A CRIMINOLOGIST'S QUEST FOR PEACE

Hal Pepinsky

Chapter 7: TAKING STOCK

From what colleagues tell me, the primary appeal of "peacemaking criminology" is that it is a positive, constructive endeavor. Conventionally, criminology is the study of undesirable behavior and of how to eliminate it. From the time I entered the field I began asking myself: What DO we want from people? Is all we want for people to stop committing crime? Would the social world be happiest if we all were dead, for then surely none of us would be committing crime? Doing warmaking criminology makes me feel like a nagging parent, constantly saying, "No. Stop it. I mean it. I'm going to teach you not to do that." In this volume I have given radical feminists credit for showing that this perspective on human relations is classically patriarchal, where father figures make children especially into whatever images the father figures care to dictate.

More than one criminologist has told me how refreshing it was to read *Criminology as Peacemaking* (Pepinsky and Quinney, 1991) because the book contained so many ideas of what TO do. "Now I can feel good about being a criminologist," I hear.

This is also the primary appeal of "restorative justice," although as I have explained in this volume, I think that "making things right" is more than any social process can deliver.

Critics have argued that peacemaking criminology is a perspective which as yet has produced no theories of how to make peace. I agree that many criminologists are doing theoretically diverse "peacemaking" work. I refuse to be proprietary about defining peacemaking criminology. Why discourage people from making their own sense and use of the term? Whether or not other "peacemaking criminologists" are doing what I do, I believe I do have a theory of how to make peace in place of violence, which I have described in series of contexts in this volume.

To me, any adequate social theory rests crucially on a reliable operationalization of the dependent variable. For years in my research, I struggled with the unreliability of operationalizations of "crime" and "criminality." Why for instance, should someone who gets caught taking small items from an employer be branded a "thief," while the employer who appropriates millions of dollars of the surplus value of impoverished workers is not? Why should someone who fatally knifes a person in a bar fight be labeled a "murderer" while a surgeon who kills a patient in an unnecessary operation, without the patient's informed consent, is at best a civil "malpractitioner"?

I became known as a "social constructionist," one who believes that labels we put on people and their behavior are politically and culturally arbitrary. In graduate school in sociology I learned that this "social constructionist" perspective was also "phenomenological" or "ethnomethodological." Now I hear that it is "post-modern" or "deconstructionist." For a long time, I struggled with the nihilism and absolute relativism this perspective implied. I struggled with the conviction that somehow, somewhere, there was a distinction between social destruction and social construction which I could accept as valid.

I consider the operationalization of violence and peacemaking I repeatedly describe in this volume to be the most crucial breakthrough in my own criminological thinking-the distinction between whether actors are heading relentlessly in one direction, or are using information from others to revise what they are after or what compulsion they are driven by. Determination to reach a goal is inherently violent.

I welcome dialogue on whether others agree on the validity of this distinction. Is violence as I define it inherently entropic, inherently productive of social heat, inherently destructive of trust and cooperation, as I argue? Is peacemaking inherently synergetic, inherently productive of social security and harmony? If so, we have a dependent variable which can be operationalized for individuals or for groups across political cultures, a definition that covers both structural and personal violence. If so, we have a dependent variable which transcends abundant variations and vagaries in legal definitions of "crime," in political definitions of "violence," and in social definitions of "harm" and "justice."

My work has received more than its share of criminological attention, but it is frustrating to me that this to me most important finding of mine is pretty much ignored in references to my work. I can see that if readers overlook the fact that when I propose for instance that "balanced discourse" makes "peace," I am talking about my own operational definition of the opposite of "violence," then I am just telling warm fuzzy stories of how some Navajo, prisoners, survivors or students envision living, with no theoretical connection to the "crime" and "criminality" criminologists care most about. In this reading my work becomes atheoretical, unempirical, unscientific-an unrealistic description of how countercultural people want us to relate.

As I see it wishful thinking has nothing to do with my theory. The theory is that if you interact in one way, you will become safer, that is, you will make peace. If you interact in another way, your social danger will increase, that is, violence will result. Within this theory, one can still choose to organize violence. I propose that "minimizing the force [or violence] necessary to keep the peace" is a stopgap contributor to peace. I seek simply to discern which social initiatives make interaction more "responsive" rather than "violent." As lawyers in the British legal tradition would say, that is "merely a question of fact." Empirical testing of the theory has refuted propositions about what makes peace rather than making violence. Notably, as I describe in this volume, experience has taught me that in power struggles, "dumping up" against powerholders (proposed in Pepinsky,

1995), if it exceeds some minimizing of force, backfires and increases the violence even the oppressed people whom one is trying to help suffer instead. Whatever the immediate issue or context at hand, as in the chapters in this volume, my central theoretical question remains: What have I learned about what distinguishes violence-producing interaction from peace-making interaction?

My work must be confusing to those who presume that warmaking is the only imaginable criminological paradigm. I am only incidentally trying to predict results of interventions like changes in rates of crime, criminality and recidivism. Within my paradigm, these intervening variables remain social constructs. So I can propose how "societal rhythms in the chaos of violence" lead us to greater violence-to a reality-based greater state of danger and fear--even during a so-called record-long decrease in "crime." That is only because I so carefully, empirically, distinguish "danger" from "crime."

As I review the work in this volume, my central challenge as a writer is to convey how crucial it is to make a conscious choice among dependent variables, and how fundamentally the theoretical worth of my propositions depends on discerning whether social intervention hardens people's determination to reach pre-ordained objectives, or frees them to reconsider what matters and what they are after.

I am struck by an irony. On one hand, I recognize that to accept my peacemaking paradigm means, among other things, that by definition setting goals and working to achieve them is violent. On the other hand, I am writing about my primary goal in writing, as to what understanding of my position readers reach. In Buddhist tradition, I find myself wrestling with this paradox and trying to transcend it. I am prepared to learn to celebrate things in my work I do not yet, from unanticipated reader reactions. I have been and can be profoundly surprised by experience. At the same time at this moment, I expect letting go of attention to outcome, rather than goal performance, will underlie the responses to my writing which teach me the most. As I learn, I expect that my choice of paradigm will be vindicated by the experience of others. Responsiveness really will be fulfilling and comforting; goal-directedness will really be traumatizing and endangering. My beliefs lead me to expect and hope for surpriseÄwithin set parameters. I confront a Zen-like riddle: How do I let go of attachment to what sense people make of my writing?

I really do appreciate the generous responses I have received to my writing. I expect to feel good about responses to this writing which are indifferent to my most fundamental concerns. I acknowledge that this indifference makes responses no less profound, for me or for anyone else. Still, a voice nags in me that attachment to outcome not merely causes but BY DEFINITION IS VIOLENCE and social danger, and that give-and-take dialogue with others is the essence of having social life become safer. I believe I believe!

To me, peacemaking is a vast world of inquiry. I keep testing and trying what might broaden participation in interaction. I may think that I have with fair complexity and nuance proposed how I encourage balanced participation in groups like college classes to which I belong. I know my theories, as with respect to "dumping up," will be revised.

Fundamentally, I hope readers of this volume will notice and consider whether "harm" and "safety" are what I define them to be, and if not, to consider other options to patriarchal labels of criminality.

In responsiveness, in give-and-take, I have found my counterpart to things I do not want people to do. I subordinate opposing violence to making peace-to establishing responsive interactions among frightened, structurally and personally battered people. My most important breakthrough is to define operationally what interaction I DO want from people. I theorize how to generate the interaction I do want. To me, it is not merely that criminology as peacemaking lets me consider constructive initiatives; it is that in peacemaking criminology, I can finally define what being constructive is.