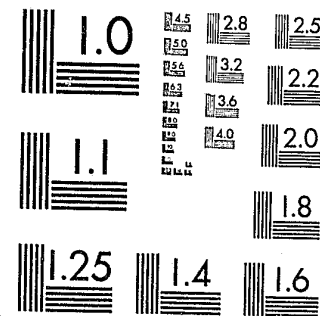


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ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

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All phases of preventive and correctional activities in delinquency and crime come within the fields of interest of FEDERAL PROBATION. The Quarterly wishes to share with its readers all constructively worthwhile points of view and welcomes the contributions of those engaged in the study of juvenile and adult offenders. Federal, state, and local organizations, institutions, and agencies—both public and private—are invited to submit any significant experience and findings related to the prevention and control of delinquency and crime.

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Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

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This Issue in Brief

Can Corrections Be Rehabilitated?—During the last 30 years much progress has been made toward dissolving the barriers of hostility that generated violence and distrust between correctional staffs and prisoners. Because of forthcoming budgetary stringencies, rapidly increasing populations, and a vast increase in the level and frequency of violence, much of that progress is in danger of reversal. Author John Conrad feels it is urgently necessary to reduce prison intake by making maximum use of community-based corrections. He proposes a new model of sanctions that will be more severe than the present community corrections without resort to incarceration.

"It Only Gets Worse When It's Better."—This article by W. Clifford of the Australian Institute of Criminology, and the following article by Professor López-Rey of Cambridge, England, present two differing perspectives on world corrections. Mr. Clifford states that in the past 10 years regimes have changed or been overthrown, ideologies have been transformed, but corrections throughout the world has not changed all that much. Some of the older and outdated systems are yet 10 years more behind the times. In fact, he adds, corrections in its old form has a remarkable facility for surviving all kinds of revolutions and looking much the same afterwards.

Crime, Criminal Justice, and Criminology: An Inventory.—This article by Professor Manuel López-Rey attempts to demonstrate that crime is not an ensemble of behavioral problems but a sociopolitical phenomenon, that criminology should overcome excessive professional aims, and that criminal justice is increasingly unable everywhere to cope with the problem of crime, even within the limits of common crime.

Adopting National Standards for Correctional Reform.—The concept of correctional accreditation, according to Dale Sechrest and Ernest Reimer, is built on the foundation of humanitarian

reform of prison conditions through the application of standards of performance. A Commission on Accreditation for Corrections was formed in 1974. The Commission, using trained professionals, has accredited over 250 correctional agencies including 80 prisons, having a total involvement of over 500 correctional facilities and programs of all types.

Volunteers in Criminal Justice: How Effective?—The acceptance or rejection of the use of volunteers in justice settings has been based primarily on personal belief rather than on sound empirical evidence, assert authors Sigler and

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Leenhouts. While many volunteer programs have been evaluated, the results are questionable because of methodological errors. Two methodologically correct professional evaluations have indicated that volunteers are successful in working with justice system clients.

Volunteers in Corrections: Do They Make a Meaningful Contribution?—This article by Peter C. Kratcoski examines the roles of volunteers in corrections in the past, the advantages and problems associated with using volunteers in a correctional setting, correctional agency administrators' and staff members' attitudes toward them, and the motivations and satisfactions of the volunteers. The findings of a study of the characteristics and motivations of a national sample of volunteers in probation are reported.

A Delphi Assessment of the Effects of a Declining Economy on Crime and the Criminal Justice System.—The research discussed in Professor Kevin Wright's article utilized the Delphi method of forecasting in order to obtain an initial and expedient answer to the question of what effect economic adversity will have on the incidence of crime and on the criminal justice system. Certain types of crime are expected to increase; however, an uncontrolled outbreak of crime is not predicted. Specific economic factors are identified as the primary producers of fluctuations in the incidence of crime. Some elements of the criminal justice system are expected to be burdened by economic decline.

