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**RACISM, ETHNICITY AND CRIMINOLOGY: DEVELOPING MINORITY
PERSPECTIVES**

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RACISM, ETHNICITY AND CRIMINOLOGY: DEVELOPING MINORITY PERSPECTIVES

Abstract

In empirical and theoretical criminology references to racism and ethnicity are commonplace, although much discussion has centred on the narrowly defined 'race and crime' debate. In an attempt to move beyond this debate, which is focused on whether certain ethnic minorities are over-represented in the prison population because of elevated rates of offending or because of discriminatory treatment in the criminal justice system, this paper proposes the formulation of minority perspectives in criminology. These would be concerned with empirical, theoretical, practical and policy issues and address matters of representation, knowledge production, the historical contextualisation of minority experiences in theory development, and the ethical duties of criminologists working within a minority perspective.

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Stating the case for minority perspectives

References to ‘race’ and ethnicity are commonplace in empirical criminology. As key socio-demographic variables empirical criminologists routinely use them to describe victims of crime and offenders, and less commonly, criminal justice practitioners. At the theoretical level, the notion of ‘race’ or ethnicity has infused many schools of criminological thought throughout the history of the discipline. Much of the focus of this empirical and theoretical attention has centred on official statistics which reveal an overrepresentation of certain minorities among those arrested and imprisoned for some criminal offences. On the other hand, self-report studies of offending and drug use have challenged the validity of these empirical ‘facts’, as have studies which have documented discrimination in criminal justice processing (see Bowling and Phillips 2002). Nevertheless, Braithwaite (1989: 44) has contended that a credible criminological theory ought to be able to explain, among other things, elevated rates of offending (according to official statistics) among oppressed racial minorities, since this is one of several “strong” and “consistently supported associations in empirical criminology”.

A primary objective in formulating minority perspectives in criminology is to move beyond the so-called ‘race and crime’ debate that has preoccupied us. It is the need to refine this debate, extend its parameters, and to raise concerns about the nature of the discipline itself which has spurred us to propose a different approach. Taking our cue from Braithwaite (1989) it is clear that there are many other “consistently supported observations” in this subfield, which hitherto have been neglected by mainstream criminology. The findings that black people have been disproportionately the victims of excessive physical force by police, prison and immigration officers and to die in custody, that almost all

judges are white even though a significant minority of those who appear before them are not, that Asian people have lower rates of imprisonment than white and black people, that there are few senior minority criminologists in the UK, are but a selection of such observations (Bowling and Phillips 2002). This remark should not be seen, however, as a rallying call for the development of an over-arching theory which can explain all of these phenomena, although there are likely to be common explanatory themes; the point is simply that criminological theory should not solely be dominated by the polemical and now sterile debate centred on elevated rates of offending versus discriminatory criminal justice processing.

A more multi-dimensional approach to understanding minorities' experience of victimisation, offending, criminal justice processing and working within the criminal justice field is necessary. A starting point is the need to *reconcile* criminological data with the 'lived experiences' and subjectivities of minorities. This is crystallised by Shallice and Gordon (1990: 31) when they refer to the disjuncture between empirical research findings on sentencing practices which show no 'race effect' and "the large numbers of people who readily assert the opposite, largely (though not unimportantly) on the basis of anecdotal, personal and collective experience." Similarly striking were the differences in perspective expressed during the evidence taken in the Inquiry into the murder of Stephen Lawrence. On the one hand, representatives from minority communities – churches, community relations councils, local monitoring groups and activists – referred to their experiences of racist violence, the weakness of the police response to this victimisation, and oppressive policing. On the other hand, senior police officers made reference to how seriously they viewed racist violence, describing initiatives in place to respond to this victimisation, and evidence showing either increased public confidence in the police (evidenced by increases in reported incidents) or a decrease in the extent of the problem (evidenced by decreases in

reported incidents) (Macpherson Inquiry 1999).

Reconciling these conflicting perspectives can be partially achieved through *both* improvements in the collection, analysis, interpretation and dissemination of such criminological data *and* by making central to our understanding the knowledges provided by minority communities themselves. This, however, does not go far enough. There must also be a critical deconstruction of the process of knowledge production *about* minorities, which in its current state means squaring up to the discipline of criminology itself¹. These can be addressed through the formulation of minority perspectives in criminology which operate at the level of empirical data collection, theoretical development, practice and policy formulation.

