

Democratic Criminology: The Place of Criminological Expertise in the Public Sphere

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Abstract

The relationship between criminological research and the formation of criminal justice policy has recently been the subject of scholarly criticism. As part of this discussion, the authors develop a theory of "democratic criminology" which places criminological knowledge in the context of public debates about crime and justice matters. The authors contrast two traditional conceptions of the relationship between social science and the public sphere

(technocratic and genealogical) with an approach that assumes a more democratic role for criminology by placing its research practices in dialog with public opinion. A democratic criminology understands that the public's concerns about crime issues have value regardless of the scientific validity of their views. After outlining such a model of interaction between criminological research and public debates, the paper concludes with an example based on recent research regarding the placement of police in American schools.

Keywords: democratic criminology, public criminology, public policy

Recently, a number of scholars have engaged with the idea of "public criminology", including contributors to a special issue of *Theoretical Criminology* (Chancer and McLaughlin, 2007; see also Garland and Sparks, 2000; Zahn, 1999). The essays in that issue focused primarily on the growing disjunction between criminological knowledge and criminal justice policies, considered causes of this disconnect, and discussed how criminologists might do a better job of disseminating criminological knowledge in ways that can contribute substantively to the policy-making process.

The importance of this mission becomes even clearer when one also considers a number of recent occurrences, such as Michael Burawoy's call for "public sociology" (Burawoy, 2005), and the fact that the American Society of Criminology recently launched a new journal, *Criminology & Public Policy*, the stated objective of which is to: "Strengthen the role of research findings in the formulation of crime and justice policy through publishing empirically based, policy-focused articles." In his 2009 Presidential Address to the American Society of Criminology, Todd Clear (2010) challenged criminologists to make a greater contribution to public policy debates. Additionally, funding agencies such as the National Science Foundation (in the United States) and the Economic and Social Research

Council (in the United Kingdom) require investigators to produce policy-relevant research as a condition of funding. Thus, this is not exclusively, or even primarily, a US phenomenon as the UK has likewise emphasized the importance of “knowledge transfer” between the academy and policy formation (Hillyard et al, 2004).

These essays on public criminology focused primarily on the discipline’s contribution to the policy-making process rather than to public opinion at-large. In their introductory comments, for example, Chancer and McLaughlin (2007) outline two purposes to the special issue of *Theoretical Criminology*:

...to outline a range of views that have been offered by academic criminologists on the discipline’s public status and its relationship to public policy formation and intellectual practice. A second goal is to argue the need for a diversity of ‘public criminologies’ wherein explicit value is placed on moving policies in more progressive directions.” (p. 156)

Such a focus on policy-making is unsurprising, since the problem that is largely responsible for this conversation (and certainly for Garland and Sparks’ (2000) framing of it) concerns how punitive punishment and policing practices could have gained such prominence despite strong objections of academic criminologists.

In this paper we expand this discussion by focusing on how criminological research can be directed to the public at-large, including sensitivity to public beliefs and relevance to policy debates.¹ Rather than analyzing specific strategies for how criminologists could make their contributions relevant and accessible for news media outlets or State agencies, as discussed in prior research (see Barak, 2007; Stanko, 2007; Wiles, 2002), we focus on how criminologists do and should draw conclusions about crime and criminal justice policies, and apply these conclusions to public discourse, in ways that interact with public opinion, broadly defined. We believe that producing work that resonates with public concerns, takes these concerns seriously, and yet uses criminological expertise to educate the public represents progress on its own and would enhance the credibility of the discipline beyond

academia. Moreover, better engagement with public opinion would facilitate the policy-making enterprise since, as Elliott Currie suggests (2007), policy-makers at times agree with criminologists' arguments but are reluctant to act on criminological research when it contradicts public sensibilities. Thus in this paper we focus on the space between criminological research and public discourse, and we elaborate on what a democratic model of public criminology would look like.

Engaging with public opinion is not an easy task for criminologists. Unlike most scientists, a criminologist offers her insights to a public that already has strong convictions regarding the issues that she studies. Whether it is penal policies, policing practices, or anti-juvenile delinquency strategies, the criminologist finds her public audience saturated with theories, either in the form of "common sense" notions about deviant behavior, or wrapped up in moral or theological language about the inherent goodness or evil of human beings or the justice and fairness of criminal justice policy. Unlike ecological, biological, or chemical matters, everybody has a theory about crime and everybody has an idea of what to do about it. This creates a problem for a criminologist who wishes to enter into public debates, since it demands that criminological knowledge engage with these public views in ways that are broadly viewed as legitimate.

While the connection between criminological research and these other value systems is a complex one, it is clear that the social scientific discourse, depending as it does on the development of complex theories of crime and careful theory testing, makes a unique and important contribution to our thinking about crime and criminal justice. However, its insights can often run counter to popular opinion and challenge cherished views. Whatever the power of her research and her conclusions, a criminologist who ventures into the public sphere can expect to find herself buffeted by political forces and her research questioned on grounds that are very different from peer review. Public sensibilities about crime and justice are influenced by many institutions and powers beyond the mere validity or invalidity of a criminological hypothesis (e.g., Beckett 1997; Garland, 1990). Public opinion and

empirical social science use two different discourses which operate in very different fashions. The question, then, is precisely what sort of contributions should criminologists be making to the public debate about crime and criminal justice, and what sorts of contributions can the broader public make to criminological research?

