

Introduction: Qualitative Research in Criminology

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Abstract: This paper begins with a brief overview of research traditions that paved the way for qualitative methods in criminological research (*labeling approach* and critical criminology). In addition, it outlines recent trends in qualitative criminology. The potentials and the limits of a perspective of "understanding from within" ("Verstehen") on deviance and social control are discussed. The contributions to the volume—examples of qualitative criminological research from German speaking countries—are introduced in reference to some current trends of conceptual and methodological discussions in criminology.

Table of Contents

- [1. Looking Back: How Qualitative Methods Came Into Criminology](#)
- [2. How Far-reaching is the Approach of "Verstehen"?](#)
- [3. Questions and Methods of Current Qualitative-Criminological Research](#)
- [4. Concluding Remarks](#)

[References](#)

[Authors](#)

[Citation](#)

1. Looking Back: How Qualitative Methods Came Into Criminology

Within criminology as well as in most fields of social research, the usage of qualitative methods is a second choice. An important reason why quantitative methods dominate criminological research may be the expectations which are addressed in this type of research. Societal and political discussions concerning crime demand first of all "brute facts" and statistics that show how specific types of crime are distributed among the different segments of the population¹. [1]

Since the 1970s qualitative methods have obviously become more and more important not only in social research but also in criminology. In order to understand the role qualitative methods play in criminological research it is useful to sum up how qualitative methods came into recent empirical criminology and which perspective on crime was developed within this research tradition. Moreover it is important to mention that numerous "classical" sociological studies on deviance which pointed the way to the future of a specific social science perspective on crime and deviance had a qualitative research design. But notice that this term was not familiar in the first third of the 20th century and a clear distinction between a qualitative and a quantitative methodology did not exist at this time. It is worthwhile mentioning some of the well known ethnographic studies (most of them belonging to the so called "Chicago School of Sociology")

1 An exception of the strong dominance of quantitative methods is to be observed in gender research. Even in this field of research the relation of quantitative and qualitative methods is not in favor of qualitative methods, but here these methods are more common than in other fields (cf. MEUSER & BEHNKE 1999).

concerning different deviant subcultures and the relations of these subcultures with institutions of social control; for instance: ANDERSON's (1923) "The Hobo," exploring the world of casual laborers, marginalized persons living just inside the law, TRASHER's (1927) "The Gang," one of the most important pioneer work in sociological research on youth gangs, SHAW's (1930) "The Jack Roller," a case study of a delinquent career, LANDESCO's (1929) "Organized crime in Chicago" or THOMAS' (1923) "The Unadjusted Girl"², and work that deserves special recognition, a milestone in ethnographic research: WILLIAM FOOTE WHYTE's (1993 [1943]) "Street Corner Society." [2]

In the forties, when survey methods and statistical procedures advanced, the ethnographic tradition of the Chicago School found its place in the background of social research, and criminology was not an exception. In criminology qualitative methods were pushed into the background additionally by the fact that, at least in Germany, criminology is dominated by jurisprudence. This began to change when, in the sixties in US and in the seventies in Germany, the *labeling approach* tried to launch a new paradigm in social research on deviance. Labeling approach was (and is) strongly tied to symbolic interactionism and ethnomethodology. A main point of the critique the *labeling approach* directed toward criminological research was that this research usually defined crime and deviance in the same way as the criminal law and the legal system does, further that criminology simply adopts the ascriptions and labels from the legal system, and finally that these definitions formed the basis not only of legal but also of sociological research on how specific types of crime are distributed among the population and on the etiology of crime. Labeling approach deconstructed this alleged secure resource of criminological research and made it the topic of research. By empirically reconstructing crime as a societal and legal construct, qualitative methods were brought into play. [3]

The *labeling approach* added to criminological research two subjects that were widely neglected or forgotten: the analysis of those interaction processes, by which the institutions of social control (police, courts, social work, psychiatry and others) produce the social reality of deviance and crime as it is documented in official statistics, and the analysis of deviant careers, i.e. the analysis of the trajectories which were initiated or increased by the labeling. [4]

For both subjects a qualitative design was appropriate if not compelling. If crime is seen as accomplished by the activities of the institutions of social control the question *what* crime is must be answered by analyzing *how* crime is produced³. This research policy directs the focus on the "practices of punctuation, typification, categorization, and evaluation" (LÖSCHPER 2000, paragraph 3)

2 The role qualitative methods play in the early Chicago School is documented in BULMER 1984, chapter 6.

3 Transforming "what"-questions into "how"-questions is a characteristic of all reconstructive methodologies. Ethnomethodology for instance argues that the subject of ethnomethodological research are not social norms understood as "faits sociaux" in the DURKHEIMian tradition but "norms in use" (cf. CHURCHILL 1971, p.184).

carried out by the agents of social control, and the way how the controlled people react to the control activities.