In explicating a distinctive minority perspective for British criminology, our framework builds on that proposed by Katheryn Russell (1992) in developing a 'black criminology' in the United States. The twin crises of an under-developed theoretical criminology around race and the under-representation of minorities in the discipline referred to by Russell are echoed in the British experience. A second major influence for this paper has been the development of feminist perspectives in criminology. Can the canon of criminological theories be adequately applied to minorities' experiences assuming 'white' is

¹ In time, other sources of knowledge or 'truths' about minority experience will need to be scrutinised; those with currency at present are those primarily within administrative and academic criminology and cultural studies.

the norm or standard against which minorities are to be judged? Is there evidence of institutional racism in the criminal justice system and the discipline? What is the role of ethnicity ('whiteness', 'blackness', 'Asianess', or some 'otherness') in explaining offending, victimisation and criminal justice practices? These are all questions previously raised by feminist criminologists in conceptualising women's experiences in mainstream criminology (Gelsthorpe and Morris 1990; Morris and Gelsthorpe 1991). The time is ripe for these questions to be explored in relation to 'race' and ethnicity.

Intellectual caution: the criminological taboo, essentialism and the thorny issue of representation

Before discussing some of the directions for minority perspectives in criminology, a few words of caution and clarification are necessary. Russell's (1992: 669) discussion of the twin crises facing US criminology is prefaced with a discussion of the "long-standing criminological taboo against discussing any relationship between race and crime" (Russell 1992: 669). It can be traced back to genetic theorising and the Moynihan Report of 1965 which was seen as pathologising female-headed black families and blaming them for high levels of crime and delinquency. While acknowledging the reluctance of minorities to engage with these issues because of the negative history of race and crime research and the inadequacy of minority rights in the US, Russell laments the neglect of this important area.

We share these concerns, not least because of the overwhelming evidence of criminalisation among certain minority groups in Britain (see Bowling and Phillips 2002). Yet it is essential for criminologists to examine critically official data on offending (such as arrest and imprisonment rates)

since these are commonly taken, regardless of their well-documented flaws, as ‘facts’ about ‘ethnic’ or ‘black crime’. While we agree that such data relating to offending within minority communities are of questionable validity and is probably worthless in isolation, ignoring it needs to be balanced against the concerns that serious crimes have generated within minority communities themselves (see for example *The Voice* 22 May 2000: 1-3). Whilst there appears to be no taboo concerning the relationship between ethnicity and crime among the lay criminologies articulated by the media, criminological analyses in the UK have, like their US counterparts, avoided detailed explorations of the inter-relationships between ethnicity, racism, crime and other aspects of social and economic life. Nevertheless, we are sensitive to the dilemma of engaging with debates about minority victimisation and offending and contributing to the creation of false pathologies which might then serve to naturalise and reify images of certain minorities as inherently criminal, the risk of “collusion and treachery-by-default” referred to by Alexander (2000: 227).

A central component of a minority perspective in criminology is to embrace difference by moving beyond crude and essentialist categorisations of racial and ethnic minorities. The ‘new ethnicities’ literature, for example, has stressed the need to move beyond a black-white dualism in conceptualising difference and understanding cultural hybridity in the post-colonial period. In the 1990s both hegemonic ‘black’ and ‘Asian’ identities have been politically contested because of diverse historical, cultural, political, religious and socio-economic experiences among minorities in Britain. As Stuart Hall (1988: 258) argues, individuals “speak from a particular place, out of a particular history, out of a particular experience, a particular culture”, but they should not be contained by that position. We think this should be taken into account in any research endeavour; examining ‘unities within diversity’ is our preferred

approach². However, Sharma (1996) warns against a celebration of difference and marginality which fails to take account of racism, violence, the dominant structures of power and global and national socio-economic inequalities, which, as Spivak (1989, 1993) notes, structures the forms in which the 'voices' of minorities can be heard. Neither should this approach obscure the importance of other subjectivities such as gender, class, ethnicity, sexuality and religion (see also Smart 1990; Rice 1990; Daly and Stephens 1995).

This, in part, explains why we advocate the terminology of a 'minority' perspective. We have rejected the term 'black criminology' used by Russell in the US and Rice (1990)³ in the British context, because of its contested validity as a unifying identity for Britain's racial and ethnic minorities (see Modood 1988, 1997). We have also rejected the use of the British equivalent of 'African-American perspectives' (for example African-Caribbean) as used by Young and Sulton (1996), in part because it represents an exclusive focus on one minority group. Instead we adopt Takagi's (1981) and Mann's (1993) usage of 'minority', since this recognises and emphasises the marginal and excluded status of both

² Of course, some research necessarily requires aggregation. Large-scale surveys such as the British Crime Survey, for example, have attempted to disentangle the victimisation experiences of people of Indian origin from those of Pakistani and Bangladeshi origin, despite the challenge of small sub-sample sizes (see for example, Kershaw et al 2000). Less successful has been the disaggregation of the 'black' ethnic group which encompasses those whose ethnic origin is from the Caribbean or Africa, and a significant group categorised as Black Other who, on at least one criterion, imprisonment, appear to have quite distinctive experiences (see Home Office 2000).