Presumptive Parole Dates: The Federal Approach.—The procedure adopted by the United States Parole Commission to avoid unnecessary indeterminacy in making its determinations relative to prison confinement, while at the same time allowing for consideration of significant

changes in circumstances, is the focus of this article by Drs. Barbara Stone-Meierhoefer and Peter Hoffman. The presumptive parole date procedure implemented by the Parole Commission is described, and its relationship to the Commission's system of explicit guidelines for parole decision-making is discussed.

Court—Prosecutor—Probation Officer: When Is Discretion Disparity in the Criminal Justice System?—There is not yet in America any clear, consistent, rational policy regarding whether to pursue a correctional philosophy of rehabilitation or one of retribution. Former emphasis on treatment is being replaced by emphasis on punishment and uniformity of sentence. Supervising Probation Officer Robert L. Thomas believes traditional definitions of discretion and disparity are being prostituted to cover up the belated realization that after-the-fact solutions to crime do not work. What is really needed, he insists, is more realistic alternatives to traditional dispositions and a clearer understanding of who should or should not go to prison.

Rekindling the Flame.—The syndrome of burnout is a symptom of the crisis presently affecting the social service professions, asserts James O. Smith of the Pennsylvania Board of Probation and Parole. As such, the phenomenon presents both the danger of poorer quality services and, paradoxically, the opportunity for enhancement of services. Using as a general framework Maslow's hierarchy of human needs, this article maintains that through the medium of a comprehensive, in-service training program an organization can positively affect the "esteem needs" of its staff. The outcome of this relationship, as it is suggested, is higher quality service with less staff burnout.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as an endorsement by the editors or the Federal probation office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

Crime, Criminal Justice, and Criminology: An Inventory

BY PROFESSOR MANUEL LÓPEZ-REY, LL.D.*

GRAPHICALLY the growth of crime, the impact of criminology and the effectiveness of criminal justice may be represented by a triangle the largest side of which corresponds to crime, the smallest to criminology, and the medium to criminal justice. Why such a lack of proportion? There are many answers: One is that since crime is the subject matter of the other two it must necessarily hold the first place. It may also be said that inasmuch as crime is the result of constant socioeconomic and political change the place it occupies is the logical result of such condition. A third answer is that while criminal justice and criminology are subject to budgetary provisions

this is not the case with crime. Although valid, none of these answers is satisfactory as long as crime is almost exclusively confined to common crime, criminal policies continue to be formulated on a piecemeal basis and not as part of general socioeconomic and political development, and criminology regarded as a behavioural discipline.¹

Within the limits of this article an attempt will be made to demonstrate that crime is not an ensemble of behavioural problems but a sociopolitical phenomenon, that criminology should overcome excessive professional aims, and that criminal justice is increasingly unable everywhere to cope with the problem of crime, even within the limits of common crime.

*Professor López-Rey is a member of the United Nations Committee on Crime Prevention and Criminal Justice and from 1966 to 1980 was visiting fellow, Institute of Criminology, Cambridge, England.

¹Among other recent publications see, *Criminology, New Concerns*, 1979, edited by E. Sagarin, and *Criminology*, 1980, by P. Wickman and P. Whitten.

Crime

What in many cases are called new crimes are only modern *modus operandi* of old criminal offenses. As it was aptly put by the United Nations Committee on Crime Prevention and Control, doc.E/CN.5/516,1974, the existence of new modalities, particularly violent ones, does not imply the appearance of new forms of crime. It is true that in certain cases for political and other reasons new legal labels seem to be justified and accordingly new penal laws promulgated or international declarations or covenants adopted. This happened with genocide, torture, cruel, inhuman and degrading treatment or punishment, kidnapping and ransom, terrorism and missing persons but these and other modalities are aggravated forms of old crimes against life, physical and mental injury, freedom, etc. The enactment of special penal laws and the entry into force of international conventions, more and more numerous, have not yielded the results expected. Genocide is still being committed by parties to the convention and the criminal violation of human rights is also perpetrated by a considerable number of parties to the two 1966 United Nations conventions on economic, social, cultural, civil, and political rights.² Moreover if caught, the vast majority of offenders involved in the criminal violation of human rights are not very receptive to rehabilitation programmes.

