

Left Realism: a defence

JOHN LEA

In a recent article Stan Cohen asserts that left realists

... by their overall commitment to ‘order through law’ ... have retreated too far from the theoretical gains of twenty years ago. Their regression into the assumptions of the standard criminal law model of social control – criminalization and punishment – is premature [1].

In this paper I hope to show that this is a mistaken view of Left Realism (referred to hereafter as ‘realism’) in criminology and that, on the contrary, this tendency has arisen as an attempt to deal with some fundamental dilemmas that radical criminology finds itself in at the present time, dilemmas which need to be resolved precisely by avoiding the collapse into earlier positions.

During the 1960s and 1970s a kind of division of labour existed between radical and social democratic criminology in which the latter produced reforms in criminal justice, while the former showed how these were only ‘reforms’ which helped ultimately to shore up and defend the existing structures of social control, to criminalize the poor, the harmless and the politically rebellious.

The harsh climate of the 1980s has placed this division of labour in a state of severe crisis, particularly in Britain. Among the reasons for this three are of particular importance.

First, the social problems associated with the decay of urban capitalism have steadily worsened. Bad housing, unemployment, personal violence, theft of personal property have multiplied. The economic crisis has produced not only social conflict between classes but at the same time an increase of conflict and anti-social behaviour within the working class. At the same time we have become aware of new dimensions to this conflict with increased prominence being given to racial and sexual violence.

Second, the election of a government of the radical right has introduced contradictory elements into state policy. On the one hand there has been a restoration of the free market and a ‘rolling back’ of the state, with the right embracing, in the name of liberty and reduced taxation, elements of community-based alternatives to the state which hitherto were thought to be the preserve of radicals. Displacement of welfare to ‘community care’ or increased promotion of community-based crime prevention as alternatives to policing

are examples of this. At the same time there has been a tightening up of the repressive aspects of the state apparatus particularly against social movements protesting against the consequences of government policy. The welfare state as a machinery of surveillance and control of the unemployed has been strengthened at the same time as the services it provides have been curtailed. The police have been more spectacularly deployed in industrial disputes at the same time as they have admitted their own inefficiency as a crime-fighting organization.

Finally, in the sphere of local/regional government in Britain, the left has made many gains in contrast to the domination of the right in central government. Radicals have thus been confronted with detailed tasks of policy formation across a wide spectrum of issues, including those of crime prevention and policing.

These developments have placed new theoretical issues on the agenda of radical criminology. In this paper I shall focus on two that seem of particular importance to the realist debate: crime and criminalization, and the criminal justice system and alternatives to it.

I. Crime and criminalization

Radical criminology has been at its least problematic when discussing the state criminalization of political or industrial action or harmless forms of individual activity such as cannabis-smoking. The rise in street crime and forms of interpersonal violence in recent years has faced us with a problem: how to take seriously such issues without at the same time appearing to sanction increased activity by a criminal justice system which is ultimately repressive in its nature? This dilemma is illustrated by the fact that feminist campaigns for the elimination of sexist bias in the treatment of rape and male violence by the Criminal Justice System have frequently taken the form of demands for harsher sentences for sex offenders [2]. Similarly, in high crime inner city areas one of the most vociferous complaints when working class people from poor housing estates meet their local police is 'you never come when we need you'.

Radical criminology has hitherto responded to this problem in a number of ways.

Firstly, there is the strategy that Woolgar and Pawluch have aptly described as 'ontological gerrymandering' or '... making problematic the truth status of certain states of affairs while backgrounding or minimising the possibility that the same problems apply to the assumptions upon which the analysis depends' [3]. In radical criminology this has taken the form of the argument that crime 'may or may not' have been increasing but it is certainly not part of an explanation of changes in the behaviour of the criminal justice system or the

media. This was the position adopted in mid 1970s by Stuart Hall and his associates in a massive study of the role of the state and media in the development of a moral panic over the involvement of black youth in street robbery ('mugging') during the early 1970s. [4]. The main argument suggested that crime exists but that it is a normal part of working class life (part of survival) and that 'The fact is that it is extremely difficult to discover exactly what was new in "mugging" – except the label itself' [5]. However the argument contained its ambiguities and proceeded to concede that the involvement of young blacks in crime was an understandable response to economic deprivation: 'The position of black labour, subordinated by the processes of capital is deteriorating and will deteriorate more rapidly according to its own specific logic. Crime is one perfectly predictable and quite comprehensible consequence of this process' [6].