³ Rice (1990) provides a critique of 'black criminology' in Britain, which is identified as the body of work on criminality and race undertaken by black and white criminologists/sociologists, but which has exclusively focused on the causes of crime among black *men*, or their treatment within the criminal justice system, and has not discussed the experiences of black women.

visible and other racial and ethnic minorities. Although not the focus of this paper, the term also allows a consideration of other minority groups' experiences as gay, lesbian, bi-sexual, transsexual, or transgendered people.

This leads us to consider representation in minority criminological perspectives. For Russell (1992) a black criminology should, at least initially, be the preserve of black criminologists. The rationale for this is that black criminologists, unlike their 'nonblack' counterparts, have a familiarity and understanding of black community experience which will bring legitimacy to the subfield (see also Young and Sulton 1996 for a more forceful statement on this; and Ferdinand 1994). In time when it has become established, Russell asserts that a black criminology will need white academics/researchers to maintain its momentum⁴. Their role will also be essential in undertaking certain types of research with white people, such as perpetrators of racist harassment and violence.

Recognising the pioneering role of black criminologists in formulating a black criminology may also go some way to reversing the under-representation of blacks in the discipline to which Russell also makes reference. It should also help to address any resentment that minorities may feel about white academics being the only experts on issues relating to 'race' and ethnicity (see Rosaldo 1989; Sharma,

⁴ Similarly, Parham (1993), for example, has acknowledged the need for white psychologists to advocate a culturally diverse perspective, for if it is just minority psychologists doing so, they can easily be dismissed or marginalised by white psychologists.

Hutnyk and Sharma 1996; Parham 1993; Mio and Iwamasa 1993; Stanfield 1993 in relation to cultural studies and anthropology, psychology, and sociology). This should seem no more controversial than the development of feminist perspectives in criminology which in the early stages fell to female scholars, in part to redress the imbalance of men being the primary producers of knowledge. Indeed, Gelsthorpe and Morris' (1988: 105) position, for example, was that "women should be given the time and space to develop feminist perspectives in their own way, using their own language and not the categories and concepts provided for them by men and in traditional methodologies".

The argument that black criminologists are best placed to understand and explain "black life", if accepted, has implications for both empirical and theoretical criminology. There is, of course, a danger that such thinking falls into the essentialist trap which assumes a definitive, intrinsic, core 'black experience' which assumes universal oppression, and is something that only minorities can speak about. Nonetheless, we tend to agree with Jhappan (1996: 30) when she says "our material situations, life opportunities, social positionality, and dominant discourses do profoundly mould our experiences and understanding of the world and our places in it", and it is this which provides some measure of authenticity to our articulation of minority experiences. It is here that the concepts of strategic essentialism (Spivak) or contextual essentialism (Jhappan) may be helpful, in that they allow the forging of a political resistance to racist oppression in criminology and criminal justice, whilst acknowledging the contingent and shifting nature of racial and ethnic identities.

However, put simply, our position is that all criminologists, regardless of their ethnic identity, can contribute to minority perspectives in British criminology; our notion of minority positions is an

inclusive one. This avoids excluding white academics and researchers because they cannot 'speak for' minorities - a form of 'race credentialism' according to Jhappan (1996), and also promotes a responsibility to confront social positioning in research, policy and practice. Rather the key requirement is a conscious stance and commitment to a number of guiding principles which, in the beginning, bearing in mind positionality, may be more easily conceptualised and operationalised by minority academics and researchers. The guiding principles for a minority perspective are subsumed under approaches which operate at the empirical and theoretical level, and at the level of practice and policy, and it is to these that we now turn.

Empirical approaches

The importance of considering empirical issues relating to 'race' and ethnicity is attested to by a huge literature in this area, particularly in the disciplines of anthropology, sociology, and psychology, and there is a focus in much feminist scholarship too. Despite the centrality of 'race' and ethnicity to its domain, such concerns have received relatively little attention in empirical criminology. It is therefore incumbent on empirical criminologists adopting a minority perspective to borrow from this body of knowledge, so that criminological research does not misrepresent the lived experiences of minorities. Research in this field must embrace a number of principles which are commonly applied in research variously referred to as 'anti-discriminatory', 'anti-racist', or just plain 'good' (Troyna 1995; Gelsthorpe 1990; Hammersley 1992).

