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## **The Deviance of the Zookeepers**

### **Abstract**

In May 1968 Alvin Gouldner published his attack on the ‘Becker School’ of sociology (‘The Sociologist as Partisan’). The essay was a sometimes sarcastic and brutal but characteristically insightful and sharp critique of what he called the ‘Becker School’ of sociology – especially as it related to law-breaking and norm-transgressing outsiders. In attacking the failure of ‘sceptical deviancy theory’ to confront the wider structural sources of power and authority, its seeming inability to address gross social divisions of wealth and status, and its lack of attention to the larger political and economic interests that were embedded in departments of State and industrial and financial corporations alike, Gouldner pinpointed with some accuracy the radical motivations of the soon-to-emerge ‘new criminology’ – in both its ‘left idealist’ and ‘left realist’ guises. What Gouldner’s essay really exposed was a certain kind of ‘deviant imagination’ (c.f., Pearson, 1975) prevalent in the emerging critical criminologies of 1960s America (and then the UK, see Young, 1969). In this paper I use Gouldner’s essay as a lens to investigate the ‘deviant imagination’ of contemporary critical criminologies and ask: who are the zookeepers of contemporary criminology and what is their deviant imagination?

Key words: Gouldner, critical theory, zookeepers, deviance

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## The Deviance of the Zookeepers

"You divide the people into two hostile camps of clownish boors and emasculated dwarfs. Good heavens! a nation divided into agricultural and commercial interests, calling itself sane; nay, styling itself enlightened and civilized, not only in spite of, but in consequence of this monstrous and unnatural division." (David Urquhart, l. c., p. 119). This passage shows, at one and the same time, the strength and the weakness of that kind of criticism which knows how to judge and condemn the present, but not how to comprehend it.

(Karl Marx: Capital I: 474fn)

Presumably, I should now be able to dissect myself; ideally, and without defensiveness or self-flagellation, I should be able to outline my own major assumptions in some modestly coherent manner, if not evaluate them. But I also believe that such an effort is doomed to failure. For no man can be his own critic, and, in pretending that he can, he promises to deliver far more than he really wants. (Alvin Gouldner, 1970: 481)

### On critical theory

I put these two quotes at the top of my paper not as a comment on the contents of what I analyse but as a reminder to myself that the task of critical theory (and of a critical theorist) is not only to demonstrate a competent and convincing comprehension of the world but also an awareness of the assumptions on which the demonstration rests. I am, in fact, undecided about whether my own work would merit the epithet 'critical' but since the texts I discuss most certainly do then a small reminder of just how difficult it is to be 'critical' in any meaningful sense seems very much in order. I make these observations because I want to preface my paper with a question that, in truth, others are far better qualified to answer. The question is: what is critical about critical about critical criminology? Underlying this question is a more basic and more general issue, viz: what distinguishes a critical theory from some other kind of theory – variously labelled in criminology as 'conventional', 'mainstream', 'traditional' or, sometimes, 'correctional'? Of course, several responses can be made to this question:

1. A critical theory might be defined in terms of the value commitment of the theorist – the theory is 'critical' to the extent that it is applied in order to achieve social change. In this sense criticality is 'opportunistic' in that the theorist may adapt or manipulate (almost) any theoretical perspective to meet the task of challenging and changing the status quo.
2. In an almost diametrically opposite sense, a theory might be critical in terms of the possibilities of the theory itself – that is, the theory is inherently transformational. In this sense criticality is 'immanent' insofar as the application of the theory makes the world anew regardless of the values or intentions of the theorist.

3. A more familiar response might be to propose that the theory critiques existing arrangements from some morally or philosophically coded standpoint that reveals the iniquities or exploitative character of those arrangements. In this sense criticality is 'ethical' in that the theory submits to some transcendental programme of emancipation.
4. Finally, it might be responded that critical theory voices the silences of oppressed populations or describes the world contra the viewpoints of the powerful and/or exposes the ideological quality of those viewpoints. In this sense criticality is 'political' in that it explicitly promotes the interests and/or ideologies of specific groups in struggle.