These ambiguities notwithstanding, the impact of *Policing The Crisis* was to effectively disconnect the key subject matter of criminology from any part in an explanation of social reality. While crime might well exist it really played no part in understanding what were the dynamics of change in British society. An ontological hierarchy was created in which, while unemployment, racism, and changes in the general social and political structure are 'real' subjects for discussion and analysis, 'crime' although it has not yet become a purely ideological category has been reduced to the status of the climate, not something that really ever changes and therefore neither of any legitimate explanatory status, nor worthy of close investigation.

A second more radical development of the strategy to avoid confronting the issue of crime was to assert that much of what passed for street crime in the early 1980s was in fact a new form of political rebellion, particularly by youth, against the economic crisis and the repressive state. Many held this position as a sort of tautology and regarded it as sufficient to assert that '... the political formation of the working class movement is saturated with illegality. The relation of politics to "crime" is therefore complex' [7] as if this proved a priori that urban street crime was in fact some new undefined, yet to be organized, form of politics. Fortunately, this analysis was not extended to rape or other forms of sexual violence. [8]

These two arguments were really simply avoidance strategies which served to postpone the problem of confronting increase in crime as a theoretical and a policy issue. The most rigorous theoretical defence of a refusal to talk about crime as such comes from the abolitionist camp. For writers such as Hulsman the categories of 'crime' are given by the criminal justice system rather than by victims or society in general.

This makes it necessary to abandon the notion of 'crime' as a tool in the conceptual framework of criminology. Crime has no ontological reality.

Crime is not the *object* but the *product* of criminal policy. Criminalization is one of the many ways of constructing social reality [9].

Hulsman proposes that we should talk instead only of 'problematic situations' [10]. There is no problem, from a realist perspective, of using this terminology. I shall deploy it frequently in the rest of this article. Hulsman's position, unlike the first two, has the merit of at least enabling radical theory to square itself with empirical data. Although we cannot with any theoretical consistency talk of increases in 'crime' we can of course talk about increases in the frequency of 'problematic situations'. Hulsman's position rests on two assumptions. First that if the categories of criminalization are derived from the criminal justice system then this *precludes* them corresponding in any way to the needs and experiences of victims. The problem therefore remains that of relating changes in the incidence of 'problematic situations' to changes in the behaviour of the criminal justice system. Since the latter portends to deal with 'crime', there is no reason why it should recognise or respond to changes in problematic situations. Until we have a theory of what the connection is between changes in the frequency of the latter and changes in the behaviour of the Criminal Justice System we cannot know whether a particular activity on our part (say publicising the extent of domestic violence, or conducting victimization surveys to estimate the 'dark figure' of unreported street robberies) will strengthen, weaken, or have no effect on, the repressive activities of the Criminal Justice System.

The argument that the categories in terms of which the Criminal Justice System recognizes and responds to events can have no correspondence to the needs and experiences of victims is theoretically untenable. Firstly, it assumes that the state can create definitions and categories 'at will' quite independently of those established by popular social communication. Some years ago Jurgen Habermas drew attention to the objective limits on any political system which wished to disconnect the basis of its legitimacy from the prevailing structure of social beliefs by displacing the cultural symbols of legitimacy with technical administrative norms and attempting to take over the 'planning of ideology'.

In so doing, maneuvering room is, to be sure, narrowly limited, for cultural system is peculiarly resistant to political control. *There is no administrative production of meaning*. Commercial production and administrative planning of symbols exhausts the normative force of counterfactual validity claims' [11].

The production and planning of symbols is illustrated by an understanding of what the state is doing when it seeks to criminalize, say, political or harmless activities. It makes no sense to attempt to persuade the public, through media

and propaganda, that striking coalminers are criminals for confronting the police who storm their picket lines, unless the public already agrees that violence may be indicative of that type of 'problematic situation' which deserves to be criminalized. Only a totally authoritarian state which had somehow managed to disconnect its form of domination from any concept of legitimacy, could hope to draw the boundaries of criminalization 'out of thin air'. In such a system the activity of the police would lose all connection with crime even as defined by the state. If the categories of crime became totally divergent from public sentiment then no-one except paid informers would report any crimes to the police in the first place. In western democracies as they function at present the vast majority of crime is in fact reported by the public to the police. Indeed, it is in poor working class areas that the proportion of public calls to the police which are directly concerned with crime is highest [12]. In short, except in the most temporary and episodic of circumstances those things which the Criminal Justice System defines as criminal cannot lose their connection with what popular culture defines as problematic situations. The state authorities or ruling class may attempt to extend the boundaries of criminalization beyond what is popularly regarded as problematic but this must be done, if it is to succeed, by some combination of analogy, argument, or factual misinformation. It may, conversely, refuse to criminalize problematic situations against the will of public opinion. But again this must take the form of some structure of argument.