First and foremost, is a recognition that the research process is structured by power relations

between researcher and research participants. This can have the effect of introducing bias in knowledge production from the front end of developing research questions to ways of answering them, particularly where these processes are informed by prejudices about the behaviour under study. Feminist standpoint epistemologies have been developed in response to this problem, taking as their starting point, that knowledge comes from experience. By adopting the standpoint of research participants, feminists have sought to produce a 'truer' version of 'reality' by engaging in reflexive struggle intellectually and politically to understand distinctive social experiences (Harding 1987). A reflexive position should critically analyse the complex social locations, identities, and subjectivities of the researcher and those participating in the research, to see how they bear on the research itself (Cain 1990; Reid and Kelly 1994; Stanfield 1993; Ramazanoglu 1992), although as Maynard (2002) maintains, this is only ever likely to be partially achieved in practice. This provides a challenge to traditional ethnography adopted by the Chicago School which relied on the empathy of *verstehen*. According to Valier (forthcoming: ***), this empathetic approach can have the effect of silencing minorities by masking differences between them and researchers, and not recognising the "foreign within oneself". Further along this continuum has been the post-modern rejection of a search for ultimate truths, away from authenticist accounts of experience (particularly through ethnography) to producing subjective knowledges which are temporally and spatially located but shifting and mediated through researcher interpretation (see for example Alexander 2000).

These approaches attempt to transcend the extremes of the Insider and Outsider doctrines described by Merton (1972). In this context the former posits that minorities have monopolistic and privileged access to empathic knowledge about the socially shared realities of minority experiences

because of their continued socialisation. For Rhodes (1994), this approach cannot accommodate complex and multi-faceted realities which are shifting and likely to vary according to context and topics being discussed in the research situation. In contrast, the Outsider position assumes that knowledge is only accessible to non-members of minority groups who are untainted by prejudice and therefore more objective. As Johnston's (1974) scathing critique of Merton notes, however, this assumes that it is possible to arrive at an absolute truth from objective scientific inquiry, a claim which is roundly rejected in recent discussions of how knowledge about social life is produced. However, rather than fully rehearsing the detail of this epistemological blind-alley, we begin with Merton's (1972: 36) appeal to "consider the[ir] distinctive and interactive roles in the process of truth seeking", but extend this proposal to seeking truths or 'multiple knowledges', drawing on the work of white and minority feminist scholars (see Harding 1987; Hill Collins 1998).

Building on Merton's call for collaborative work, joining together exponents of the Insider and Outsider doctrines offers the most promising path for minority perspectives, although this may not be straightforward in itself (for examples see Daly and Stephens 1995; Mio and Iwamasa 1993). It will be predicated on inclusionary practices which avoid exploitation in the research process, although whether this can be achieved is open to question (see for example Alexander 2000; Reay 1996; Dyck, Lynam and Anderson 1995). This should not prevent us trying, however, not least because in criminology the status of the researcher and the research participants will be particularly significant with the vast majority of principal investigators on funded research projects being white academics or consultants. An inclusive approach can be partially engendered by recognising that those participating in research should be encouraged to assist in the production of knowledge about their experience by contributing to the

design of the research. This may mean minorities themselves, or informed practitioners or activists working with minorities at the grassroots level. Often such individuals will be the first point of contact in gaining access to a group, particularly for qualitative work. Monitoring groups, law centres, minority professional or support organisations, community groups, religious organisations, are all examples of agencies who could be encouraged to assist with the design of research with minorities. Community consultation could include determining the location of the research, how to approach minorities directly, the framing of research questions, how to use culturally appropriate measures, decisions about the research methods to be used, and the languages in which the research might need to be conducted (see Takagi 1981; Marín and Marín 1991; also Hughes and DuMont 1993 on the use of focus groups).⁵

It is desirable for minorities also to play a part in the collection of data. Building on Russell's (1992) point, it is likely that 'ethnically matched' data collectors will enhance the rapport and trust between researcher and participant, and thus increase the willingness to disclose sensitive information in a qualitative research setting (see for example Bhopal 2001). Recounting incidents of racist harassment or discrimination to white researchers, where minorities may fear being accused or perceived to have 'a chip on their shoulder' is one example where ethnically matched data collectors may enhance the documentation of minority experiences (see FitzGerald 1993: 49). Nonetheless, the multi-ethnic and

⁵ The organisation's own documentary material about minorities' experience may indeed contribute to the formulation of

hybrid nature of ‘minority identities’ in Britain, alongside the complexities of the multiple identities of researchers and research participants may preclude total ethnic matching and “simplistic symmetry” (Mirza 1998: 90). However, researching ‘an-other’ minority community may still enhance the research process where shared experiences of racism and minority status exist and are perceived between the researcher and research participant. Egharevba (2001), a researcher of African descent, for example, claimed ‘insider status’ in her study of South Asian women, based on their common placing in England, and despite differences of ethnicity, religion, geography, culture, language, marital status and life experiences. Rhodes (1994), on the other hand, questions assertions that ‘race’ will dominate other differences between researcher and participant and alerts us to the potential exploitation of minorities, where they are required only for data collection duties and not involved in the entire research process (see also Phoenix 1998). At a minimum, identification with research participants ethnically, culturally and socially, is a necessary first step to ensuring that the resultant data is experientially grounded, whether qualitative or quantitative.