"'Crime' is constituted through the definitions of situations that are negotiated between different parties (offender, victim, witness, policeman, judge etc.) in processes of social interaction. These definitions determine if an incident is noticed, if it is registered as a case, and if the case is classified as 'criminal' on its way through the criminal justice institutions. Files, data and statistics of officially registered offences do not represent the 'reality of deviance'. Instead, they are specific constructions of crime and documents/records of the judgmental and classification work done by the institutions of the criminal justice system. These aspects of 'crime' are therefore adequately inquired only with the implementation of qualitative methods." (LÖSCHPER 2000, paragraph 3) [5]

The *labeling approach* focuses on how crime is produced by reconstructing the routine practices of the institutions of social control, and by reconstructing the implicit principles which generate those practices. This perspective on crime especially characterizes the ethnomethodological research on deviance. This research focuses on the typifications, background expectancies, and everyday theories of the agents of social control and asks how these agents "come to recognize [...] activities as relevant to their circumstances of work" (CICOUREL 1976, p.xiv). Such implicit knowledge is part of that type of knowledge GIDDENS (1984) calls "practical consciousness," in contrast to "discursive consciousness." This type of knowledge cannot be asked for, it can only be accessed using reconstructive methods. These methods can grasp empirically the "surplus of meaning" which, according to GARFINKEL (1961), is basic to social action. [6]

Many of the ethnographic studies posed the question: what are the (latent) generating principles of the work of agents of social control? Some of the examples include CICOUREL's (1976) work on juvenile justice, LAUTMANN's (1972) research on courts, and in particular many studies on the police (for instance FEEST & BLANKENBURG 1972; FEEST & LAUTMANN 1971). Much of the sixties' and the seventies' research concerning the practice of social control did not reach the methodical standards which have developed in qualitative research since that time. These studies did not become important by developing an advanced methodology, but by launching a new subject they opened up a new research perspective. [7]

The second subject *labeling approach* introduced into criminology was deviant careers, which can be seen as a variation of the interactionist interest in "trajectories" (GLASER & STRAUSS 1968). This question is posed in ethnographic research on deviant subcultures and in biographical case studies. These studies, most of them done in the perspective of symbolic interactionism, revitalize to a certain extent the tradition of the Chicago School. A qualitative design is preferred in order to grasp how people react to processes of labeling. This research interest is frequently accompanied by a political-emancipatory attitude: to give voice to the excluded people and the outsiders (cf. BECKER 1970). [8]

It is not only due to the subject of inquiry that qualitative methods are chosen. The *labeling approach* developed exactly at the same time as the so called "interpretive paradigm" challenged the functionalist mainstream in social science research and theory. But there is not only a temporal coincidence; *labeling approach* shares the basic theoretical orientations with the interpretive paradigm. Some prominent researchers made important contributions to the sociology of deviance as well as to the general discussions in sociological theory and methodology. CICOUREL (1976) for instance published one of the most important ethnographic studies concerning the praxis of an institution of social control ("The Social Organization of Juvenile Justice"), and he presented (together with KITSUSE) a fundamental critique of how official statistics are used in scientific research on crime (KITSUSE & CICOUREL 1963). CICOUREL's influence on the development of an interpretive methodology is not any less important. His book "Method and Measurement in Sociology" (CICOUREL 1964), in which he "deconstructs" the fiction of objectivity of quantitative methods, is a often cited starting point for the development of a genuine qualitative methodology, and his contributions to ethnomethodology (CICOUREL 1970, 1973) gave decisive impulses to interpretive sociology. Similar "personal unions" can be observed in Germany too. Fritz SCHÜTZE and Ralf BOHNSACK for example, both who contributed important work to an advanced qualitative-reconstructive methodology (cf. BOHNSACK 1991; SCHÜTZE 1981), started with research in the field of the sociology of deviance. [9]

