularly pernicious is the movement now underway to unload thousands of dangerous criminals directly into our communities under the guise of "community corrections" (halfway houses, group homes, etc.). The local citizenry must unite and forcefully block this effort to flood our homes and playgrounds with criminals, dope addicts, and subversives. Increasing concentration of power in the hands of centralized government must be stopped, and basic rights returned to the local community—including the right to exclude dangerous and undesirable elements, and the right to bear arms freely in defense of home and family. Strict curbs must be imposed on the freedom of the media to disseminate materials aimed to undermine morality and encourage crime.

3. Law enforcement agencies must be provided all the resources necessary to deal promptly and decisively with crime and violence. Failure to so act encourages further law breaking both by those who are subject to permissive and inefficient handling and by those who become aware thereby how little risk they run of being caught and penalized for serious crimes. The rights of the police to stringently and effectively enforce the law must be protected from misguided legalistic interference—particularly the constant practice of many judges of granting freedom to genuine criminals laboriously apprehended by the police, often on the basis of picayune procedural details related to "due process" or other legalistic devices for impeding justice. The scope of the criminal law must be expanded rather than reduced; there is no such thing as "victimless" crime; the welfare of all law-abiding people and the moral basis of society itself are victimized by crimes such as pornography, prostitution, homosexuality and drug use, and offenders must be vigorously pursued, prosecuted, and penalized. Attempts to prevent crime by pouring massive amounts of tax dollars into slum communities are worse than useless, since such people can absorb limitless welfare "benefits" with no appreciable effect on their criminal propensities. Communities must resist attempts to open up their streets and homes to hardened criminals through halfway houses and other forms of "community corrections".

CHART III—*Continued*

information to the media, full accountability to and visitation rights by citizens and citizen groups, and full public disclosure of operational policies and operations. The major burden of corrections should be removed from the institutions, which are crime-breeding and dehumanizing, and placed directly in the communities, to which all offenders must at some point return.

2. A basic need of the criminal justice system is an extensive upgrading of the quality of personnel. This must be done by recruiting better qualified people—preferably with college training, in all branches and at all levels, and by mounting effective in-service training programs. Higher quality and better trained personnel are of particular importance in the case of the police, and training must place more stress on human relations studies such as psychology and sociology, and relatively less stress on purely technical aspects of police work. Quality must be maintained by the development and application of performance standards against which all personnel must be periodically measured, and which should provide the basis for promotion. Sentencing procedures must be standardized, rationalized, and geared to specific and explicit rehabilitative objectives rather than being left to the often arbitrary and capricious whims of particular judges. Corrections as well as other criminal justice agencies must be made more humane and equitable, and the rights of prisoners as individuals should be respected. Attempts should be made to reduce the degree of separation of prison inmates from the outside world. Changes in both legislation and law enforcement policies must be directed to reducing the disparities in arrest rates between richer and poorer offenders, so that commensurately fewer of the poor and underprivileged and more of the better off, are sought out, convicted, and imprisoned. Promising programs of humane reform must not be abandoned simply because they fail to show immediate measurable results, but should receive continued or increased federal support.

1. There must be better coordination of existing criminal justice facilities and functions so as to better focus available services on the whole individual, rather than treating him through disparate and compartmentalized efforts. This must entail better liaison between police, courts and corrections and greatly improved lines of communication, to the end of enabling each to attain better appreciation, understanding and knowledge of the operational problems of the others. Coordination and liaison must also increase between the criminal justice agencies and the general welfare services of the community,

2. There should be substantial increases in the numbers and visibility of police, particularly in and around schools, places of business, and areas of family activity. Although a few bad apples may appear from time to time, the bulk of our police are conscientious and upstanding men who deserve the continued respect and support of the community, and who should be granted ample resources to do the job to which they are assigned. Some of the proposed prison reforms may be commendable, but the burden to the taxpayer must never be lost sight of: most of the reforms suggested or already in practice are of dubious benefit or yield benefits clearly not commensurate with their costs. More effort should be directed to prevention of crime; in particular, programs of moral re-education in the schools and communities, and the institution of safeguards against the influence of those in the schools, media and elsewhere who promote criminality by challenging and rejecting the established moral values which serve to forestall illegal and immoral conduct.

1. The operations of the police should be made more efficient, in part through increased use of modern managerial principles and information processing techniques. Police protection should focus more directly on the local community, and efforts should be made to restore the degree of personal moral integrity and intimate knowledge of the local community which many older policemen had but many younger ones lack. Prison reform is important, but innovations should be instituted gradually and with great caution, and the old should not be discarded until the new is fully proven to be adequate. There

CHART III—*Continued*

which have much to contribute both in the way of prevention of crime and rehabilitation of criminals. Local politicians often frustrate the purposes of reform by consuming resources in patronage, graft, and the financial support of entrenched local interests, so the federal government must take the lead in financing and overseeing criminal justice reform efforts. Federal resources and standards should be utilized to substantially increase the level and quality of social service resources available to criminal justice enterprises, promulgate standardized and rationalized modes of operation in local communities, and bring administrative coherence to the host of uncoordinated efforts now in progress.

should be much better coordination among law enforcement agencies, to reduce inefficiency, wasteful overlap, and duplication of services. The federal government must assume a major role in providing the leadership and financial resources necessary to effective law-enforcement and crime control.

ERRATA

In the March, 1973 issue:

At p. 111: footnote *, first sentence, should read: "Assistant Professor of Sociology, Associate of the Center for Russian and East European Studies, University of Michigan."

At p. 114, Table 4: footnote 3, first sentence, should read: "Totals greater than 1005 are too large to be attributable to rounding errors."

At p. 114, Table 4: insert figure "3" in columns headed "Moscow" and "Briansk."