In a democratic society, of course, criminologists are not “philosopher kings” who dictate policy or instruct the populace from on high, nor should they be. Rather, they make their contributions as citizens, albeit highly trained ones, whose work must be heard by and digested through the public sphere. Here, criminologists must place their views before others and have their contributions criticized by people who may resist a dispassionate, analytical approach to a highly emotional topic. In turn, those who must develop criminal justice policies must balance the social scientific claims of criminologists with those of citizens who, regardless of their relative ignorance of the nature of social science, deserve to have their voices heard in the creation of criminal justice policies. In a society that is (theoretically) premised on the equality of all citizens, the social scientist is but one among many. Finally, the social scientist herself must make peace with her own fallibility, that history is littered with criminological theories which, despite the existence of apparently strong evidence on their behalf, failed to produce the desired results when transformed into policy. (Similarly, for most significant criminological contributions, there are a number of equally eminent social scientists who disagree with the contribution’s novelty, significance, or conclusions; see Austin, 2003; Sherman, 2005; Tittle, 2004) Thus, because of her subject and methods, the criminologist is placed in a complex and awkward position vis-à-vis government, the academy and the body politic.

In this essay we address this problem by defending a particular conception of criminological theory and practice in relation to the broader context of public debate. This approach, which we will refer to as *democratic criminology*, understands that criminologists are experts with a unique contribution to make to debates on criminal justice policy but understands this role shorn of its epistemological pretensions and aware of its political

limitations. Criminology has, at times, been closely linked to the formation of criminal justice policy, but as we will argue, the intimacy is (and should be) mediated by political processes that have their own value. This is to say that democracy as an independent value system should have an important role to play in developing social, legal, and political responses to crime, even when the democratic will runs contrary to social-scientific findings. We therefore take as a starting point the importance of public criminology, that criminological research should be relevant to the public and the policy-making process, and present a model for how the two can relate.

Two Models of Public Criminology

There are numerous models for understanding how social scientists and their findings interact with the broader society. In this section, we will briefly outline and critique two of these models and then contrast them with a democratic criminology.² We should note that these do not necessarily represent the approach of particular scholars. Rather, they are positions or voices that a criminologist may assume when she orients her research to the public at a particular point in time, and that the same individual can assume different positions over time or across projects (see Ericson, 2003).

1. Technocracy

Arguably the most common way that scholars understand the role of criminology in the public sphere is to see the social scientist as the expert whose knowledge should be used to formulate criminal justice policy – she can advise policymakers and help them to construct effective criminal justice policies based not on ideology or opinion but instead rooted in scientific research. The criminologist is an advisor who helps develop scientifically grounded criminal justice policies that, when properly applied, will result in lower crime rates or the other laudable goals that the criminologist seeks to achieve. As Garland and Sparks (2000) describe it: “The politics of modern criminology were essentially Fabian,

technicist and state-centered, typically offering top-down expert solutions for social problems and disorders... Policy was to be based upon research findings about the causes of crime and the most effective treatments, not upon political considerations, electoral advantage or irrational public sentiment.” (2000, 195) The analogy here is with an idealized conception of natural science: a physicist, chemist, or biologist provides expert knowledge (on global warming, the health effects of a certain substance, or the consequences of a particular chemical reaction) that a rational public should accept and which should serve as the basis for sound policy.

Of course, in reality this conception of natural science is hardly accurate. Whether it is the health effects of smoking, debates about global climate change, or the therapeutic merits of embryonic stem-cells, natural science has always been politicized when it enters into the public sphere (see Lynch et al., 2008). Moreover, as research in the sociology of science has effectively shown, scientific evidence itself is subject to various political and economic pressures as scientists seek to develop research agendas and arrive at conclusions that are politically loaded, despite being cloaked in the neutral-sounding discourse of objective research (Duster, 2003). However, the technocratic conception of the relationship between the social and natural sciences is more an ideal type than an attempt to model actual scientific practice, a type that often guides criminologists as they conduct

When scientific knowledge is questioned or criticized in the public sphere or its recommendations rejected, this public response is understood by technocratic criminologists as either “irrational” or “ideological”. That is to say that the rejection of social scientific data itself merits recourse to social scientific explanations. As Latour (1987) puts it:

The picture of non-scientists drawn by scientists becomes bleak: a few minds discover what reality is, while the vast majority of people have irrational ideas or at least are prisoners of many social, cultural and psychological factors that make them

stick obstinately to obsolete prejudices. The only redeeming aspect of this picture is that if it were only possible to eliminate all these factors that hold people prisoners of their prejudices, they would all, immediately and at no cost, become as sound-minded as the scientists. (pp. 184-185)

As an example, consider the position taken by many criminologists on capital punishment. Articles in criminological journals about capital punishment are overwhelmingly opposed to the practice as racist, fraught with error in its application, of little crime control value, and barbaric. Criminologists argue that the innocent may be condemned to death (Huff, 2001), that the race of offenders and victims are significant predictors of capital punishment (Paternoster & Brame, 2008), and that it is out-of-step with international standards of decency (Schabas, 1997). Despite some research coming from economists showing some deterrent value to executions (e.g., Dezhbakhsh, Rubin and Shepherd, 2003), the majority of criminological work shows no relationship between capital punishment and crime rates. In fact, the American Society of Criminology's only policy position that relates to an actual criminal justice policy is a statement opposing capital punishment.³