The counter-argument would be that an Outsider researcher could act as a detached stranger in asking questions about behaviour which a ethnically matched researcher may take for granted and then not interpret as important to the study (Simmel 1921). Similarly, Rhodes’ (1994) account suggests that in certain contexts, ‘cross-racial’ interviewing may stimulate rather than block communication in the research encounter. Moreover, ‘cross-racial’ research is less controversial in studying prejudiced and

research questions and understanding.

racist behaviour which may well be concealed in the presence of minority researchers (see also Barn 1994). It can even be argued that an Insider position may be exploitative as Reay (1996: 65) notes when referring to 'the thin dividing line between identification and exploitation' and the 'dangers of proximity' which emerged in her research with similarly socially located women. Nonetheless, the legitimacy of the research will probably be enhanced by using 'ethnically matched' field staff or those from within the studied community. It is becoming increasingly common, for example, for ethnographic research on drugs and gangs in the US to include former drug users, gang members, 'homeboys' and 'homegirls' alongside academic researchers (Joe 1993) or even 'well-connected' undergraduate students (Mieczkowski 1988). Such individuals must identify ethnically, culturally and socially with the research participants and be 'street aware' if the research requires it (see for example Dunlap et al. 1990).

Collaboration should not end when data collection is complete. The interpretation and construction of minority experiential accounts may be culturally different and even inaccessible to white researchers. For as Landrine, Klonoff and Brown-Collins (1992: 149) observe 'the label/meaning we attribute to behavior is a projection of what the behavior would mean if we engaged in it, irrespective of whether "we" are black, white, Latino or Asian.' Similarly, as Gelshorpe (1990: 102) observes in a criminal justice context, 'what appears racist or sexist to me (as a white, middle-class academic) might be completely wide of the mark when compared with the experiences of defendants'. For this reason, it is imperative that research participants and similarly located individuals can contribute to the data analysis and interpretation stages of the research process (see Myrdal 1944 for an example). Even then what is produced as knowledge is still "simply one version of events", as Alexander (2000: 47) herself acknowledges in her ethnographic account of the experiences of Asian young people and their 'gang'.

She describes her position as still one of marginality in some senses, even after nearly five years of study, and in spite of her own Asian origins.

A minority perspective also requires that social research does not exploit those who participate in research. Part of conducting non-exploitative research is to ensure that the research encounter minimizes harm by supporting research participants. This could involve providing contact details for appropriate support or advice organisations, or even providing payment for participation to acknowledge the likely disproportionate impact of research participation on minorities' time. Ethical practice by project managers also requires the protection and support of field staff. Indeed, the British Society of Criminology's Code of Ethics emphasises the need for research managers to protect the physical and emotional well-being of research staff in research environments. 'Insider' researchers may face personal doubts and ethical dilemmas, for example, in part from being in the unusual role of having always to be accountable to the community being studied (see Zavella 1993; Tuhiwai Smith 1999; Mirza 1998; Wright 1998). Moreover, where minority researchers do face prejudice and racist behaviour in the field, either observed, discussed, or directed at the researcher, research managers should be prepared to assist with debriefing sessions and by monitoring fieldwork experiences (Phillips and Brown 1997). Assuming that these types of experience are only important for the research purpose: "just write it down, it'll make good fieldnotes" is an inadequate response.

Exploitative practices can be far-reaching. Gordon (1973) has been heavily critical of the way in which academics have conducted numerous studies in poor and black communities in the US, providing themselves with publications, grants, consultancies, and other prestigious appointments, without improving the life circumstances of those studied; as Spivak (1993: 296) opines, the issue is really about

“getting your backside in gear and working for your constituency”. This raises important questions about the impact of social research on political and social change more generally which falls outside the scope of this paper. However, a minority perspective does make it the responsibility of empirical criminologists to engage in research in a responsible way. Honesty requires an acknowledgement that empirical research is the bread-and-butter of Ph.D. students, academics and consultants – publications, grants, and consultancy work – the number and quality of which reflect on the way we are perceived by the academy.

We have already outlined some guiding principles for undertaking social research with minorities. Researchers working within a minority perspective should also be committed to making their research accessible by disseminating their research findings directly to research participants in parallel with the traditional approach of publishing in academic journals or books. This could be through oral presentations or short articles in practitioner publications or in the minority press. It should reach those whom participated directly and those on whom it may impact, in terms of media attention, or changes in policy or practice.

Theoretical approaches

For Russell (1992) a primary objective in developing a black criminology in the US is to remedy the absence of a subfield within criminology which is sufficiently sophisticated to explain patterns of offending by black people who are disproportionately arrested, convicted and incarcerated. She argues that there is a need to move beyond the abundant descriptive analyses of the relationship between race and official offending to develop critical theoretical analyses which go beyond tests of existing criminological theories.