Crime is as old as mankind and has been committed by the man in the street as well as by the highly placed for personal, political, ideological, economic, religious, international, and many other reasons. History shows that often it was committed, sometimes on a large scale, under cover of official, even royal, position or as a sequel to patriotic, revolutionary aims or in pursuance of important economic, industrial, scientific and other interests. What happened is that in Western conservative industrial society the problem of crime was in practice conveniently reduced to common forms of crime against persons, property, public order, State security, and public administration. Generally only international crime was taken into account. Such a conventional approach was in full accordance with the socioeconomic and political structure of that society and was transplanted into the colonies or widely accepted by other countries particularly in Latin America and Asia. It was also in this society that the structure of penal systems was established and that as a compensation for social injustice

the concept and machinery of juvenile justice as a welfare undertaking was created and criminology born.

While the treatment of offenders received great attention, the prevention of crime, although constantly proclaimed as the more important aim, received very little. It suffices to look into the manuals of criminology to see that while justice and treatment matters get hundreds of pages, prevention rarely gets more than 30 or 40 and the preventive measures recommended have remained practically the same for many decades: organization of clinical centers and the recreational programmes, the increase of playgrounds and youth clubs, reducing unemployment, social work with near-delinquents, sociopsychological consideration of recidivism, and, more recently, greater use of physical measures of protection against crime. Their preventive effect in industrial society was not what was expected and still is less satisfactory in contemporary postindustrial society where juvenile and young adult play a greater role than before. Although some references may be found to the planning of criminal justice, it is often misunderstood: More often than not what is mentioned is the compilation of State penal laws, the gathering of data, the organization of data banks, the formulation of models, and the need for greater participation of the community in law enforcement tasks. Yet the planning of criminal justice as part of national or state planning was already recommended by the Second U.N. Congress on the Prevention of Crime, London 1960, and stressed at the Fourth and Fifth Congresses, Tokyo and Geneva, 1970 and 1975 respectively.

The participation of the community in the penal system has always existed and the jury and law magistrates are significant examples. In some developing countries village courts and other modalities are in full operation although the results are not always as satisfactory as expected. One of the reasons is that rural areas are gradually coming under the depersonalization process of postindustrial society in which services and bureaucracy play a dominant role and that in many countries such areas are the battlefield of dictatorial government forces and opposing guerrillas of many sorts.

Greater participation of persons and groups in law enforcement activities requires frequent individual and community contacts; easy mobility and safe ways of transport particularly in metropolitan areas; growing confidence in law enforcement machinery and a reasonable feeling of individual and collective security. A comparative

²For a list of existing conventions see, *Human Rights. International Instruments. List of Signatures, Ratifications, etc.* United Nations, 1980. Altogether 19 are listed.

study of the crime situation in developed and developing countries shows that in the big urban agglomerations, the increase of which is one of the features of lack of planning in postindustrial society, the fear of being a victim of crime, has led to what may be called "daily house arrest" by staying at home as much as possible.³ Such fear, which actually is the composite product of the other factors, makes extensive and effective community cooperation extremely difficult. The study of violent crime and lagging criminal justice shows a clear relationship between these and unplanned development, out-of-proportion urban growth, increasing public apathy vis-a-vis violent crime and victims, and persistent claims for more severe penalties. Violent crime and lagging criminal justice are typical characteristics of big urban areas in capitalist and socialist countries. The situation will be out of hand by the year 2000 if account is taken of U.N. projections for most urban agglomerations. In that year Mexico City will have 21 million inhabitants, Sao Paulo 26, Rio de Janeiro 19, Jakarta 17, New Delhi and Buenos Aires 12.⁴

Public attitudes are not always the best guide for the formulation of criminal policy but neither can they be ignored especially when community participation in law enforcement is sought. As far as treatment is concerned some experiments of such participation have yielded gratifying results but in order to be reasonably effective in the prevention of crime such participation demands an almost radical transformation of contemporary penal systems as well as many of the existing national development programmes.