This short list is not intended to be exhaustive but I think that it captures the main propositions that are put forward by criminologists who proclaim their work to be critical in contrast to 'mainstream' or 'conventional' criminology. It also needs to be acknowledged at this point that, however mutually contradictory these responses are, they are nonetheless often combined in contemporary criminological writing. I will return to these responses later in the paper but, here, I want to draw attention to a different dimension of any theory that is critical. It is a dimension that is largely, though not completely, forgotten in criminology – like the sociologist who was its most ardent, and brilliant, professor – Alvin Gouldner. The dimension that I want to draw attention to is the relationship between a theory and the world in which it is produced – the 'reflexivity' of theory. Now, all theories, it goes without saying, are reflexive in some senses: they all exist in and demonstrate a relationship with the world in which they are produced. For Gouldner, this fact does not exhibit the criticality of a theory because a critical theory not only knows this as a fact but, more importantly, is an exercise in showing what that relationship is. A critical theory is a theory that knows how it exists in the world in which it is produced and, moreover, it knows how that world – and all of its challenges, perils and contradictions – exists within the theory. A critical theory, for Gouldner, is not simply an exercise in critiquing existing knowledges, assumptions and arrangements – however talented he was at this. It is, instead, an exhibition of how theory and world are critical partners in the pursuit of social transformation.

I think that Gouldner, perhaps more so than any other Twentieth Century sociologist, was a 'critical theorist' in precisely this sense. He was, without equal, the sociologist whose mission was to elaborate this sense of what is critical about critical theory. Yet, who reads Gouldner today? Like his idea of critical theory, Gouldner himself is largely, though not completely, forgotten in criminology and the lessons of his scholarship are the awkward silences that fill the pages of too many 'journal article sociologies', as Feagin et al (1991: 270, cited in Ferrell, 1999: 402) put it. It is uncommon indeed to encounter a criminologist with anything other than a vague familiarity with Gouldner and even among those who do read his work there is a tendency to skip over some of its most important parts.

In *The Coming Crisis of Western Sociology* (1970) there is a lengthy section on the work of Talcott Parsons to which the preceding 160 pages is 'merely a preface' (Gouldner, 1970: 167). This section of the book is crucial not only to Gouldner's sense of sociology's impending crisis but also to his definition of what is critical about critical scholarship and, incidentally, why Parsons's work cannot be described as 'critical'. Yet there are few acknowledgements in the sociological or criminological literature to this crucial discussion or the issues it raises. The section

is subtitled 'The World of Talcott Parsons' and takes up a weighty 171 pages of the book (Gouldner, 1970: 167-338). Now, anyone with even the most cursory training in the languages of social theory can recognise the ambiguity of the subtitle. It can refer, and Gouldner uses it to refer explicitly, to two things simultaneously. In the first sense, it is used to reference the world that Talcott Parsons describes; that is, the world according to Parsons, or the world *of* Talcott Parsons. In the second sense, it is used to refer to the world in which Parsons lives as a socially and historically situated individual; that is, *the world* of Talcott Parsons. However, paying proper attention to the lengthy (and dense) discussion reveals that whilst Gouldner does reveal a catalogue of deficiencies in Parsons's work – the ways that his theory fails to account for extant realities – and whilst he also reveals how those extant realities provide both resources for and challenges to Parsonsian sociology, neither of these critiques is what really interests him.

Gouldner's argument is that 'Parsonsian theory' is the simultaneity, the embeddedness of these two different senses in each other and, as the canny dialectician that he is, this proposition gives rise to a third meaning of the subtitle. This third meaning arises out of an elision between the *representational* and *constitutive* character of Parsons's sociological categories (see below). 'The World of Talcott Parsons', then, refers to the way that the description (sense 1) and the thing described (sense 2) are unified in a particular sociology of an historically situated social formation characterised by economic, political and cultural tensions and ambiguities; that is, the world of *Talcott Parsons*. As Gouldner himself puts it, the 'mountains of categories to which Parsons' labours have given birth' are 'not to be understood merely as scientifically instrumental or as useful for research'. Instead, 'their fungus-like capacity to grow out in all directions from a single spore and to cover the entire territory in shingled layers' reveals their constitutive, rather than analytical character. Gouldner continues that they 'function as a symbolic representation and constitution of the social world's *oneness*' (Ibid: 209. Original emphasis).