For Russell (1992), a black criminology subfield would encompass theoretical perspectives formulated at the micro and macro levels of analysis, and spanning the political spectrum. It is only with the latter point that we would take issue with Russell. In our view, it is hard to envisage any minority perspectives in criminology which are conservative in orientation, since such approaches usually locate the causes of crime at the individual or sub/cultural levels⁶. While there may be conservative approaches taken by minority criminologists, a minority perspective should not, as Russell suggests, incorporate conservative positions which do not explicitly criticise and challenge the empirical

basis for ethnic differences in official involvement in crime, or locate the lived experience of minorities within structural contexts⁷.

Furthermore, the structural context of life within minority communities cannot be understood without incorporating an historical perspective. Race and ethnicity, for example, are not ahistorical

⁶ For example, see Herrnstein and Murray (1994); Wolfgang and Ferracuti (1967).

⁷ Valier's (forthcoming) critique of the Chicago School of Sociology is insightful here, in highlighting its failure to take account of institutional racism and structural forms of exclusion.

essences; racist ideas drawn from the philosophies of the European Enlightenment have been translated into modern ideologies of racial supremacy based on these socially constructed categories. Humanity is presumed to be divided up into distinct ‘races’ arranged hierarchically with ‘whites’ or ‘Aryans’ positioned at the top, above darker-skinned Europeans and Asians, who are, in turn, superior to blacks, who are seen as inherently inferior – in attractiveness, intelligence, cultural form, and capacity for progress (see Bowling and Phillips 2002). Both explicitly and implicitly these ideas have been normalised and institutionalised to justify the enslavement of minorities, the extermination of native peoples, and the acquisition and rule of territories as part of the British empire⁸. Although the impact of slavery and colonialism cannot be viewed in a unidimensional way, it is apparent that its effects can be seen in the late twentieth century British context. Denial of citizenship and immigration rights, exclusion from certain residential areas, concentration in poor housing, and negative educational and employment experiences have all occurred as state agencies’ practices have operated through a racialised filter informed by notions of inferiority and ‘undeservedness’ (Smith 1989). The end result of these discriminatory social practices has been the social, economic and political exclusion of many minority groups, including some white ethnic groups (for a brief discussion see Bowling and Phillips 2002).

This historical contextualisation of minority experiences has a direct bearing on our understanding

⁸ It is acknowledged that the relationship between ideologies of superiority and exclusionism and the actual practices of ethnic exclusion are neither direct nor simple, but it is important to recognise that the two are linked.

of victimisation, offending and criminal justice in the contemporary period⁹. Thus, structural theories would predict that people from ethnic minority communities would be disproportionately likely to be found in ‘criminogenic’ contexts, since deviance is more commonly a viable solution for minority communities than for the ethnic majority population. Furthermore, deviant behaviour among socially and economically marginalised people is much more likely to be labelled as criminal, to result in formal sanctions by the state, and to lead individuals to be propelled through the criminal justice process towards imprisonment. Thus, processes of social and economic marginalisation not only have consequences for involvement in deviant behaviour among minority groups, but these are compounded by policing and criminal justice processes. Indeed, it is noticeable throughout the work of minority researchers in the US, that the historical experience of minorities under the law and the operation of the criminal justice system, particularly their oppressive and racist impact, clearly informs current accounts of *both* offending *and* discrimination at various stages of the criminal justice process (see for example French 1979; Takagi 1981; Mann 1993, 1994; Fishman 1995; Henriques 1995).

Linked to the need for minority perspectives to be steeped in an historical understanding of minority experience in Britain is the central importance of the explanatory role of *racisms* in a minority analysis of victimisation, offending, and criminal justice. By racisms we are referring to direct, indirect,

⁹ Williams and Murphy’s (1995) minority account of the evolution of American policing, for example, is insightful for its use of historical material to understand a modern context, and for its reinterpretation of a majority view of the emergence and development of American policing

institutional and contextual racisms which may on their own or together assist in explaining a variety of criminological phenomena involving minorities. Hood's (1992) study of sentencing practices in the West Midlands, for example, found evidence of direct racial discrimination in Crown Courts; black defendants had a five percent greater probability of being sentenced to immediate custody than white defendants, once all legally relevant factors had been taken into account. Direct discrimination was also identified in the biased decisions made by prison staff in Genders and Player's (1989) study of work allocations in prison, where black prisoners were stereotypically perceived to be lazy, work-shy and incompetent.