With respect to common crime the data concerning the U.S.A., Federal Republic of Germany, France, Austria, United Kingdom, Sweden, India, and Venezuela, to cite a few, show that in the decade of the 1970's the increase, particularly of

³Reports on such fear are too numerous to be cited here. They have been conducted since 1976 in many developed countries. Data concerning big urban areas in developing countries such as Mexico City, Caracas, Sao Paulo, Lagos, Kampala, and Bangkok are available and have been taken into account by the writer.

⁴See *Patterns and Urban Population Growth*, 1980, United Nations. On the other hand, in some developed countries there is sometimes a decreasing trend in the big metropolitan areas. Among the reducing factors fear should be included.

⁵See *Crime in the United States 1980*, Uniform Crime Reports, 1981; *Polizeiliche Kriminalstatistik 1980*, Bundesrepublik Deutschland, 1981; *Compte General de l'Administration de Justice*, Ministère de la Justice, 1981; *Polizeiliche Kriminalstatistik 1980*, Österreich; *Criminal Statistics, England and Wales 1980*, HMSO, 1981; *Statistik medelanden 1980*, Stockholm, 1981; *Crime in India, 1976*, Ministry of Home Affairs, 1980 and *Estadística delictiva 1978*, Ministerio de Justicia, Caracas, 1980.

⁶See *Crime in African Countries* by E. Paul Kibuka in U.N. International Review of Criminal Policy, No. 35, New York 1980 and *Nigerian National Paper on the Prevention of Crime*, 1980, Government of the Federal Republic of Nigeria, submitted to the Sixth U.N. Congress, Caracas 1980.

⁷See *Bribery and Extortion in World Business, 1977, A Study of Corporate Political Payments Abroad*, 1977, by Neil H. Jacoby, P. Nehemkis and Richard Eels, which examines the situation in different world regions and points out the connection between socioeconomic development and political payments; *Corporate Crime*, 1980, by Marshall B. Clinard and Peter C. Yeager where the relationship between corporation activities and crime is studied. Of particular importance is the Report of the International Meeting of Experts on Crime and the Abuse of Power: offences and offenders beyond the reach of the law, United Nations, New York 1979.

violent urban crime, cannot be explained by greater sensitivity in reporting criminal offences and more effective action. Even if these and other factors play a positive role, the fact is that as the U.S.A. report states "law enforcement alone cannot cope with the grave social ill."⁵

In Africa and Arab countries statistical data are scanty and seldom reliable. One of the exceptions is South Africa, the criminal statistics of which show how the inhuman policy of *apartheid* increases illegitimately the amount of crime. At present, crime is regarded in Africa as one of the most serious problems and all signs point to an alarming rise in criminality particularly among juveniles.⁶

Socialist countries do not facilitate police statistics but this does not prevent them from asserting that under socialism crime is decreasing. This may be the case with respect to some forms of common crime but not always as far as the official or semiofficial criminal violation of human rights is concerned. Careful reading of some publications allows the conclusion that even some modalities of common crime are increasing. In *Criminality and its Prevention, Czechoslovak Republic*, 1980, by Jan Pjeskar, it is stated that during the period 1970-78 crime remained more or less constant, that crimes against the socialist economy account for more than a third of the whole criminality, that the damage caused by crime is still very high and that according to forecasts it is possible to expect by 1985 a declining trend in crime. The analysis of other monographs submitted like the previous one to the Caracas Congress, shows that some types of crime, particularly violent crime, is not decreasing in all socialist countries whatever is said to the contrary. With respect to the USSR the extracts of the circulars of the General Public Prosecutor's Office published by the Moscow press show how often all authorities are urged to take effective steps against crime.