How well do these criminologists' arguments reflect public opinion? Largely they don't. Despite the criminological evidence, the majority of the American public supports the use of capital punishment. According to a recent Gallup poll, 64% of Americans surveyed support a sentence of death for a convicted murderer, with only 30% opposed (Saad, 2008). Not only are criminologists and a majority of the public on opposite sides of this issue, but standard responses from criminologists can be condescending toward public views. The public's failure to take into account criminological evidence about the perceived weaknesses of capital punishment are explained by appeal to vigilante ideologies, ignorance of the weaknesses of the death penalty, or other social pathologies – fundamentally irrational aspects of human social behavior (Zimring, 2003). A technocratic view holds that

widely accepted scientific evidence is sufficient grounds for changing policy independent of the views of the body politic, and that explaining the State's failure to do so requires appeal to irrational or pathological modes of explanation. Thus, scientific research in these cases should trump public opinion on criminological issues.

An important weakness of this approach to social science in general and criminology in particular is that it is fundamentally anti-democratic. That is to say that such a technocratic approach subordinates politics to policy and (to use Habermas' terms), *purposive action* (that is, instrumental, means-ends reasoning) to *communicative action* (that is, action aimed at reaching a consensus with others) (Habermas, 1985). As Habermas (1970) states:

The reduction of political power to rational administration can be conceived here only at the expense of democracy itself. If politicians were strictly subjected to objective necessity, a politically functioning public could at best legitimate the administrative personnel and judge the professional qualifications of salaried officials. But if the latter were of comparable qualifications it would in principle be a matter of indifference who obtained power. A technocratic administration of industrial society would deprive any democratic decision-making process of its object (p., 68).

The technocratic model reduces politics to technical, problem-solving issues, leaving out deeper discussions about the values inherent in the chosen approach. Thus, criminologists write about capital punishment as if a detached, empirically-driven perspective should be the only voice in the debate (avoiding normative questions about emotional and cultural elements of punishment). The views, perspectives, and experiences of the democratic polity are deprived of their relevance because of their perceived "irrelevance" or "irrationality". Given the significant role that communication and democratic practices play in ensuring legitimacy in modernity, depriving the public a meaningful voice in the debate over criminal justice policy, and discounting popular opinion when it conflicts with social-

scientific knowledge, has potentially dangerous cultural and political repercussions (Habermas, 1996).

Moreover, such a view greatly overplays the certainty of social-scientific conclusions, and thus, their value for guiding criminal justice policy. It is true that criminology provides important and useful information, but nearly a century of criminological research has resulted in few definite conclusions and even fewer (if any) "facts" Even the most persuasive criminological conclusions have, over time, been tempered and their utility questioned (Austin, 2003; Tittle, 2004). History is littered with penological theories that failed to reduce prison violence and recidivism, regardless of their apparent empirical or intuitive validity. Rather than being purely objective, criminological research is, to a great extent, socially constructed, since the presuppositions and normative orientations that guide this research are products of the researcher's culture, structural position, and other social or individual cues. While it is too extreme a conclusion to say that criminological knowledge is valueless, its insights do not have the efficacy, generalizability, or the certainty purported by the technocratic model.

2. *The Genealogical Approach*

The second model for understanding the relationship between criminology, criminal justice policy, and popular opinion swings to the extreme opposite from the technocratic model. Rather than seeing the views of the criminologist as those of a trained expert who rationally and scientifically guides policy-formation, for the genealogist, the contributions of the social scientist herself, along with criminal justice policy are a subject of analysis. The question of whether or not these theories are "true" is bracketed by the social scientist, as are questions about legitimacy (Fraser, 1981); instead, the theories are historicized and placed within broader political and social discourse, and their direct and indirect consequences explored.

Well-known versions of this approach include Foucault's *Discipline and Punish* (1975), Garland's *The Culture of Control* (2002), and Simon's *Governing through Crime*

(2007). Each of these works is focused more on discussing the construction and implementation of criminal justice than on using science for wise policy-formation. Foucault's "genealogical" approach examined the scientific, political, and legal discourses that shape the modern world, putting aside the validity of the theories themselves. Thus, his history of imprisonment is intended as "a genealogy of the present scientifico-legal complex from which the power to punish derives its bases, justification, and rules," (1975: 23) and not a systematic advocacy of any particular penal method. When taking such an approach, scholars study the creation and imposition of criminology and criminal justice policy, examining how criminological discourse constructs the figure of the criminal, the concept of the prison, and the implementation of criminal justice policy, rather than the construction of or advocacy for new criminal justice policy (Nelken, 1994).

The most valuable contribution of such genealogical approaches is that they bring out the hidden assumptions of both academic and popular thinking regarding crime, as well as the institutional and discursive structures that shape the production of knowledge of crime and criminal justice policy. This can allow policymakers and the public at large to see previously unseen consequences of their policies (as well as some unpleasant consequences of what was once portrayed as innocuous reform) and begin to address crime and justice problems in novel ways, exploring routes not taken. It can also critically evaluate the concept of "crime" itself, showing the social construction of the concept as well as the misplacement of many public fears about problems such as street crime or juvenile delinquency. For example, Foucault's work on punishment (1975) shows the hidden agenda behind the "humanization" of the prison system, an approach that can free penologists from the predominant humanitarian discourse. Additionally Simon's *Governing Through Crime* similarly argued that "By describing, the ways that governing through crime has distorted American institutional priorities across a wide variety of domains, this book invites discussion of the real social costs of investing so much in crime as a model problem" (2007, 10).