Probably as important in explaining unequal outcomes is the role of indirect discrimination. This refers to the process whereby the seemingly equal treatment of minority groups has a discriminatory effect despite the application of neutral formal criteria. The minimum height requirement for appointment as a police officer in some jurisdictions is an example of indirect discrimination. Clearly, people from some minority groups (and women) are less likely to be able to meet the minimum requirement, while height is irrelevant to the job of being a police officer. Perhaps the most significant example of indirect discrimination is the effect of remand status on subsequent sentencing decisions; studies of prosecution and sentencing show that a defendant who has been remanded in custody during the court process is more likely to be sentenced to custody if convicted (Hood 1992). Ethnic minorities often fall into the category of people remanded in custody because of their increased chances of being homeless, unemployed or in 'disrupted' families, all of which may be perceived as being linked to failing to appear at court. Thus, the seemingly neutral criteria relating to the likelihood of court appearance is

loaded against ethnic minorities because of social inequalities, which are themselves often the result of racially discriminatory social practices in housing and employment, for example.

The Macpherson report (1999: 28) into the death of Stephen Lawrence has also brought to the centre of the political and policy landscape a new language of institutionalised racism, defined as “the collective failure of an organization to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people”. In the case of the investigation into the racist murder of Stephen Lawrence, the Inquiry team concluded that officers negatively stereotyped the victims at the scene assuming they were protagonists in a fight, treated the Lawrence family in a patronising way following the murder sometimes using inappropriate and offensive language, and were critical of the beliefs of some five investigating officers that the murder was not a racist one. A further example of institutionalised racism lies in the use of stop/search as a performance indicator. In the context of a history of strained relations between minority communities and the police, the power is used disproportionately and in many instances in a discriminatory fashion against minorities because of prejudice and negative stereotyping. The promotion of stop/search (that is, the more the better) to demonstrate effective job performance in areas of high minority concentration must be seen as further evidence of institutional racism in the police service.

Drawing on the findings from research in the US indicates the need to consider the role of contextual racism and discrimination. As Walker, Spohn and DeLone (1996) note, African Americans are subject to the abuse of discretion in the criminal justice process in certain circumstances but not in

others. It is evident that prosecutors, judges, and juries with sentencing recommendation powers, even in death penalty cases, choose a more lenient outcome for African American offenders when the victim is also African American, than in any of the other three victim-offender dyads (Baldus, Woodworth and Pulaski 1990; Gross and Mauro 1989). This is especially true of cases involving sexual assault, rape and homicide (LaFree 1989; Spohn 1994; see also Hudson 1993).¹⁰

It is also becoming increasingly common in the US to view the differences in arrest and imprisonment rates of African Americans, Hispanic Americans and white Americans as the product of social and structural contexts. Chiricos and Crawford (1995), for example, point to the need to disaggregate imprisonment data and its link to 'race' according to region (South vs. NonSouth), percentage of blacks in the population, percentage of blacks residing in urban locations, and area levels of unemployment. An attempt to consider such structural contexts was undertaken by Jefferson and Walker (1992) in Leeds in their study of arrest rates in areas where there were high and low concentrations of black and Asian residents. Similarly, Hood's (1992) study in the West Midlands highlights the need for a contextualised analysis of sentencing practices. Hood found that, once all legally relevant variables were controlled for, for every 100 black males sentenced to custody in Birmingham, 130 were given a custodial sentence in Dudley and even more at Warwick and Stafford Crown Courts. This suggests that the basis for decision-making in sentencing varied in each of the courts. The idea that criminal justice patterns cannot be understood as being determined by 'generalised racism' as Smith

¹⁰ The extent to which this is true of female offenders, charged with property and violent offences has not been established.

(1997) posits, points us towards a recognition that prejudices and their influence on behaviour vary over time, in different places, and in specific contexts. In the case of Hood's research, for example, there are some obvious differences between Birmingham and the other research sites that an historical analysis would have unveiled. In the 1960s and 1970s, for example, it was in West Midlands satellite towns as Dudley, Smethwick and Wolverhampton, that the strength of racist sentiment was most strongly expressed by mainstream racist politicians such as Enoch Powell and Peter Griffiths, and where the National Front and other openly racist political parties have had their strongest showing (see Bowling 1999). The type of quantitative analyses required to uncover these contextual complexities are currently difficult to do in Britain because of the paucity of routinely collected national data. However, expanding the parameters of empirical

research must be a focus for a minority criminological perspective in order to produce a more nuanced understanding of minority experiences which also draws on qualitative techniques.

Practice and policy within criminology

Ethical duties

There is a public role for criminologists whose work is informed by a minority perspective. Firstly, there is a responsibility to be vigilant in critically assessing and monitoring policy developments to assess whether new policies and initiatives have a specific detrimental effect on minorities, either as victims,

offenders, or practitioners. It is part of criminologists' public duty to forewarn policy-makers of the type of 'malign neglect' referred to by Tonry (1995) in his book of the same title. In it he sketches the role that the US War on Drugs policy played in the social destruction of minority communities, which Tonry argues was completely foreseeable by politicians and policy makers (see also Miller 1996).