With respect to nonconventional crime, the criminal violation of human rights, ecological, industrial and economic offenses, criminal corruption and terrorism far exceed in many countries if not the number, at least the gravity of most of the corresponding common offences. In some cases the number of "missing persons" conservatively estimated is not less than the number of common homicides in the same period. Such is the case, among others, of Argentina for 1976-80. In many countries the illegitimate use of power, including revolutionary power, means the perpetration of a variety of criminal offences defined as such by the penal codes in force.⁷

As a result of a historical and sociopolitical process the industrial society has been gradually replaced by the postindustrial. The transformation was badly needed. Rightly new independent countries were born but only a few have been able to set up stable democratic regimes. As a counterpart ideological and revolutionary movements and organizations became violently active at the national, international, and transnational levels. Although in some cases violence may be justified, the justification cannot be transformed into a general rule and very seldom is it able to solve the injustice involved.⁸

What has happened is that in contemporary postindustrial society crime has asserted itself as what it always has been, i.e., a sociopolitical phenomenon and not an ensemble of behavioural cases most of them concerning common crime. Essentially crime has become a human rights problem affecting individuals as well as regimes of many sorts, minorities, nationalities, and even countries. The main fundamental human rights involved are freedom, dignity, equality and security. Among many other things to be considered is that the offender is not only the common offender.

Criminal Justice

At present the main features of criminal justice are: lagging justice, increasing impunity, lack of appropriate legal assistance to the needy, prison overcrowding, scarcity of prison labour and of adequate remuneration, excessive number of prisoners awaiting trial, abuse of plea bargaining, limited compensation to the victims of crime, extensive use of short-term imprisonment, and decreasing effectiveness of probation and parole and equivalent measures. That sometimes justice is done does not alter the fact that generally its recipient is the underprivileged offender.

Since it is not possible to deal with all these characteristics here, suffice it to say that in most countries the population awaiting trial is increasing. In the developing countries between 50 and 80 percent of such population is awaiting trial for periods between 6 months and 3 years, in most cases the sentence imposed does not exceed 1 year

and very seldom the prisoners, the majority from the lower strata of society, have the benefit of appropriate legal assistance.⁹ According to official data in Spain in 1981 the average was 60 percent, in France in 1976, nearly 40 percent, and in England and Wales 1980, putting together untried and convicted but unsentenced prisoners, 15 percent.

With few exceptions overcrowding is the general feature even in countries like the U.S.A., France, and United Kingdom. Prison labour is not always available and the remuneration is seldom equitable. In England and Wales current weekly earnings, including overtime, averaged about £1.31 according to data provided to the writer in September 1980. In many countries if remuneration is paid data are not made available. It may be said that in spite of the adoption in 1955 of the U.N. Standard Minimum Rules for the Treatment of Prisoners submitted to Governments in 1957, they are not implemented in many countries particularly concerning detainees to which they applied in accordance with the amendment made in 1977.

Quite often public prosecutors ask for 50, 100 or even 300 or 400 years imprisonment. As far as the writer knows the record is held by a Spanish prosecutor who, in May 1981, requested 473 for each of the four terrorists accused. The deterrent effect of such demands is nil: All of them add to the growing discredit of criminal justice.

Deinstitutionalization and the concept of "residual offender" are not very much in favour. The term "residual" has little meaning but is part and parcel of the terminological paraphernalia of "progressive criminology." The reasons against imprisonment particularly considering how it is implemented in most countries, whether capitalist or not, are many and the use of the term "facility" current in the U.S.A. does not disguise the fact that the facilities needed are not always available. Imprisonment must be reduced and improved but it cannot be abolished. The trend to extend noninstitutional treatment is general and unconditional and conditional release, fines, probation, partial confinement, open institutions, work release, halfway houses, community service orders, etc., are more and more used but their beneficial effects are often marred by being part of obsolete penal systems.