While its insights are important (and it will influence the democratic criminology we describe below), the genealogist turn cannot provide the whole picture for public criminology. Genealogical criminology focuses on a critical understanding of existing beliefs and practices, but does not provide any constructive guidance for policymakers who engage in the practical problems of contemporary criminal justice. In this tradition, social science becomes a meta-discourse about criminology and criminal justice policy, primarily a history and sociology of thought and only tangentially an empirical science. The critical approach to criminology and the related suspicion of "governmentality" has a limited utility for those who must make policy. Foucault himself recognized this and adamantly denied that there was a specific positive agenda to be *directly* gathered from his work, his focus on local resistances emphasizes the non-scientific character of social transformation (Fraser, 1981, 275-276). While this is clearly no serious slight against Foucault et al., who don't claim to be providing prescriptions as a part of their agenda, it does suggest that criminology needs more than the genealogist has to offer.⁴

As Young (1997) and Currie (1992) have pointed out in their critique of similar approaches to crime and justice, the reality of crime is overlooked when analysts remain focused on justice issues. This leaves the formation of criminal justice policy to other, often less progressive figures. Moreover, the harsh realities of crime, issues of great concern to the public, particularly to those living in disadvantaged communities, are ignored by scholars. As Currie (1992) describes this problem in relation to drug use:

Too many well-meaning progressives simply do not get it when it comes to the trauma of drugs in the cities. A world-view that cannot even acknowledge the seriousness of a social problem is necessarily unable to come up with anything approaching a credible remedy for it; in the absence of any effort to provide a remedy, there are plenty of other takers. Minimalism thus effectively ceded the political terrain on illicit drugs and violent crime to the political right. (p. 92)

And further to cite Young (1997):

Thus we have the characteristic syndrome of left idealism: great emphasis is placed on the criminal justice system as an autonomous agent which shapes and causes problems. Crime itself is played down, marginalized, and is not the focus of attention. Pathology and dysfunction within oppressed groups is minimalized or denied. (p. 479)

While it is undoubtedly true that the formation of criminal justice policy deserves critical scrutiny, the failure of much critical criminology to engage with the subject of crime *as a problem that ought to be addressed scientifically* is problematic for the development of public criminology. Thus, the connection between scientific knowledge and the democratic public must be re-thought.

An Alternative: Democratic Criminology

As we allude to above, in order to more effectively relate to political practice, criminological research should follow an alternate path. In this section we consider such a path, what we call democratic criminology. A democratic approach is unique from the technocratic and genealogical models primarily because of how the criminologist and her research interact with the public. It is important to balance an independent criminological research agenda with the often contradicting wishes and experiences of the general public, and to work towards better communication between these two discourses. A democratic model of criminology involves an exchange of ideas between the criminologist and the public, in which public concern helps direct criminological research and criminological research influences public opinion and policy. It requires the criminologist to take into account the public's concerns and beliefs – not solely as moral panics or social constructions that result from fear-inducing media reports, but as important on their own terms. Furthermore, democratic criminology communicates research results not only to scholars, but to the public as well (e.g., Green, 2008). In contrast, the technocratic model involves

criminologists who speak to but do not listen to the public, and the genealogical model involves criminologists who speak to other criminologists.

This approach follows on the contribution of the left realist school of criminology developed by Young (1997) and others. Such scholars encourage criminologists, and particularly those with a critical bent, to “take crime seriously”. This is to say that they ought to recognize that, while crime *may* be a by product of social conflict it is nonetheless pathological and a serious disruption of social life, and one that is of great concern to all members of a society. Thus, the left realists have focused on street level crime as well as crimes directed against vulnerable populations such as women and minorities (Taylor, 2007, p. 191). While not eschewing macro-structural explanations of criminal behavior, left realists sought to ground its analysis in the concerns of women, the poor, and minorities.

While democratic criminology shares the focus of the left realists with public concerns about crime, democratic criminologists go further. Not only should crime and justice be taken seriously by criminologists, but criminologists ought to think more deeply about the connections between social science, policy, and the public. This is to say that the gathering of scientific data ought to be linked with the public, but more importantly, the conclusions and policy recommendations that criminologists arrive at should be seen as contributions to a larger public debate about crime and justice policy, a debate with contributors from many other backgrounds who may arrive at very different conclusions from the criminologist herself.

Another distinguishing characteristic of democratic criminology is its recognition of its own fallibility. All social scientific knowledge, including criminological knowledge, is vulnerable to future rejection or revision, and all criminological hypotheses and conclusions are debatable (see Clear, 2010). This fallibility has two primary dimensions; at any given time, all criminological theories have both scholarly and non-scholarly critics who either question a particular set of methods or who question the veracity or generalizability of the criminologist’s conclusions. By pointing this out we do not mean to suggest that

criminologists must always offer only tentative advice, since as others have noted (e.g., Tittle, 2004) the public often wants bold conclusions and strong advice, and tentative advice using the careful and uncertain language of social science can dilute the public impact of criminological research. Therefore, we believe it is important for criminologists to promote evidence-based practices while also advocating for additional research to build on current knowledge.