The second problem with Hulsman's position is that there is no uncontested language in terms of which we, as criminologists, can locate 'problematic situations'. Such situations come to be defined as a result of shifting processes of power and communication within society, and the criminologist does not stand outside those processes. Consider the relatively recent addition of sexual harassment of women in the workplace to the list of 'problematic situations' and think of the dimensions of social power and conflict which lie behind its emergence to this status. Indeed, occasionally, albeit rarely, the Criminal Justice System may take a lead in overcoming certain backward cultural practices which are still regarded as unproblematic by substantial sections of the population. State criminalization of purdah or clitorrectomy in some third world countries would be an example.

The truth is that we cannot start from some unbiased standpoint and look at the Criminal Justice System to see whether or not it is criminalizing the right things any more than we can start from the legal code and critically evaluate the cultural values of society. We can only start from the dialectical relationship between the two.

Radical criminology has in other words to start not from a moral map of reality but from a process of conflict. At any point in time there will be a complex relationship between 'crime' and 'problematic situations'. There

would seem to be the following elements to the relationship:

1. *Criminalized problematic situations* – those ‘problematic situations’ which are also classed as ‘crime’ by the Criminal Justice System: large areas of interpersonal violence, killing, robbery, etc will fall into this category.

2. *Non-criminalized problematic situations* – those problematic situations which are not regarded as ‘crime’ by the Criminal Justice System: many harmful activities of large corporations, pollution etc of which the public is aware, forms of sexual violence not adequately dealt with by the law, together with forms of state violence will be included here.

3. *Criminalized non problematic situations* – those activities which although regarded as ‘crime’ by the Criminal Justice System are not seen as problematic situations by elements of popular culture: the classic ‘criminalization’ of working class or popular struggles, harmless sexual or drug taking practices are examples.

4. *Non-criminalized, non problematic situations* – the vast structure of social action which is neither regarded as ‘problematic’ nor criminalized by the Criminal Justice System.

The boundaries of these categories will be in constant motion as a result of cultural, economic and political forces in society. Two consequences immediately follow for radical criminology. Firstly it is obvious that increases in the number of criminalized problematic situations can occur and can bear a causal relationship to the activities of the Criminal Justice System. Increases in police activity, in other words, may take place as a response to an increase in *some* types of activities which are regarded as problematic and anti-social [13]. It is, of course, not ruled out that at the same time the state authorities may attempt to extend the boundaries of criminalization to new areas of socially harmless or widely supported forms of political activity. Indeed, this is very likely under present circumstances. It is hardly surprising that increases in social and political struggles and increases in crime are simultaneous products of economic decline. How then, can criminologists avoid giving *de facto* support to an oppressive expansion of the boundaries of criminalization while studying and devising policies to deal with the increase in those problematic situations which are also criminalized?

The realist response is straightforward. Such a situation is *maximally* likely if criminologists are advocating those methods to deal with criminalized problematic situations that would also facilitate the expansion in state criminalization of non-problematic activities. It is *minimally* likely if criminologists are advocating those strategies to deal with criminalized problematic situations which would hinder the expansion of state criminalization of non-problematic situations. It is this latter course of action which characterizes the realist programme. Here is where Cohen’s comments completely miss the point. Realism has emphasized a new connection between democracy and

accountability on the one hand and efficiency on the other. The argument of the recent work of Kinsey, Lea and Young [14] has been to the effect that only the increased democratization of the police can enable it to deal effectively with criminalized problematic situations. This argument is rooted in the understanding of the process of public cooperation as the only method whereby the police can become aware of crime, and come to acquire the information necessary to solve it. That same process of democratization and restriction of the activity of police to a minimum [15] would make it harder for the police to be used to criminalize working class struggles, or forms of social activity which do not meet with public disapproval.

Indeed, one of the major achievements of realist criminology in Britain has been the publicization of this message and the undermining of public confidence in the conservative strategy of stronger, more authoritarian police methods as the only way to combat crime. Government policy in Britain has involved a combination of reducing the role of the police in certain types crime control through displacing the problem to other agencies and the public, while the role of the police in the criminalization of class conflict has become more pronounced. Only realists have responded to these developments adequately by arguing a strategy of increased focus of policing on the control of crime *by methods* which would reduce their capacity as a mechanism for the criminalization of non problematic activities.