The effectiveness of probation and parole has progressively declined since the 1960's. The main reasons are: the increasing expenses involved if the corresponding services, including aftercare, are properly organized; the way in which decisions

⁸For a more detailed consideration of violence and its legitimacy and illegitimacy see my paper *Institutional violence and crime* to be published by the United Nations International Review of Criminal Policy.

⁹See M. López-Rey's paper, "The Correction of the Criminal Offender in Latin America," in *International Corrections*, 1979, edited by H.H.A. Cooper and R.J. Wicks where the highest averages are found in Colombia, Peru, and Venezuela with 70, 77 and 79 percent respectively; *Innovations in Criminal Justice in Asia and Pacific*, 1979, edited by W. Clifford and S.D. Gokdala and *Proceedings of the First Asian and Pacific Conference on Corrections*, 1980, edited by W. Clifford. In Sri Lanka in 1974, the total number of imprisonment entries was about 83,000 persons of whom 71 percent were awaiting trial. The greater part of them were sentenced to less than 6 months.

are taken by the authorities, particularly concerning parole, is often inconsistent; that owing to sociopolitical changes offenders and prisoners are less inclined to accept supervision, restrictions and assistance, particularly juvenile and young offenders and that as far as recidivism is concerned neither institution yields the results expected. Postindustrial society, particularly in urban areas, has created a kind of social mobility very different from that of industrial society in which both institutions were born. The result is that people, offenders or not, are far less amenable than before and less willing to accept the limitations inherent in probation and parole. The question involved is not only the quality of discretionary powers in granting or denying either benefit but whether or not something else should replace them. Here again the relationship between development, crime, offender and penal system is visible but seldom taken into account by those suggesting only operational modifications in the granting of probation, parole and other noninstitutional or semi-institutional measures.

In Japan apparently crime is decreasing in some respects but not juvenile crime in spite of the great use of probation and related measures. In Sweden since January 1980, imprisonment for juveniles has been replaced by a combination of probation and a maximum period of 2 months institutional treatment. In practice even for adults imprisonment has always been sparsely used in Sweden and only exceptionally for long periods of time. In both countries probation is organized in a flexible way and yet recidivism is sometimes very high, particularly in Sweden where it may reach 80 percent.¹⁰

Attempts to reduce imprisonment are under way in many countries, sometimes pressed by the need to create "vacancies" in overcrowded institutions. Among others such is the case in France and England and Wales. In the latter, the suggestion of introducing automatic release after serving a third of a sentence not exceeding 18 months is meeting with considerable opposition from the judiciary, probation services and public opinion. On the other hand, the trend to increase penalties or to introduce fixed or mandatory sentences for certain offenses is also encountering criticism. Such con-

tradictory attitudes are visible in many other countries and more than anything show that the existing penal systems do not correspond to the penal needs of the postindustrial society.

Victimization is one of the biggest problems of our time. In the U.S.A. it has been increasing in a way which clearly shows the growing inadequacy of the law enforcement system. In 1979 the number of households affected by burglary, larceny, and motor vehicle theft was 79,498,600 and crimes of violence—personal sector—was 6,159,000.¹¹ Violent victimization is increasing in France, Italy, Federal Republic of Germany, United Kingdom, Spain, Belgium, and many other countries: In all of them official figures are less than the real ones. To common crime victimization should be added terrorism victimization either from above or perpetrated by organizations from right or left.

For years the United Nations has tried to induce governments to formulate criminal policies as part of development policies. The results have been disappointing for reasons I have examined elsewhere. More recently the attempts to formulate a New International Economic Order have led to the formulation of a New International-National Criminal Justice Order in close connection with it.¹²