When you grasp what Gouldner was getting at you realize that Parsons is simply an instance, an exemplification of a more general tendency in the relationship between sociology and the world in which it is practised. Certainly, Parsons was an apt choice because of the enormous international significance of his work. But Gouldner could equally have applied the exercise to Mills or Merton, Smelser or Michels, Homans or Goffman (see *ibid*: 169). In the same way, contemporary social scientists might apply Gouldner's analytical principles to important social theorists like Giddens, Habermas or Bauman and doing so, in fact, might go some way towards reducing the dependence of sociological criminologies on the legislative power of the former's pronouncements. For, Gouldner's point is not to say that Parsons was stupid – far from it; nor simply to say that he was wrong – again, far from it. His point was to show that Parsons's *particular* synthesis, or expression of the 'oneness' of the world was *not critical*. It was not critical because it did not exhibit a knowledge of *how* the world and the theory were related to each other or, at least, the exhibition was deficient in too many respects.

### **On critical criminologies**

I admit that this has been a long preface (although not as long as Gouldner's!) but the whole issue of Gouldner's critique of appreciative studies of deviance – his caustic dismissal of the 'Becker School' – only makes any real sense when this meaning of

'critical' is properly understood. His charge that the Becker School 'expresses the romanticism of the zoo curator who preeningly displays his rare specimens' (1973: 37-8) is born of the same sense of what a 'critical theory' is as his charge against Parsons's fungus-like 'mountains of categories' and their 'constitution of the world's oneness'. In my view, many sociological criminologies pay little attention to this sense of 'critical' and it may be that it has been all but forgotten. From a Gouldnerian point of view, the fundamental task facing a critical criminology is not to demonstrate that 'traditional', 'mainstream', 'conventional', and so on, criminology is wrong – even if 'it' is in fact wrong in various ways. The fundamental task is to expose how 'theory' and 'world' are not independent variables but critical unities in the development of a transformative criminology. In turn, this is to say that whilst 'traditional' criminology can and ought to be subjected to searching analysis and detailed critique it is equally important to ensure that the principles of critical analysis are applied to those criminologies that proclaim a critical heritage. It is here, I contend, that the most important clues about the contemporary 'deviant imagination' (c.f., Pearson, 1975) are to be found: not in the objects of critical criminology's critiques but in the ways that such criminologies represent and constitute the 'world' of crime.

With this injunction in mind, I want to look at three books that define themselves as being 'critical' in some criminological sense of that term. I want to use these books to examine 'The World of Critical Criminology'. In fact, the ways that each defines its criticality are very different and this, in itself, is an instructive characteristic to which I will return. The three books are Jeff Ferrell's (2006) *Empire of Scrounge*, Simon Winlow and Steve Hall's (2006) *Violent Night*, and Jock Young's (2007) *The Vertigo of Late Modernity*. Apart from the fact that each book is an excellent and revealing text in its own right, I have chosen them for two analytical reasons. First, because whilst ostensibly written under the auspices of criminology, each is, in reality, a sociology of 'Late Modernity'. Secondly, in spite of this shared characteristic, they expose key tensions in the critical criminological enterprise. In terms of the four definitions of 'critical' that I outlined in my prefatory comments, they adhere to and extol different combinations its meanings. Briefly, Ferrell's understanding of critical invokes a combination of sense 1 (opportunistic) and sense 4 (political), with a sprinkling of sense 3 (ethical). Winlow and Hall's understanding of critical invokes sense 3 (ethical) with a sprinkling of sense 2 (immanent). Young's understanding relies heavily on sense 2 (immanent) with a nod to sense 4 (political).

Knowing something of the intellectual background of these criminological thinkers it is no surprise that their versions of 'criticality' differ. Ferrell's background in (anarchist) urban studies and his long-standing commitment to involving himself with denigrated and criminalized subcultures (see Ferrell, 1996; 2002) has generated a certain pragmatism in his criminological work. The concatenation of urban ethnography and cultural criminology and the continuing deep immersion in the micro-worlds of anarchistic and marginalized constituencies imbues his writing with an open and experimental quality: a mission to 'tell it like it is' on the streets and railway lines, in the warehouses and trash piles of urban America. Winlow and Hall's work emerges out of a very different (national and) intellectual tradition. Whilst Ferrell's post-Becker appreciative sociology leads him to immerse himself fully in the worlds he investigates and to read out from those worlds an opportunistic critique of consumerism, urban capitalism, the regulation of public space and so on, Winlow and Hall's post-CCCS, Marxist-inspired critical sociology leads them to a political critique of neo-liberal ideology. Where they reject 'purposeless analyses of allegedly

“transgressive” micro-exotica’ (Winlow & Hall, 2006: 195) in favour of ideology-critique, Ferrell explores in the richest detail the humanistic, street-democratic sociality that characterises urban survival. Young’s extensive engagement with sociological and criminological theory, his trans-Atlantic exposure to Anglo-American cultural and social, as well as intellectual, traditions generates a far more guarded, if no less ambitious, attempt to make theory matter in the struggle to comprehend and respond to contemporary criminality. In effect, Young’s work has to steer the careful course between the demands of linking theory ‘to a real social practice’ and the costs of the ‘theory and practice of voyeurism’ (see Young, 1975: 69, 91).