A democratic model also recognizes that no criminological research is value-neutral. "Crime" itself is a normative concept as are justice, victim, and virtually all other terms that the criminologist uses to study her subject. When the criminologist operationalizes criminal justice terms, she deploys their normative categories to study social structures. Moreover, when the criminologist is advocating a particular policy, she is taking a stand about what society's priorities ought to be. Whether it is in the belief that deterrence *ought* to be valued over vengeance, order *ought* to be valued over disorder, property *ought* to be secured, lives *ought* to be protected, etc., the criminologist is not merely reporting facts when she advocates policy. Every time the criminologist commits herself to a policy based on her social-scientific findings, she has taken up a set of ideas as having value for society at large. This means that, to a large extent, criminologists are as engaged in normative debates about social priorities as they are about factual connections between causes and effects in the social sphere.

In addition to better understanding public opinion, criminologists must better communicate the results of their research to the public. This is the subject of several prior essays (e.g., Barak, 2007; Currie, 2007), and we have no need to repeat those arguments here. Suffice it to say that by engaging in research that is viewed as important by the public, and by incorporating public concerns into how one goes about conducting and interpreting the research, improved communication with the public might follow.

The first and perhaps most substantial obstacle that democratic criminological work might encounter is identifying who "the public" includes, given the many potential

stakeholders in the results of criminological research: policy-makers, citizens at large, parents, children, criminals, the elderly, disadvantaged communities, non-elected officials (e.g., school principals), and others. One could continue to list numerous different groups and subgroups within each group (e.g., parents of different races/ethnicities), each of which may have very different views, concerns and preferences, as well as different levels of opportunity to voice these views. Prioritizing the input of one group over another is an aspect of the researcher's value orientations that we discuss above, and criminologists ought to be cognizant of such choices and discuss their ramifications. Furthermore, when appropriate, criminologists should consult with as broad a range of public actors as her resources afford when conducting criminological inquiry, in an attempt to understand a broad array of views about crime and criminal justice issues. Moreover, disagreements among the public about criminological issues and variation in how much impact different groups have on criminal justice policy ought to be their own subjects of inquiry.

Assuming one can decide who the "public" consists of, the next challenge for democratic criminology is to find a venue for communicating research results to this public. Academic criminology journals and books rarely reach non-academics, and there are very few public forums for discussing and debating important social issues. New journals such as *Criminology & Public Policy* (ASC) and *Contexts* (ASA) represent progress on this front because of their intent to communicate academic research to broad audiences. It is also helpful when criminologists participate in local politics, through forums such as school boards and city council meetings, and when they contribute letters or opinion pieces to newspapers or contact local journalists to offer input on important criminological issues. Though these existing avenues are insufficient, they are a good start. If criminologists were to produce more research that is aimed at public consumption, thereby enlarging the supply of public criminology work, the market of publication outlets for this work might respond by expanding.

Another potential but significant difficulty arises when the recommendations of empirical research and public views diverge. This might occur with popular policies, such as the aforementioned capital punishment. In such a case it is important that the criminologist communicate research results in a way that still takes seriously the public's desires. Though researchers have argued that capital punishment is ineffective as a deterrent, democratic criminologists can still discuss the importance of the beliefs and values standing behind the call for more executions: a strong communal and retributive ideal of criminal justice (Grasmick et al, 1997) and a broad sense that penal decisions have been taken away from the community (Zimring, 2003). These are values that ought to be taken seriously by the criminologist and engaged with by the criminologist. Certainly this does not mean that the criminologist should simply defer to public opinion or take on broad cultural presuppositions when doing research; rather than such deference to the public, the criminologist should show respect for public views and engage with, but still challenge these views and presuppositions when her research contradicts them. The democratic model requires that one acknowledge the positive aspects of a criminal justice practice standing behind public support regardless of her personal and professional feelings on the subject. Thus the criminologist may still challenge conventional understandings by offering a critique of accepted practices and provide suggestions for how the positive aspects could be reworked into a system that better resembles evidence-based practices. Moreover, democratic deliberation is an ongoing process with no terminus, meaning that popular policy decisions can always be revised after further debate.

A conflict between public opinion and criminological inquiry can also arise when public fears seem to have no basis in fact. Above we stated that the democratic criminologist must take public fears to be important on their own terms, but how does one do this when it flies in the face of empirical research? Take, for example, rampant fears of child abduction by strangers, despite the rarity of such events (Best, 1988). Rather than writing condescendingly about an ignorant public, democratic criminology considers the

source of the public's fear, such as the difficulties placed on parents (and resulting anxieties) in a postmodern era marked by fragmented community ties (e.g., Putnam, 2001). When communicating these research results, one can also take seriously the horror that stranger abductions evoke, despite their rarity. (Any social scientist who is also a parent can understand the power of this fear.) In this way democratic criminology takes public fears seriously and treats them as important parts of an empirical puzzle, even while challenging these views.