2. How Far-reaching is the Approach of "Verstehen"?

The research on deviant subcultures and deviant careers is guided by the approach of "Verstehen." This approach tries to understand the deviant subcultures from within. By not taking over the ascriptions of guilt which are inherent in the process of labeling, this approach avoids judging the deviant's behavior in moral terms. In this respect, this research seems to follow the postulate of "moral indifference" which plays an important role in the recent methodological discussion in qualitative research (cf. BOHNSACK, LOOS, STÄDTLER, SCHÄFFER & WILD 1995, pp.444-446; HITZLER & HONER 1991, p.383). In taking a closer look one can see that at least parts of the research on deviant subcultures and careers make judgments, even if these are not the judgments of the institutions of social control. And it turns out that the methodological principle of "moral indifference" has no undivided validity. [10]

Howard S. BECKER (1970) argues that by not adopting the usual ascription of guilt, it inevitably leads to taking the side of the people who are labeled as deviant. The consequence would be to "whitewash" these people. According to BECKER the question is not whether we should be taking sides. Rather taking sides would be inevitable, and therefore one must ask: "Whose side we are on". BECKER continues on to state that it happens naturally in the course of research that we develop a deep sympathy for the people we study so that we believe in the conviction—against the rest of the society—that the deviants are at least as good as all the other people, "more sinned against than sinning" (BECKER 1970, p.101). This attitude which is quite common in the early *labeling approach* (as it is

in critical criminology) realizes only half the postulate of bracketing moral judgments. The judgments of the majority of society, as represented by the institutions of control, are replaced by the judgments of the outsiders. With that it is not possible to reconstruct social worlds in a way which is not guided by pre-assumptions, as it is postulated in recent qualitative methodology. On the contrary there is a danger that what should be avoided determines unnoticed, in a modified form, the research: "a naive taking of perspectives reproducing the immanent meaning together with the moral claims of the people studied" (BOHNSACK, et al. 1995, p.445). [11]

Furthermore, taking the perspective of the other is not practiced in the same way toward the agents of social control as it is toward the labeled persons. This applies in particular to the (early) critical criminology. This approach, based on a specific connection of scientific analysis and political engagement and being critical against the institutions of social control, is interested in the activities of these institutions only with respect to the role these institutions play in producing criminal careers. This is the subject of numerous interaction studies. To such an extent that the labeled persons are "whitewashed" the agents of social control reversely find themselves accused⁴. This happens partly explicitly, but more often implicitly—the latter being more important in methodological concerns—due to the fact that, in the case of the agents of control, the principle of understanding ("Verstehen") the motivations and relevance of the actors directs the research not with the same stringency as it does if "the other side" is the subject of inquiry. [12]

The particular concept of the "German version" of *labeling approach*—as it is represented by Fritz SACK (1972), Wolfgang KECKEISEN (1974), and Gerlinda SMAUS (1986a)—aims at combining the perspective of labeling with an analysis of social structure and social inequality. This results in looking for the systematic distribution of crime as "a negative good" and for imbalance of power. The search for patterns of the production of crime focuses on those being responsible of selective labeling (cf. SMAUS 1986b, p.256). While for deviant behavior "objective" causes are denied—it is conceived as genuinely socially constituted—the analysis of objective conditions of the behavior of the agents of control is regarded as possible and as necessary. Without this analysis one would not understand the content and the regularities of definition processes (cf. KEUPP 1976). But it is not adequately explained how social structures are transformed into routine practices of labeling crime (LÖSCHPER 1999). [13]

Moreover the interactions between representatives of control (police, judges, social workers etc.) and deviant persons only amount to one part of the everyday professional work in these institutions. "Workplace studies" focusing on all action routines and on this work's structures of relevance are lacking in (early) critical criminology. Without such a broadened perspective, understanding of the interactions between the agents of control and those who are controlled remains curiously limited. HÜTTERMANN's (2000) ethnographic study on "street corner police" has shown this for the police. Interactions between police and male

4 This holds true in particular of the so called "critical research on police". Cf. also the contribution of REICHERTZ (in this issue, paragraphs 5-11).

juveniles of a so called "street-corner gang" are not only determined by the public assignment to control, but just as much by a culture of masculinity that is as evident within the police force as among the young men of the "street corner gang." In his essay, BEHR describes this as constitutive at least for the branch of so-called "street cops"⁵. If one fails to consider gender aspects, i.e. how patterns of masculinity influence the organizational structures of the police force, one will not understand why policemen act the way they do. BEHR shows that police action very often does not only have a controlling aspect, but can actually be described as "doing masculinity"—at the very least the two are closely intertwined. [14]