For all that the three books attempt to demarcate their critical constructions of the world of crime, and for all that each competes with the others in their criminological grasp of that world, they do share a common characteristic. The shared characteristic, as I mentioned earlier, is that each text is a sociology of ‘Late Modernity’ and each seeks to draw a contrast – sometimes explicit, sometimes implicit – between the world as it is and the world as it was. It is in this contrast, and the ways that the current arrangement of things are presented, that ‘The World of Critical Criminology’, in the Gouldnerian sense, makes its most vivid appearance.

If we begin with what the three books have in common it is clear that each owes a very heavy debt to recent sociological writings on consumerism and, in particular, to the version of consumerism associated with the work of Zygmunt Bauman. Moreover, each book strikes a remarkably similar pose in its confrontation with this phenomenon. For, consumerism *today* is taken as the predominant relationship between the mass of the citizenry and the ‘developed’ world’s institutional and political structures. Although how present consumerism relates to past consumerism is hardly addressed at all. In Bauman’s words:

‘In its present late-modern, second-modern or post-modern stage, society engages its members – again *primarily* – in their capacity as consumers’ (Bauman, 1998a: 24)

I will not, here, delve into the too-easy way that Bauman has skipped over the problematic transition from his profession of a ‘postmodernity’ characterised by indeterminacy, ambivalence, ‘inconclusiveness, motility and rootlessness’ (Bauman, 1992: 192, 203) to a ‘liquid modernity’ characterised by fluidity, disengagement and interchangeability (Bauman, 2000: 6, 11, 13. See also Bauman, 2004: 117, 123). In theoretical terms the transition is immensely problematic but it has been totally ignored in the criminological, and largely ignored in the sociological, literature. I merely observe the fact that this repositioning of his intellectual agenda has enabled criminologists more easily to ‘Baumanise’ their accounts of the malaise of the contemporary world – precisely because the repositioning means that the difficult epistemological and ontological questions about the status of (‘post’) social scientific knowledge no longer get in the way. Bauman has, to all intents and purposes, ‘liquidated’ his postmodern assets and invested them in normal sociology’s ‘modern’ narratives. The repositioning is visible across large slices of sociological criminologies.

For example, with Bauman taking up an impressive twenty index entries to ground their analysis of ‘consumer capitalism’, Winlow and Hall (2006: 79) write that ‘consumerism’:

‘... placed an almost dreamlike hue over everyday life, and we seemed to levitate above the wreckage as the growing cult of hyper-individualism and the process of social fragmentation battered away at traditional forms of social capital. In the midst of this, consumerism’s incessantly probing and suffocating marketing industry imbued manufactured objects with an almost mystical lifestyle symbolism, to the extent that the acquisition of these objects [...] became essential building blocks in the construction of status, identity and self-worth’.

Indeed, so incessantly suffocating and profoundly effective has consumerism become that the whole of popular culture, and the education system to boot, ‘are now in the advanced stages of recruitment into the business of trimming thoughts and practices down to functional essentials and energizing the desire for personal success and hedonistic rewards’ (Ibid: 69). One is bound to wonder, of course, how Winlow and Hall have managed to escape the trimming and the suffocation in order to tell the tale of its deleterious consequences. Whilst I do not want to diminish the significance of this question I would like to move away from a probe of personal standpoints and take note of the language in which these propositions are put. What we see, here, is a very clear demarcation between a recent past and the present. The impact of consumerism is related in the past tense: ‘it’ placed and imbued, ‘we’ seemed and ‘they’ became. The language is that of the done deal, the language of reminiscence, of historical event rather than historical process. It is a language that has the effect of abstracting from the recent past the meanings and desires, the struggles and the contradictions of those, including myself, who lived through it. It is only on this basis that the contrasting use of the present tense to describe the trimming of thoughts and practices and energizing desires makes any real sense. For, if consumerism were *not* a done deal, the question of how and under what circumstances consumerism contradictorily trimmed and expanded, energized and exhausted thoughts and desires (ignoring, for present purposes, the fundamentally contentious quality of Winlow and Hall’s initial proposition) would become central, as would a politically sensitive grasp of the daily practices of individuals and groups living those contradictions. In turn, another question is then raised about this linguistic formulation of apparently empirical description: when does the past end and the present begin? In spite of relating events that transpired within the lifetime of a single generation the past has become remote in relation to the immediacy of the present. The present is now, and now, and now: it is, to all intents and purposes, a procession of instants, each of which falls ‘indelibly into the past’ in Don DeLillo’s poignant words (DeLillo, 1998: 60) as the next replaces it: ‘a culture of the absolute present’, in Bauman’s terms (Bauman 1998b:90).