Yet another important difficulty to overcome in this effort is that often, both policy-makers and criminologists lack a sufficient understanding of the nature of public opinions about crime and criminal justice, which tend to be far more complicated than sound-byte politics or over-simplistic penal policies would indicate (see Green, 2008). As an example, consider the public's views on transferring adolescents to criminal courts where they can be prosecuted as if they were adults. Polls have repeatedly shown that a majority of Americans favor such action when adolescents are arrested for a violent offense. In one study, Daniel Mears found that 87% of respondents favored such a response to violent youth (2001). Yet in an earlier study, Stalans and Henry (1994) found that when respondents are asked slightly more complicated questions – when contextual information about these hypothetical juvenile offenders is presented – support for transfer to adult court drops considerably. After presenting respondents with short vignettes describing juveniles who have committed murder, Stalans and Henry asked whether the respondents favored transfer to criminal court for the defendant. Their results suggest that the offender's characteristics matter, such as whether the juvenile is 14- or 16-years-old, whether the homicide victim was a stranger, whether the juvenile has any prior convictions, and particularly whether the juvenile offender was the victim of childhood abuse. Despite the severity of the offense in these vignettes, only 49% of respondents favored transfer to adult court for a juvenile who murdered an abusive father; in contrast, 76% favored transfer for a juvenile who murdered a non-abusive stranger (in both scenarios the juvenile were

described as having two prior convictions). Their research clearly illustrates how the types of mitigating factors that appear in many cases of juvenile offenders can substantially alter public views of the worthiness of transfer (see Kupchik, 2006). Though at first glance, transfer for violent youth appears to be very popular, the reality of this public support is significantly more complex and nuanced than it initially appears.⁵

Finally, democratic criminological work must also overcome the assumption that the relation between public opinion and policy-making is unidirectional rather than bidirectional. Though it is common to hear policy-makers talk about how they respond to the issues and opinions of the citizens who they represent, the reverse is true as well. That is, prior research illustrates how policy-makers often stoke fears among the public and highlight certain social problems for which these policy-makers are equipped with an apparent solution. In response to this manipulation, public anxiety about these social problems swells (see Beckett, 1994; Reinerman and Levine, 1997) and clever politicians capitalize on this newfound panic. If one is able to overcome these difficulties, then criminologists ought to consider both public opinion and criminological research, and communicate a synthesis of the two to the public and to policy-makers.

Case Study: Police in Schools

To illustrate what a democratic criminology model might look like, we turn to research being conducted by the second author on how police officers in public high schools shape disciplinary outcomes and the school's social climate (see Author, 2010). The study included ethnographic work and over 100 interviews at four high schools in two states; from each state he studied one school with mostly lower- and working-class racial and ethnic minority youth and one school with mostly middle-class white youth. The researcher approached the field sites with the hypothesis that students and their parents in disadvantaged schools (with mostly low-income youth of color) would resent a police presence in their schools because the police presence tends to escalate disciplinary

interactions, widen the net of surveillance over these youth, and import a law-and-order perspective into the school. This hypothesis follows directly from recent scholarship on how the growth of the carceral state negatively affects poor and mostly minority communities (e.g., Clear, 2007; Mauer and Chesney-Lind, 2002; Simon, 2007; Wacquant, 2001; Western, 2006) and on legal cynicism and low levels of trust in police among racial and ethnic minorities (Carr, Napolitano and Keating, 2007; Tyler and Wakslak, 2004), including students (Hagan, Payne, and Shedd, 2005).

Based on observations of police interactions with students and school staff, the researcher concluded that the officers' presence did in fact have some of the predicted effects. Students would often be arrested for fighting or other minor offenses that likely would have led only to in-school punishments (e.g., suspension, detention) rather than official criminal (or juvenile) justice system intervention had an officer not been present. At times the police actively sought out information on students' families and communities, which they then used to help other (non-school) officers solve crimes that occurred outside of school or gather intelligence about the community (to be used for future policing activities). Furthermore, since the schools used the police officers to respond to troubled students and other difficult situations (e.g., parental drug use), these difficulties were defined *only* as criminal problems rather than as behavioral and social problems that ought to be addressed by counseling *as well as* punishment. The presence of police in schools reshapes how crime is conceptualized, so that minor misbehavior is redefined as criminal in nature, and punitive criminal-justice-oriented responses come to be seen as appropriate. Their presence clearly amplifies punishments for misbehaving youth, widens the net of control over them, their families, and their communities, and imports a penological attitude into the school (see Wacquant, 2001).

Despite these results, interviews with students, parents, teachers, and school administrators showed support for the presence of police officers in schools. Even students who had been in trouble at school and their parents appreciated the officers' presence in the

schools (as did most students who had not been in trouble and their parents). Many stated that the presence of an officer reduced the likelihood of a "Columbine-like incident," or that an immediate responder would limit the damage done during such a catastrophe (despite the fact that armed guards were present at Columbine High during the massacre there). Others claimed that the officers were effective mentors and positive role models for students. A few respondents expressed reservations about having an officer at school, by stating that a police car out front of the school can make students or community members believe that the school is dangerous, or that having an officer present can be invasive. Yet even when respondents made such critical claims, they usually countered them by noting the benefits of an officer's presence as well. One student stated: "An officer at school, at times one feels like, like he's looking at you in a bad way and one feels, like, under scrutiny or bad, but one also has to realize that it's for our own safety, it's for our security that in case there is an accident or a person that has a gun. Then in that sense it is good." It is noteworthy that this respondent (along with others not quoted here) specifically refers to the fact that the officer carries a gun as "good," despite the potential for injury to students and teachers, and for weapons escalation (e.g., students bringing in guns to defend their turf). In spite of these dangers, several respondents stated that an armed officer made them feel safe while in school.