Criminology

As a causal discipline made up of a plurality of others criminology was born at the end of the 19th century in a Western conservative world to which, as stated, the notion of crime was confined to common crime. Owing to rehabilitation aims the offender and not crime became the greatest recipient of such discipline. Thus criminology became a behavioural science in which psychology, biology, and sociology played the primary roles. As such it expanded rapidly in Europe, U.S.A., Latin America, as well as some other countries and colonies. It started fading in the 1950's under the double impact of the advancing postindustrial society and of its inability to renew itself. One of the most significant attempts at renewal was Sutherland's thesis of "white collar crime" which was resisted by many saying that the offences involved were outside the area of crime. Later, the "new" criminology, partly as a result of the "cultural revolution" and partly as an expression of a renewal with often marked Marxist overtones, stressed the inadequacy of existing criminology. Although in some respects its impact was beneficial and imitated in some developing countries, its Marxist tenets were ignored by the

criminologists of socialist countries. The term "deviant" became and remains one of the key criminological concepts and with it, although following a different pattern, behavioural criminology.

Biological, psychological and sociological theories were formulated and the prediction of crime regarded as an essential task. Criminal types of offender were formulated, in other cases crime was explained by endocrine glands dysfunction or by abnormal karyotypes. The deprivation of parental love, the instability of home conditions, and the lack of education were regarded and still are by many as the causes of crime. Recently, prediction has been asserted on the basis of the measurement of brain waves, cardiovascular rhythm, skin electrical characteristics, etc. All these and other theories show a constant confusion between certain problems of crime and the crime problem. The image of the "potential offender" is very much cherished by this kind of criminology.

The above does not mean that criminology has been useless. On the contrary, in quite a number of aspects it has made useful contributions but it has utterly failed in dealing with offenders and more significantly with crime as a whole. The thesis of victimless crime makes little sense particularly in contemporary society. Now "quantitative criminology" has been hailed as one of the most dramatic changes in criminology. Apparently the transformation is due to the introduction of mathematical rigor in criminological research. Therefore optimization models, geometric distribution, econometric techniques and the like are praised and encouraged. As instruments they are needed but when instrumentality is transformed into substantivity the latter is more apparent than real. Probability, risk, and chance, the importance of which was also stressed by the writer in his *Criminologia*, 1978, II, chapter X,

should play a role in criminology. The same applies to models, optimization, etc., provided first that crime is considered as a sociopolitical phenomenon and subordinately as a behavioural problem, and secondly that whatever are the equations and theorems used and models formulated, all of them have an instrumental character and as such are subservient to the protection of human rights individually and collectively understood.

The fact that criminology cannot avoid its composite nature does not prevent it from becoming a real discipline if the behavioural approach is overcome. To achieve this the current criminological curriculum should be completed by adding political science, sociology of law and of international relations, political sociology, history, economy, development and planning problems, human rights theory and practice, logic and methodology at present more often than not absent. Not every criminologist is expected to be fully acquainted with each of these disciplines but at least should know something about them. The ensemble would mean a more complete and coordinated interdisciplinary approach and that manuals should undergo a substantial change.

Final Remarks

Any inventory reflects debits and credits. The one made here clearly shows the growing deficit in criminal justice and criminology and the enormous gains in crime. Criminology as well as criminal policy should keep in mind that national, international, and transnational crime are becoming more interdependent than ever. The final remark is that as a policy, criminal policy is in such sad condition that something radical should be done to save it. Certainly it can no longer be formulated and implemented on a purely piecemeal basis.

A GENERAL reevaluation of criminal justice is underway . . . It has yet to assume a coherent philosophical perspective. Until it does, there is plenty of room for concern over organization, operations, and administrative improvement generally.

— FREDERIC R. KELLOGG

¹⁰See *Summary of the White Paper on Crime*, 1980, Ministry of Justice, Tokyo 1981, and *Kriminalvården* 1980, National Prison and Probation Administration, Norrköping 1981.

¹¹See *Criminal Victimization in the U.S. Summary Findings 1978-79*, National Crime Survey Report, U.S. Department of Justice.

¹²See *Analysis of the major issues involved in the formulation of the new international-national criminal justice order in the context of development and the new international economic order to assist in the setting up of policy options relating to crime prevention and criminal justice*, 1981, U.N. Department of International Economic and Social Affairs, prepared by the writer as U.N. consultant.

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