Jeff Ferrell, on the other hand, makes not a mention of Bauman. Yet, much of his grasp of consumerism might have been taken directly from any one of the latter’s recent books, perhaps indicating how well Bauman has captivated the zeitgeist of critical social scientists. Like Winlow and Hall, Ferrell has become entranced by the problem of consumerism and whilst the critique of urban regulation has always been streaked with anti-consumerist themes, his experiences with America’s trash piles have brought these themes to the fore. The ‘culture and economy of consumption,’ writes Ferrell, ‘promotes not only endless acquisition, but the steady disposal of yesterday’s purchases by consumers who, awash in their own impatient insatiability, must make room for tomorrow’s next round of consumption’ (Ferrell, 2006: 28). This is, in all but grammatical construction, the same as Bauman’s assertion that consumerism:

‘... is not about *accumulating* goods (who gathers goods must put up as well with heavy suitcases and cluttered houses), but about *using* them and *disposing* of them after use to make room for other goods and their uses’ (Bauman, 2003: 49. Emphasis in original)

For Ferrell, this ‘programmed insatiability ... creates and sustains among its adherents a sort of existential vacancy – a personal void, a material longing promoted by the same corporate advertisers whose products promise its resolution’ (2006: 28, 162). Notwithstanding important empirical questions about which real person’s void Ferrell is talking about and whether the materiality of each different real person’s longing is identical – it is surely at least one task of a critical criminology to account for the subtlety and nuance of experience, desire and awareness – there are implicit propositions about America’s past and present being made here. Thus, one is forced to assume, before a consumerist mentality ripped out the soul of American culture, that culture’s protagonists exhibited (at least the possibility of) an existential compulsion, a willed satisfaction and perhaps even an idealistic aversion to material acquisition. For, if this were not the case, then the alleged existential and programmed qualities of contemporary consumerism could not be held responsible for the peculiar characteristics of ‘Late Modern’ marginalisation and criminalisation. Like Winlow and Hall – but a physical and ideological ocean apart from them – Ferrell’s tales of the city are fuelled by a sense of an historical schism. It is a schism whose impacts are experienced particularly sharply not by the marginalised and the criminalised themselves – i.e., not by those subcultures whose ways of life amount to responses to positions in an antagonistic class structure, as the original ‘new criminology’ of subcultures proposed – but by the ordinary people of modern America: the citizen-‘sheep’ (Ferrell, 1996: 176) whose ideological programming leads them to an ‘existential affirmation of domination and control’ (Ferrell, 2006: 192).

It should be no surprise that Jock Young is the most wary of the authors I have chosen and the least inclined to propose a one-dimensional consumerism. Nonetheless, characteristically more subtle and double-edged as it is, Young’s account of the world of contemporary criminality rests similarly on a strict division of historical experience. It is a division formulated most eloquently in *The Exclusive Society* where Young (1999: 193) compares the ‘movement into late modernity [as] like a ship which has broken from its moorings’. Tellingly, however, he does not consider what it might mean if the ship were ‘like’ a cruise-liner, a destroyer, an oil-tanker or if it were ‘like a ship manned by galley slaves’ (Mills, 2000: 39). It is not the ship itself that is the object of Young’s assessment but the socio-political ocean on which it floats. Where, in the past, there was certainty and solidity, solidarity and connection, now there is angst and ephemerality, isolation and dissonance. In *The Vertigo of Late Modernity*, Young quotes with approval Gabriel and Lang’s (1995: 190) conclusion that the consequence of consumerism is that marginality ‘will paradoxically become central’ and reiterates Bauman’s assertion that ‘the poor’ amount to ‘flawed consumers’ (Young, 2007: 46, 52). Explaining ‘social bulimia’ (the process of simultaneous inclusion and exclusion), Young writes that it ‘involves the incorporation of mainstream social values of success, wholehearted acceptance of the American (or First World) Dream, and a worship of consumer success and celebrity’ (Ibid: 47). Again, I want to draw attention to the language in which this thesis is formulated: ‘incorporation’, ‘wholehearted acceptance’ and ‘worship’.