By recognizing the reality of crime as that area of overlap between Criminal Justice definitions and agreed problematic situations, we are able to reach a better understanding of the process of criminalization itself. Criminalization can be understood as a two way process. On the one hand there is a 'positive criminalization' whereby harmless acts become defined as crime by a repressive state apparatus. Of equal importance is the 'negative criminalization' by which the Criminal Justice System acts inadequately or inconsistently even in those areas of problematic situations which it recognizes as crimes. Examples are the criminalization of the victim in rape trials or in murder trials where the victim is the wife or lover of the assailant. A similar area is refusal of Criminal Justice Agencies to provide an adequate service such as lack of response by police to emergency calls in poor working class areas, or advising women and elderly people that the way to avoid victimization is to remain barricaded in their homes.

There remains the question of those problematic situations which are not criminalized. Some of them it would be desirable to criminalize, such as the activities of large corporations and the nuclear energy industry which are directly injurious to health. Others, it is clear, would be more effectively dealt with in non-criminalized ways. Realism is in no way opposed to decriminalization. It rather stresses that different forms of anti-social activity need to be dealt with in different ways.

What should be criminalized and what should not be? It is essential to recognize the dialectical nature of this question. The development of the categories of criminal law in any free society requires the maximum public participation in processes of democratic discourse. The distinction between what is embodied in the criminal law and what are regarded as problematic situations will always retain an element of arbitrariness outside such conditions. But, equally important is the fact that the conditions of such participation requires a mechanism for enforcing universal and consistent conditions of movement and transport throughout society. If one section of the population cannot politically educate itself through participation because of a fear to walk the streets then no rational discussion can take place. This brings us to the issue of the existence of the Criminal Justice System itself.

II. The Criminal Justice System and the community

The second debate in which realist criminology finds itself involved is the question of whether a Criminal Justice System separated from other social institutions is itself desirable.

There are two types of argument against a Criminal Justice System. The first is constituted by various marxist themes concerning the class nature of the Criminal Justice System in a capitalist society. These range from the assertion that the class nature of the system is guaranteed by the social origin of the personnel who occupy it, to more sophisticated analyses of law as a reflection of the commodity form of capitalist social relations of production and circulation. To the extent that the categories of the legal subject and the rule of law are rooted in capitalist property relations then the implication is that a socialist society would replace such relations with an essentially delegalized and decentralized form of social control in which formal legal relations would be collapsed without residue into substantive social relations [16].

For abolitionist writers like Hulsman the non-correspondence of the Criminal Justice System and its legal categories to victims needs is rooted in the very fact that state solutions are systemic rather than individual:

Conflicts which occur in society between persons or groups are defined in the penal system, not in terms of the parties involved, but in terms of the regulations (criminal legislation) and the organizational requirements of the system itself [17].

There are two important consequences of this. Firstly that 'The parties directly involved in a conflict can exert little influence on the future course of events once a matter has been defined as criminal and has been taken up by the system

as such' (ibid.); and secondly that 'Within the concept of criminality a wide range of situations are linked together. Most of these, however, have separate properties and no common denominator.'

Hulsman's position appears to be an argument for a completely substantive system of justice which becomes collapsed into the structure of social relations *per se*. This conforms to the classic abolitionist strategy of delegalization and deinstitutionalization. The stress is on community and neighbourhood reconciliation mechanisms as alternatives to criminalization and legal process.

The problem for this aspect of abolitionist strategy is that aspects of it have been taken over by the state. Part of the strategy of 'rolling back the state' has been, in criminal justice as in areas of welfare, the recruitment of the community as a substitute for the state. Abolitionists have understood for some time how community-based alternatives to the Criminal Justice System can become forms of Cohen's famous 'spreading the net' and 'blurring the boundaries' and it would be pointless to rehearse the arguments yet again here [18]. Cohen is once again wrong to suggest that realism is simply a response to this dilemma by retreating back to the centralized Criminal Justice System. On the contrary, realism is rather an attempt to go beyond the dilemma itself by working out a new form of relationship between centralized criminal justice and community based alternatives.

It is necessary to begin by reasserting the connection between human freedom and the existence of a centralized criminal justice system. This has been well formulated by Andre Gorz:

As the site at which the law is formulated and the material imperatives of the social system are translated into universally applicable rules known to everyone, the state serves to free civil society and its members from tasks which they could only undertake at the price of impairing both individual and social relations . . . the existence of a police force (whose functions need not be carried out as a full time career) makes it unnecessary for each individual to internalise a whole system of law and order [19].