Even though police officers have substantial negative effects on the school social climate, they also make many stakeholders feel safe. If fears are reduced, students may be less likely to carry weapons and school staff may be less likely to view youth – especially youth of color – as menacing, both of which are positive outcomes of a police presence in schools. It is at this point that a democratic criminological approach can make an important contribution to the conversation about juvenile justice policy. Applying such an approach, the researcher would take seriously the potential benefits of having a police officer rather than dismissing these as uninformed or illusory, concluding that police in schools might be helpful if their potential negative effects are taken into consideration and guarded against.

This approach takes into consideration students' experiences and perceptions, while still critically examining the presence of police in schools, highlighting harmful effects of their presence and suggesting improvements to current policies. Specifically, to limit the harms of police in schools, administrators should take care to inform students of their rights against self-incrimination or protect them from giving information about family and community members; schools and police should be careful to not abuse the power to arrest; and police should always work with school counselors or psychologists when responding to a non-life-threatening situation, so that problems are viewed as criminological *and* counseling/social problems. Importantly, the democratic approach calls for the researcher to reject his initial assumption that police in schools are only counter-productive.

Moreover, the values that motivated the researcher's thinking about policing schools have a unique role to play in a democratic criminology. Clearly, his concern about the negative consequences of a police presence on school campuses reflects one set of values: carving a space for childhood, dealing with child disciplinary issues as problems of social welfare, etc. Meanwhile, as the above quote suggests, many of the people interviewed in the course of research considered these values to have merit, but when placed against schoolyard safety and security, deemed them to be of lesser importance. Whether their evaluation of the actual security provided by a police presence was based on fact (as was already mentioned, there are grounds to believe that police on campus would probably not stop "another Columbine"), their evaluation of the importance of security over other values in and of itself has a legitimacy that is respected within a democratic criminology model. The criminologist recognizes that the public may value things that the criminologist doesn't, or that the relative importance placed on competing values may differ between criminologists and the public. Additionally, the respondents' views express a shared desire for protection in case of violence and formalized justice in case of school victimization, which deserve a response that, at the very least, affirms the school's commitment to safety and justice.

Had the researcher been following a technocratic model, he would have ignored the interview respondents' statements about feeling safer in school with an officer present and concerned himself with the negative implications of such a policy that resulted from his research on the subject. In doing so, he would risk making policy recommendations to the school district that would be dismissed as irrelevant to the "on the ground" concerns of students, faculty, and parents, and ignore the positive aspects of a police presence on school grounds. Additionally, this approach would overlook the fact that if students and teachers feel safe, students are less likely to behave inappropriately and put themselves in harm's way and teachers are less likely to unfairly target certain students. In forming policy recommendations, he would advocate for removal of all officers from public schools, thereby ignoring the important, democratic aspects of juvenile justice policy: the people have a crucial role to play in determining how order in their schools ought to be maintained, regardless of whether or not their conclusions cohere with the results of empirical research.

Certainly, the researcher's conclusions would be far different if she were following a genealogical model. The researcher would content himself with examining both professional and popular discourses about crime, policing and juvenile behavior and placing the policy of policing schools within that context. Examining the school policing policy within a historical matrix of such discourses would clearly provide some important connections and would illuminate some unacknowledged (and questionable) assumptions about juvenile crime and policing it. However, it would not provide us with any answer as to whether or not police officers should be placed inside American schools.

If following a democratic model, the criminologist would also be wary about relying too heavily on his conclusions about policing in schools when advocating policy. Certainly the results that he has achieved are noteworthy, but they are hardly the final word on the subject. New studies, perhaps considering different populations over a different time period could contradict or complicate his conclusions. Previously undiscovered flaws in his methods could have a similar effect. Finally, broader social changes could quickly render

the research dated. Each of these qualifications would have to accompany any policy advocacy that he conducts as a professional criminologist.

A democratic criminology approach also requires the author to continue interacting with the public after her research has been completed. In this case, the researcher produced a report for each of the four schools and school districts that hosted the research. These reports discussed the suggestions listed above in an attempt to highlight both positive and negative aspects of current school practices and to offer suggested improvements that rely on evidence-based practices while responding to stakeholders' concerns. He also met with local politicians (including the state secretary of education and elected state representatives) to discuss the research results and begin an extended conversation about school discipline and security.

Certainly, the ability to be flexible in drawing conclusions and to treat respondents' views seriously are key issues of ethnographic research, and particularly of grounded theory, thus this one aspect of democratic criminology is hardly new or unique. Yet this is not as common as one might expect, for two reasons. The first is that it can be difficult to dislodge one's initial expectations or formal hypotheses, since these guide one's interpretation of the data. This difficulty is magnified by the incentive structures of research universities and the expectation that grant proposals include formally stated research hypotheses. The second reason is that grounded theory is relatively uncommon within the field of criminology, especially in the U.S., which tends to be dominated by quantitative research (and often by deductive testing of criminological theory). For example, by our count of research articles published in 2008 in the American Society of Criminology's two journals, *Criminology*, and *Criminology and Public Policy*, 8 of the 43 were based on qualitative research, with the vast majority based solely on quantitative analyses instead.⁶