Young's historical division may be drawn less sharply but its drawing is no less effective. Where the generations of the 'Golden Years' of the world of post-war capitalism lived in their historical present and *perceived* themselves, *felt* themselves as belonging to that world, the generations of the Late Modern world live *elsewhere*, perhaps *anywhere* but in the historical present of this world. 'Late modernity', writes Young (Ibid: 197), 'is a society of the elsewhere'; it is a globalised, neo-liberal, post-Fordist, marketised, consumerist-oriented, star-struck, hedonistic, post-Golden Age world of cultural disconnection, broken life narratives and shattered collective symbols.

Of course, what Young derives from these claims is different to what Ferrell and Winlow and Hall derive from them. Whilst the latter authors conclude that consumerism engenders a 'personal void' or a 'dream-like' 'trimming of thoughts and practices', Young concludes that consumerism results in a 'fear of falling' – an existential angst (rather than vacancy) about whether and how the individual's social status and identity can be sustained and nurtured. Where Ferrell and Winlow and Hall find cultural sheep and cultural dopes, Young finds tensions between passion and tedium (see Young, 2007: 21, 169 et passim), between the 'organic community of the past' and the 'new community of the Generalized Elsewhere' (Ibid: 212). The differences between their particular conclusions notwithstanding – and there is also some very lively debate between Ferrell and Winlow & Hall on this – the world they all describe is, nonetheless, very similar indeed. It is a world in which 'citizens' have become 'consumers'; a world where the practice, status and identity of individuals is no longer a socio-political matter in the critical sociological sense: a matter of habitation, habituation, normativeness, but is a cultural matter of (mis)identification, desire, symbolization. It is, in short, a (leastwise lexical) universe apart from the world of Talcott Parsons – or Alvin Gouldner, for that matter.

Now, I do not want to suggest that the focus on consumerism is itself the difference between these sociological worlds. For, if it really were the difference between them then some rather awkward empirical and theoretical questions would follow – such as how post-Golden Age consumerism differs from pre-Golden Age consumerism or how twentieth century consumerism is different from nineteenth century consumerism, and so on. In other words, in what ways, specifically, does the (mis)identification, desire, symbolization of post-1960s consumerism differ from the (mis)identification, desire, symbolization of earlier consumerisms and why have these *now* resulted in voided, angst-ridden or deluded existential conditions? In fact, consumerism has come to stand in for or has come to be used as the proxy for a deeper thesis about the 'Late Modern' malaise. It functions theoretically as shorthand for a large array of sub-propositions about how the contemporary scene is deficient when reflected in the mirror of the past.

### **On modernising zoos**

What is of particular significance in this exploration of contemporary criminological accounts of modern social life is that the terms used to render its depiction convincing are not analytically innocent. Theoretical method, writes Charles Lemert, 'entails its own, and powerful, empirical capacity' (Lemert, 1998: 181). The particular occasion for Lemert's remark was a reflection on the work of Anthony Giddens but the observation is important to all sociological theory that expounds upon the character of the empirical world. This is because sociological concepts always have a dual quality: on the one hand they are intended as distinctive items in a theoretical agenda

that may be applied across instances to test their general utility. On the other hand, they have the capacity (and the tendency) to substitute for the generality of the instances as if 'drawing the reader outside the passive role of reading into an odd, but palpable contact with the world being read' (Ibid: 184). Actually, a similar observation was made by Mills in his critique of 'abstracted empiricism' where he noted a 'pronounced tendency to confuse whatever is to be studied with the set of methods suggested for its study' (Mills, 2000: 51). Lemert was simply establishing that theoretical method is no different in this regard to empirical method. In fact, the dual quality of sociological concepts, and its analytical consequences, lies at the heart of Gouldner's original critique of both Talcott Parsons and Howard Becker. Talcott Parsons's work *encased* the world in 'shingled layers' of categories and Becker's 'Cool' *rendered* the world of deviance as *exotica*. The reason for this was not (primarily, at least) because of some personal ambition or naïve intention on the part of Parsons and Becker. The reason for it was because of the unacknowledged elision between the two qualities of sociological concepts I introduced above: the quality of empirical *representation* and the quality of theoretical *constitution*. It should be noted, here, that 'constitutive' sociologies are especially vulnerable to the dangers of elision, which is why Lemert emphasised the issue in Giddens's work, but all sociologies face the problem of sustaining the distinction between the representative and constitutive dimensions of their concepts.