In his contribution, REICHERTZ strongly suggests to include the workplace-perspective in the ongoing research on institutions of social control. Research as it stands when concerned with the police force deals with "an exact description and analysis of police work, the self-assessment within the police force, satisfaction with their work, problems at workplace and—again and again—police investigations, and not so much the function of the police in (post) modern society" (REICHERTZ in this issue, paragraph 11). Commenting on the German research community, REICHERTZ states a major backlog. Police research like that meets police conduct with the same methodologically founded "moral indifference" that you find in research on deviant subcultures. That methodological principles demand undivided validity should not need special enforcement. In view of the development of qualitative research in criminology as outlined above it does prove necessary, however (see for instance MEUSER & SCHETSCHKE 1996). [15]

BEHR's reflections on his own research within the police force show how difficult it can be in the daily business of research to live up to postulate of "moral indifference." High expectations—a known phenomenon in research of deviant subcultures (see MEUSER & SCHETSCHKE 1996)—pose a particular problem: Police people would like to see researchers as their advocate or as a mouthpiece for their point of view ("Tell it like it really is here!")—but this hope must be disappointed by researchers. BEHR—having been a policeman himself—has probably been confronted with such expectations more strongly than other researchers who do not have this specific professional background. His essay highlights the advantages and disadvantages of a researcher's social proximity to his field of study. On the one hand, there was greater trust as a result of common experiences; on the other hand, there was the expectation of a commitment to a shared ground of meaning" (BEHR in this issue, paragraph 25). [16]

5 Also the meaning and function of deviant behavior can only be understood in reconstruction when this behavior is not isolated in research, but is regarded as embedded in a context of daily activities in the wider context of the actor's whole "lifeworld" (Lebenswelt) (see for instance MEUSER 1999 on male violence).

3. Questions and Methods of Current Qualitative-Criminological Research

Over the past years qualitative criminological research of the earlier research tradition of reconstructing the internal view of the participants has been extended to include specific areas of deviation or offences, as for instance violence or drugs (for a review see LÖSCHPER 2000), and an analysis of patterns of interaction in institutions of social control⁶. More recent penal instruments are not only subjected to traditional numerical evaluation but examined with qualitative methods. Thus, PELIKAN in her essay uses different approaches in investigating mediation processes in cases of violence between couples. She also explores the difficult relation between research as interaction and research as involvement. This aspect carries weight not only for the assessment of the relevance of qualitative methods in criminology but also—as it becomes apparent in questions about their acceptance in debates on penal policies—for the (sensitive) relation between criminology and criminal policy and for the dilemma of deciding between "support for immediate versus long-term changes of institutions of social control" (MATHIESEN 1979, pp.66ff). [17]

Moreover, both the general increase in significance of qualitative social research in the Social Sciences as well as theoretical developments have led to a significant expansion of questions and of the methodological spectrum of qualitative social research in criminology over the past couple of years. Revisions of or improvements on theories of the interpretative paradigm have been developed in various disciplines and concepts. Earlier critical criminology tended to view reality as a social construction on the one hand, and operated with seemingly "firm" social structural categories (such as class, gender, ethnicity) on the other. Moreover there was a tendency to exonerate "deviant" individuals from assumptions of motive as well as to attribute social control to individual actors. Newer attempts, such as discourse analysis (not only according to FOUCAULT) or the concept of narratives are starting points for a new course in criminological research. [18]

Programmatic developments and resulting research concerning the permanent reproduction of social categories and stable patterns of interpretation of reality demand new methodological perspectives and the deployment of new methodological procedures (see for instance RIESSMAN 1993, SARBIN & KITSUSE 1994, VAASEN 1994, EWICK & SILBEY 1995, SMITH, HARRÉ & VAN LANGENHOVE 1995) which have become increasingly accessible to criminological research over the past few years. In this context, discourse analysis and interpretation pattern analysis ("Deutungsmusteranalyse") among other factors have found their way into criminological research. [19]

Existing studies on criminal procedure (from various scientific disciplines) elaborate on how discursive practices or narratives are constructed and reproduced in and by criminal procedures (see reviews of HOFFMANN 1989;

6 SCHUMANN (1993) and SACK (1994) deplore—and not only for the German speaking countries—that research on the judiciary and criminal procedure is lacking or rare.