In short, having a police force in society relieves citizens of the necessity of having to carry one around in their heads. The type of society which could dispense with a criminal justice system would be, like those primitive societies that pre-date such systems, very repressive. The conditions of a social order in which all 'problematic situations' could be resolved by the participants would be the repressive integration of all individuals into a system of religious or cultural codes (Durkheim's 'mechanical solidarity') which would eliminate the possibility of serious social conflict. This is, of course, precisely the direction of the New Right's vision of the reconstructed moral community in which traditional values and institutions of family and religion will reassert themselves as

alternatives to both the welfare functions of the state and many of its litigation functions as well. In reality, any desirable future society will wish to commit itself to universal values like equality of opportunity, sexual equality, respect for individuals personal freedoms, etc. Wide disparities between different forms of enforcement or dispute settlement would result in the emergence of new forms of stratification and inequality and the consolidation of obstacles to rational discursive processes.

It is quite legitimate, therefore, that a number of things be grouped under the heading of law, the infringement of which is to be dealt with by methods which guarantee consistency, comparison with similar cases, and response to collective social debates expressed through penal legislation rather than simply by the individuals involved in particular incidents. Decentralizing justice entirely to the particularities of the offender and victim presupposes either that both are integrated into a strict moral code, or that it is tolerable to have a wide divergence of particular settlements differing between communities and regions [20]. But there are some important qualifications to this.

Firstly, there is a wide array of problematic situations which a democratic society would not wish to define as crimes or in which it is most important that the victim as opposed to the social collectivity should be able to decide what course of redress to initiate. It is vital, therefore, that alongside criminal justice institutions there exist a wide variety of mediation, dispute settlement, legal advice provision, and crisis intervention agencies apart from the police, and of a local and decentralized character.

The reason for this is that crimes and less serious problematic situations are frequently different stages of the same process. What begins as a private dispute between neighbours over noise or refuse disposal may terminate as a case of serious violence in which society has as much an interest as the participants in resolving. The existence of community alternatives to Criminal Justice bodies is therefore an important filter to prevent conflicts becoming more serious. A large number of situations which end up in the hands of the Criminal Justice System do so because of the absence of other mechanisms to deal with them at an earlier stage in their evolution. The problem is often less the colonizing impulse of the Criminal Justice System than the simple lack of effective alternative ways of dealing with problematic situations. The realist commitment is to a 'minimal policing' [21] strategy which envisages a clear system of checks to prevent the Criminal Justice System 'drifting' into areas which would be better dealt with by other institutions combined with a strengthening of those alternative institutions. What distinguishes crime from non-criminalized problematic situations is ultimately for the democratic process to decide. At the national level this is a question for legislation, at the local level for the establishment of area priorities regarding the use of police time and at the individual level in the obligation of the police or other agencies to

respond to emergency telephone calls. What realists stress is both the need for available alternative solutions with a similar responsiveness to emergency calls and the need for constant democratic monitoring of both police and alternative agencies to ensure they function consistently and in accordance with agreed criteria. In the foreseeable future of industrial urban societies there will be more problematic situations, both criminalized and non-criminalized, than the available agencies can deal with. Criteria for prioritizing situations will have to emerge both in police agencies and in localized dispute mediation schemes. Democratic scrutiny of these systems of priority including the power to revise them are essential.

Furthermore, and this comes some way to meeting Hulsman's point about the victim retaining a degree of control of the justice process, there are always a number of conflicting components to any criminal or other problematic situation. This is so even in a situation of serious crime where the social collectivity has an interest in the outcome. In some situations the ability of willingness of victims to utilize the resources of the Criminal Justice System is dependent upon assistance from other agencies. A woman, for example, who prosecutes her husband for violence carries an enormous emotional burden combined with the risk of losing economic support. Therefore, even when an issue is one of serious crime there is a need for the presence of non-criminal justice agencies of an advisory and supportive role to also have an interest in the situation.