The question, then, is: what is the 'world of critical criminology' represented in the three chosen texts and is the particular synthesis of 'theory' and 'world' (the representational and constitutive) 'critical' in the Gouldnerian sense? If we apply Gouldner's injunctions in the strictest terms and attend to the postulated architecture of that world as a whole then the answer must be no, or not yet. No criminology that truncates historical experience and the historical process into such short time-frames can be understood as critical in Gouldner's sense of that term. This is not *because* the history is inadequate (even though, in too many instances, it is inadequate – especially in the overdrawn contrast between the present and the so-called 'Golden Age'). It is because such an accounting procedure fails to recognise itself as part of the crisis of sociology that Gouldner had exposed. Its consequence, in Gouldner's (1970: 390) terms, is to fix 'perspective in aesthetic standards, in the appearance of things' rather than in their historical essence. Ironically, the shortening of historical time-frames and the truncation of historical experience places emphasis not on people as active social agents, as socially- and historically-embedded beings, but on the characteristics of their external environment. 'From the viewpoint of much of the sociology dominant in the United States today', wrote Gouldner, 'it is not man but society that is the measure'. Where once this focus may have been 'benign', today:

'... this sociology's inherent subordination of the individual to the group serves, not so much as a reminder to men of their debt to one another, but as a rationale for conformity to the status quo, for obedience to established authority, and for a restraint that makes haste slowly, it becomes a warning about limits rather than an invitation to pursue opportunities.' (Gouldner, 1970: 508)

Now it may seem strange to be quoting Gouldner's warning against the neglect of social agents in a discussion of such different sociological criminologists as Ferrell, Winlow and Hall and Young. Yet, *constituting* a historically truncated consumerism as the 'world' of crime is in danger of simply updating the subordination to which

Gouldner refers. However much the language may have changed and however much the 'cultural turn' has impacted upon sociological criminologies it remains fundamentally unclear how 'consumerism', as the conceptual generality of instances of experience, drives criminality as such or, even more basically, how this driving force itself can be empirically instanced as a *peculiarity* of Late Modernity.

Of course, the three authors differ in their attempted resolution of this dilemma. Winlow and Hall suggest that the neo-capitalist system, and its neo-liberal ideology, has 'infiltrated' culture to such an extent that popular 'micro-transgressions' are no more than hedonistic rituals of consumerist affirmation or pointlessly fleeting displays of dissatisfaction that are destined always to be captured by the ideological and economic system. What causes violent (and, presumably, all other?) crime is the demise of organic communities, the loss of social solidarity and 'conviviality in interpersonal relationships' (Winlow & Hall, 2006: 195). Criminality, here, may not be the caged reality of the zookeeper's specimens and may not express the attitude of the 'wild-life conservationist' (Young, 1975: 69) but it is certainly the bounded territory of the ranger's safari park. The landscape of the native species has been disturbed; the balance has been upset and they have reacted with petulant violence and a ferocious hedonism, squabbling in the rotting pile of capitalism's bittersweet fruits. There is no way out of the park and resistance (from within) is futile.

Ferrell, on the other hand, appears optimistic in comparison but the optimism overlays a not dissimilar grasp of the thwarted ambition of modern society. Transformed into a 'perpetual panic intermingled with momentary, gulping gratification' (Ferrell, 2006: 189), today's 'hyperconsumptive economies' have produced 'all manner of deformities' in lived urban realities (Ibid: 172-3). These 'deformities' include gated communities, surveillance systems and guard dogs to sustain a separation between the city's class-cultures. In this context, it is worth recalling Young's (1969) essay on the 'zoo-keepers of deviancy' since the only thing that appears to have changed in almost four decades is the technical mechanics of sustaining the separation. Thus, wrote Young:

'... class is segregated from class, young people from old, rich people from poor, criminals from non-criminals, coloured people from whites. Moreover even when there is actual physical propinquity social distances maintain segregation of a very real sort.' (Young, 1987: 210)

Still, historical continuity is not really on Ferrell's mind in his ethnography of scrounging. Instead, Ferrell's goal is actively to search for ways out of the safari park and he finds on the margins of urban existence those little bits of anarchy and subversion that point to something other than the consumption-driven, ideologically blinkered 'normality' of public and private life. He goes on to suggest that criminologists celebrate the 'seedy parts of town' for the insights they offer into the (over-) regulated character of late modern, hyperconsumptive society and the alternatives they offer. Remaking space, refashioning time, rebuilding personal connections with urban space, Ferrell's outsiders are the late modern situationists, the hybrid forms of urban conflict. Here, the marginalized constituencies of the *Empire of Scrounge* are the ones who have escaped: they are the exotica looking back through the fence at the enclosed and managed inhabitants.