Feasibility of a Democratic Model

Having articulated our view of public criminology in a democratic model, we conclude by discussing whether such an approach is feasible. One important concern is whether such an approach will actually help with the problem underlying the debate about public criminology: the disconnect between criminological knowledge and policy-making in today's political climate. As others have noted, crime and criminal justice have become such important political issues that policy-makers often proceed according to political realities rather than from academic knowledge (see Garland and Sparks, 2000). If a democratic approach helps to make criminology more relevant to the public's concerns and take their views as important, as we believe it could, then improving this disjuncture certainly seems possible. As Chancer and McLaughlin (2007) note, feminist criminologists' efforts to increase the visibility of violence against women represent an example of such a success. This movement is consistent with our argument, since it orients itself according to the lived experiences of victims, rather than to official crime statistics or presumptions about violence that have been long held among criminologists (see also Stanko, 2007). This movement's growing relevance within both academic and policy circles suggests that a criminological approach which seeks to understand the public's voice and frame this voice within academic knowledge can, at times, be very effective.

A second crucial challenge to the feasibility of a democratic criminology relates to the challenges facing public criminology overall: the substantial disincentives against engaging with public criminology that are currently in place at research universities. In his contribution to the special issue of *Theoretical Criminology*, Elliott Currie (2007) clearly articulates how research universities' reward structures (particularly at universities in the US) discourage the dissemination of knowledge outside of the academy, as well as the lack of professional incentives to do so. A democratic model of public criminology might risk additional professional censure for criminologists, since it seeks to balance academic knowledge with public opinion rather than prioritizing only academic research.⁷ Thus we

acknowledge the limitations to implementing such a model on a large scale – unless, of course, the value of public criminology, public sociology, and other applied knowledges helps reshape universities' reward structures.

Some of the ideas expressed were initially hinted at in Garland and Sparks' (2000) introduction to a special volume of the *British Journal of Criminology*. After surveying the history of criminology in England, and problematizing the technocratic self-conception of much contemporary criminology, the authors reflect on the potential of contemporary criminology and call for a criminology that engages with a public that is already obsessed with the phenomenon of crime. "The social and cultural centrality of crime today is an opportunity for criminology to embrace a more critical, more public, more wide-ranging role. Criminological knowledge – the insight and understanding that comes from close and critical study of crime and our institutions responses to it – has never been so relevant." (2000, 201) However, to play this role, criminologists, "must understand the terms in which these wider debates and discussions are being discussed and how crime and crime control feature within them. It must also develop a self-consciousness about its intellectual assumptions and its social situation, above all about its links to government and to culture. Criminology's fate is to be redefined by the political culture of which it forms a part." (2000, 202) We believe that we have expanded on this notion and rooted it more firmly in the practice of criminology as well as the underlying epistemologies used by criminologists.

Democracy is not necessarily an inherent, eternal good and it does come exact a cost for academic and professional criminologists who engage with it. There may be epistemological grounds for democratizing social scientific practice (Sjoberg, 1998), but it is probably true that few criminologists would welcome the kind of democratization that we advocate. It clearly extracts a price from what is currently considered rigorous social scientific practice and removes much criminology from the "ivory tower". However, as long as criminologists function within a democratic society they are beholden to the norms and practices of the democratic polity. In a different sort of society with different values,

different notions of political legitimacy, and different routes to policy formation, other means of studying and dealing with criminal behavior may be realized. However, criminologists do not get to choose the world in which they conduct their research.

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¹ Throughout this paper, we use the term *criminology* to refer to the social-scientifically informed study of crime as well as the study of criminal justice institutions.

² Certainly, each of these models involves complex knowledge production process rooted in multi-layered understandings of what criminological knowledge is, who is best to produce it, and whose values should be considered. Moreover, these understandings vary across researchers and across individual studies. Thus, a more complete discussion is clearly beyond the scope of this essay. For greater detail on the knowledge production processes and assumptions underlying varying approaches to the study of crime and criminal justice, see Garland, 1990.

³ The ASC's other police position is against the use of UCR data to rank cities as "safe" or "dangerous," not an actual criminal justice policy; see <http://www.asc41.com/policyPositions.html>.

⁴ Of course, a further approach chosen by a few criminologists, but largely left to journalists and popular writers, is to simply pander to the public's fears regarding whatever panic strikes the public imagination. While all criminologists who are approached by journalists about newsworthy crimes can feel pressure to ignore nuance and structural analysis and "tell the public what it wants to hear," to do so is to sacrifice the sophistication and objectivity that is essential to the criminological point of view.

⁵ See also Dixon and Gadd (2006), who demonstrate the contradicting and idiosyncratic ways that individuals interpret hate crime laws.

⁶ This is not to suggest that democratic criminological research cannot be quantitative, but that the reflexive aspect of democratic criminology is more likely to be found in existing qualitative research. Certainly, quantitative criminologists as well can follow the model we outline above.

⁷ Certainly, as the case of "broken windows" policing illustrates, this is not universal. Some academic research is prized in policy arenas, with the academic researchers gaining prominence as a result. But as Currie (2007) points out, this is an exception within research universities, which suggests that only certain scholars will pursue this path

while others forgo it in favor of research that is more likely to be rewarded within the academy. For democratic criminology to flourish, policy-relevant research would be acceptable and/or encouraged at a wide array of universities, so that all researchers can contribute.