A further set of problems surrounds the issue of conflicting but equally valid approaches to dealing with problems. The conflict between justice and welfare approaches is not one that can be theoretically arbitrated either now or in a future socialist society: it corresponds to the deep-rooted polarity between free will and determinism which is one of the unresolvable antinomies of western culture. In a case of serious family violence the Criminal Justice System may demand the punishment of offenders while social work agencies might regard it as better to keep the family together for therapeutic reasons. The victims may have yet another attitude and must find agencies to support their point of view. All we can do is establish a structure in which different agencies, and the victims themselves, have an equal voice in deciding the outcome. Police or the Public Prosecutor may wish to present a case for prosecution of a violent person. They must be willing, however, to refer the case also to social work agencies knowing that the latter may oppose prosecution from considerations of family stability. We cannot know which outcome is necessarily best in all cases. The problem with much abolitionist thinking is that it assumes that the matter can *a priori* be best resolved by the immediate participants. In many cases it is far from clear who the 'immediate' participants are in any case. Where the bureaucratic failure of social security payments to arrive on time causes frustration and anger which then becomes a component

in criminal violence, to leave only the 'immediate participants' to resolve the issue would simply confirm the power of bureaucracy.

An important component of the realist programme is therefore a *real* pluralism of agencies to counterbalance the power of centralized criminal justice. Some of these agencies can be centrally organized, others will be local. Realists are under no illusions that the existing structure resembles this state of affairs. The powerful contemporary trends towards the coalescence of both welfare agencies and local decentralized community initiatives as surveillance mechanisms for centralized criminal justice agencies are noted. The core of the realist approach is to resurrect a healthy conflict between institutions; not to try and abolish contradictions but, on the contrary, to enable them to work properly.

How far is it possible to specify the conditions under which such a pluralism would be guaranteed? One component of a realist approach is attempting to develop a concept of the *necessary interpenetration of centralized and decentralized institutions*. For example, the relations between the central and local components of organs such as police need to be reorganized. The working of such agencies involves a considerable discretionary content. The mode of operation of policing cannot be inferred from the content of the law being enforced. The decisions concerning what laws to prioritize, by what methods, and what particular incidents are the infringements of which laws, can never of course be entirely supervised. Nevertheless, it is this discretionary element of central agencies which can be as far as possible localized and democratized. If the laws are enacted centrally then the locality is the best place to decide which are the most important priorities and how they should be enforced. A localized police force is the best institutional framework for the enforcement of nationally enacted legislation.

In the type of police organization envisaged by realists national state legislatures would be unable to enforce law except through locally organized police under local supervision and scrutiny as to methods and priorities. The danger of the emergence of local particularism would best be avoided by a clear separation of police and Public Prosecutor departments [22]. The latter would have the role of monitoring, from a national perspective, regional and local divergences in the type of cases being presented by police for the consideration of local prosecutors.

The sphere of relations between state and non-state agencies such as localized arbitration bodies is most likely to become a form of 'spreading the net' if such bodies are staffed by professionals and regarded as the *de facto* local branches of national institutions. This is the case for example with many recent crime prevention initiatives such as Neighbourhood Watch in which the local community is simply enlisted as an extra surveillance mechanism for the police. Under such circumstances all manner of particularistic criteria are

brought to bear in the identification of 'suspicious' events worthy of reportage to the police [23]. By contrast where the main component of professional input is the identification, support and training of local community representatives (for example in mediation techniques) and the identification of problematic situations requiring intervention is established through local democratic deliberation then such community-based schemes are likely to maximize their autonomy from centralization and bureaucracy.

This requires changes in the structure and functioning especially at the level of city and regional government agencies. Such bodies need to be reorganized to de-emphasize the provision of many services directly and a re-emphasis on support for independent citizen groups providing the services themselves. This support role must however include, firstly a monitoring role such that the emergence of local particularism can be identified (e.g., a local crime prevention initiative that turned itself into a vigilante organization should be disbanded) and secondly, the capacity to undertake 'community building' projects in those areas of the city where the preconditions for mediation or victim support schemes do not yet exist. There are no watertight solutions. The quality and breadth of vision of the individuals involved is every bit as important as the institutional structures within which they operate.

Conclusion

Can anything be said in conclusion on the essence of the realist approach? It is important to end by restating that realism originates as a reaction, in current social and political conditions to the absences in radical criminology. These are the absence of a discourse about crime and a refusal to talk about the constructive as opposed to the destructive role of institutions of criminal justice. Realism rejects a utopian strategy of waiting for the state to wither away, knowing that we would only have to reinvent it if it did.

The starting point for realism is the strategy of democratization. The maximization of democratic participation is ultimately the solution both to the problem of what is crime and to the problem of how to deal with it. The solution to the problem of criminal justice is the democratization of its institutions while at the same time recognising their necessary functions. The realist programme is concerned with the redrawing of the boundaries between and the transformation of the character of institutions and communities in accordance with the values of socialist pluralism.

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