LÖSCHPER 1999). They go beyond the concentration of ethnomethodological studies on "in situ"-interactions (for synopses see HESTER & EGLIN 1992; MORLOCK & KÖLBL 2000), and supplement and enhance this research tradition. In his essay, STEHR considers stories as the social pattern in and by which representations of crime or morals offered by the mass media are reproduced by the recipients as moral stories relevant for daily life. The actively retold moral content of a story can turn out to be either of a hegemonic or a subversive nature. [20]

HÖFFLING, PLASS and SCHETSCHKE describe, in their contribution, the media-presentation of knowledge on what is to be considered a criminal act, how to identify it, how to deal with it when you perceive it, as a central tool of the interpretation pattern analysis in criminological research. Their focus on production of knowledge about crime by the media—illustrated here by the example of corruption—takes a clear stand within the framework of sociological interpretation pattern analysis "by not taking interpretation patterns as a concept for describing subjective schemes of interpretation but as a notion focusing on social knowledge" (HÖFFLING, PLASS & SCHETSCHKE in this issue, paragraph 3; for an overview of concepts of interpretation pattern analysis see LÜDERS & MEUSER 1997; MEUSER & SACKMANN 1992). [21]

The validity of collective knowledge, its reproduction and especially its relevance for behavior is not only based on its representation in the media, however, but in its "vitalization" in the context of actions in daily life (see STEHR's essay in this issue). In addition, there is an institutional and subculture knowledge that is mostly taught and repeated orally: in stories and anecdotes. REICHERTZ, protagonist of the approach of hermeneutical sociology of knowledge, describes how this knowledge can be reconstructed by means of this approach in his essay on the police. The "story telling culture of the police investigators" becomes comprehensible as "a constitutive element of both police instruction and police work" (REICHERTZ in this issue, paragraph 62). [22]

Another approach rooted in the tradition of sociology of knowledge is that of ethnographic semantics. Christoph MAEDER—who introduced this variant of ethnographic research into the German-language discussion on methodology (see MAEDER & BROSZIEWSKI 1997)—shows in his contribution how this method helps to reconstruct a central element of that knowledge that determines the culture of interaction in a prison with a so-called "open prison-practice". Thus, one can achieve an understanding of the valid social order in this prisons, the order as it is lived in daily interactions among the inmates and between inmates and guards. [23]

An increasing exchange with disciplines beyond (the former basic disciplines of criminology) sociology and psychology is manifested in criminology in general and also in qualitative research. Exemplary and especially important is science of history. Science of history with its research on historical criminality and the large accumulation of empirical findings gives indications of deviant subcultures, the production of criminality, the reproduction of social structures, practices and routines of institutions and also enriches the methodological and methodical

discussion with its reflection on the significance and the value of sources. This becomes clear in TAEGER's essay on homosexuality in Paris in the 18th century. By exercising a cross-section comparison of files she shows very distinct patterns and "grammars" of decision making among police and of judicial definition processes of deviation—a diagnosis that once more underlines the necessity to look closely at judicial institutions' and judicial actors' various structures of relevance in criminological research. [24]

The perspective of the sociology of knowledge, invading criminological research in different varieties, asks for the symbolical dimensions of both the institutions of social control and those they control. In so doing it refrains—more or less distinctly—from partisanship for those who are labeled as well as from accusing those who do it. By strictly observing the limits of the spheres of scientific research and social practice (in this context see REICHERTZ in this issue, paragraphs 63ff.) it develops a critical potential that sometimes exposes the self-perception of the people involved. MAEDER for instance shows how interaction and communication structures in prison with so-called "open prison-practice" contribute to its development as an apparatus of power in FOUCAULT's terms, in which "a narrative microphysics of power spreads in such a way that the inmates subordinate themselves to the existing social order for having the privilege to communicate" (MAEDER in this issue, paragraph 25). [25]

4. Concluding Remarks

Criminology is a genuinely interdisciplinary research field. This is only partly reflected by the contributions in this volume, as most of them are from sociology. This predominance of sociological contributions could be a random result of our call for papers, however, it reflects the fact that there is a certain predominance of sociological studies in qualitative criminological research. On the other hand, a specific qualitative methodology has to a large extent been developed in sociological research. Most advanced qualitative methods of investigation and interpretation root in sociological research contexts (narrative interview, group discussion, objective hermeneutics, documentary methods of interpretation, hermeneutical sociology of knowledge, interpretation pattern analysis etc.). And in criminology as well, most method-reflecting research are found in sociological research projects. [26]

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