Young's late modern world differs from both Winlow and Hall's and Ferrell's. Neither a total system that absorbs all resistant acts nor a landscape whose deformities coagulate class segregations, Young's world is a world of communal detachment,

social indifference and cultural discontinuity. In the disengaged urbanism of the Late Modern city no-one lives any longer in the here and now: the great urban populations, like the myriad 'cultures' to which they (disjointedly) belong, have become detached from each other and from any fixed points in space and time. Thus, there is no shared political vision, no mutually reinforcing value system, no communally validated cultural script through which to grasp the present or face the future. There is only the 'seduction of a culture which at once attracts yet undermines all sense of one's own worth and identity' (Young, 2007:153). The 'slow riot of crime and violence' that besets this Late Modern society is really an 'eruption' of the tensions that 'haunt the everyday world', fuelled by the 'bulimia' of 'massive cultural inclusion ... accompanied by systematic structural exclusion' (Ibid: 32,180-81). For all that Young wishes to avoid a one-sided 'dystopian' pessimism (Ibid: 210), and for all that he attempts to find some hope in the 'hyperpluralist' cosmopolitanism of the contemporary city it is difficult to avoid the impression that Late Modernity is less 'like a ship' and more like an animal laboratory (although both, interestingly, are tightly enclosed spaces) in which small animals, forced to confront an alien environment, act 'as if' it were their home whilst simultaneously being precisely *not* 'at' home. Like a rodent running on a wheel, Late Modernity, to repeat Young's striking depiction, 'attracts yet undermines all sense of one's own worth and identity'.

It is, of course, impossible to avoid the elision of the representational and the constitutive qualities of sociological categories but this does not mean that the problem merits no careful attention. What we are encounter in the three chosen critical criminologies are three represented worlds of crime rooted in one constituted division between past and present. In fact, that division is the fulcrum around which the description of crime's contexts is made to revolve. Yet, I suggest, it is precisely this division that, for Winlow and Hall, frees the deviants from their zoos and gives them a whole safari park in which to fight with each other. It is this division that renders Ferrell's outsiders as the hybridising escapees from the park's over-regulated enclaves. It is this division that fuels Young's mournful empathy with the tedious existence of the Late Modern lab rat.

The sociological difference between past and present is not a simple empirical question. It is dependent on theoretical method, which is to say that the difference must be *constituted* theoretically and requires explicit engagement with the dual role of sociological categories. What happens when the present is cut adrift from the past theoretically and made into a rapaciously consumerist, mentally vacuous, experientially tedious and ideologically suborned island is that its inhabitants lose their agency. It places the present in a perpetual stasis and transforms ordinary people's lives into a Sisyphean labour of endless futility. I am in no way suggesting that such a view is of necessity empirically wrong but I do suggest that it is insufficient theoretically to be considered a critical analysis in Gouldner's terms. Nor am I proposing that Gouldner's version of a critical theory is the only valid version of that endeavour but I do think that it is instructive and valuable to take seriously the different roles that concepts play in representing and constituting the world of crime.

## **Concluding Remarks**

Whilst the world of critical criminology is obviously more variegated than the world of Talcott Parsons it remains the case that Gouldner's original critique continues to expose tensions in the critical criminological enterprise. If we follow Gouldner's analysis we find that zookeeping is less a characteristic of some sociologies rather

than others and more a characteristic of all sociologies. Gouldner's, often caustic but always insightful critiques of sociology – whether of Parsons and his followers or the welfare state-dependent young men of the post-war Golden Age or the self-righteously 'value-free' technicians of the military-industrial complex – were not opportunistic, ethical, immanent or political complaints. They were critical analyses of the ways that sociological theory constitutes the world in order to represent both its problems *and* prospects. They were, in short, lessons to social scientists of all stripes about the perennial danger of caging active social agents in zoos – whether Late Modern, or otherwise.

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