Secondly, the public service responsibility should also extend to what Russell (1998: 94) refers to as "an affirmative duty on researchers today to take responsibility for the research claims put in the public domain". She contends that researchers are duty-bound to put forward clarifications or rebuttals where inaccurate or false representations are made, especially where they are claimed to be based on social science research. In particular, Russell argues for a research community response to the misuse of social science research concerning the relationship between race, ethnicity and crime. A case in point would be a response to the FitzGerald (1999:22) study of stop/search patterns in the Metropolitan Police to underline that a statistical "link between the fall in searches and the rise in street crime" was not of a causal nature. Russell suggests that such clarifications could include an official statement from professional associations (such as the American Society of Criminology), a response from a group of experts in the field, and a public response through the media.

Thirdly, there is also an ethical imperative to criticise existing work which is based on ill-considered stereotypes and is guilty of cultural pathologising. Indeed, it is incumbent on criminologists operating within a minority perspective to ensure proportionate interest in minority experience. The overrepresentation of some minorities as offenders in official statistics does not negate the fact that the vast majority of offences that are detected are committed by white offenders. That the proportion of white male and female British nationals in prison in 1999 was 86 and 85 per cent respectively should not

be overlooked in academic and public debates about offending (Home Office 2000). A critical understanding of the hegemonic nature of white ethnicity and its relationship to victimisation and offending is required.

A research agenda

Criminologists working within a minority perspective can contribute to theory, research, practice and policy by opening up a new research agenda which focuses on diverse minority groups in British society. Research topics such as anti-semitic violence and how it is policed, the victimisation, offending behaviour, and social control of refugees and asylum-seekers, Irish, Turkish, Chinese and travelling communities are all necessary to broaden our criminological knowledge. Indeed, as Pearson (1983) has shown, historically, various white ethnic groups have been perceived as problematic visiting specific kinds of crimes on the indigenous English and requiring special measures of control (see Bowling and Phillips 2002 for a brief review). However, we are not proposing a project which serves simply to expose the dynamics of 'Other' cultures, since this itself has the potential to pathologise, exoticise, or even to open them up to new forms of surveillance and scrutiny (see Hutnyk 1996). The call is instead for an understanding of the lived experiences of minorities other than those traditionally studied in criminology, and in a way which recognises the dynamic nature of ethnic identities which are bound up with other sources of identity such as gender, age, class, religion and sexuality. The role of white ethnic identities in understanding racist violence, football and alcohol-related violence should be a key part of this project too (Back, Crabbe, and Solomos 1999).

A balanced programme of research of both comparative and single-group case studies is needed to

ensure that racial categories are not reified beyond their social construction (Stanfield 1993). Thus, for example, a qualitative study of the offenders' perspective in relation to robbery (which has the starkest difference in officially recorded rates of offending) could be a comparative study of white and minority offenders convicted of robbery offences. This could chart trajectories into offending, motivation for type of crime, techniques for committing crime, reactions to criminalisation and so on. A complementary approach would be to include an analysis of official crime reports and interviews in custody to examine how the police come to charge robbery offenders. It is worth exploring empirically, for example, whether there is a tendency for the police to overcharge minorities with robbery rather than with less serious and non-violent offences (see Blom-Cooper and Drabble 1992). Given the negative stereotyping of young black men as threatening and violent, which undoubtedly contributes to their increased likelihood of being excluded from school, and to have their infractions in prison treated more harshly than their white and Asian counterparts (see for example Ofsted 2001 and Genders and Player 1989), this would seem to be a fruitful avenue for research. Here we are also reminded of Becker's (1967:242) question and its relevance for minorities: "[M]ost research on youth, after all, is clearly designed to find out why youth are so troublesome for adults, rather than asking the equally interesting sociological question: Why do adults make so much trouble for youth?"

Both minority and feminist perspectives share a desire to make the interest group visible, but the focus of this visibility is somewhat different. Whereas feminist criminologists have sought to expose the neglect of women as offenders and victims and to understand their treatment in the criminal justice system, minority perspectives will seek to redress a criminological imbalance. Empirical criminology has been overly concerned with minorities, particularly black minorities, as offenders. Less attention, until

recently, has centred on minorities as victims of racist crimes (see Bowling 1999 for a review). Clearly there is further scope for extending analyses of victimisation to minority experiences of policing and custody where minorities are victimised by agents of the criminal justice system. There is little recent empirical research, for example, which contextualises the experience of minority prisoners from the perspective of those who experience discrimination, harassment and victimisation by prison

officers. Similarly, where are the criminological studies of minority prison officers, probation officers, lawyers or policy-makers?¹¹

A further proposal for empirical criminology informed by a minority position is to extend the boundaries of existing research. Most will be aware of the multitude of methodological difficulties that bedevil attempts to assess the role of direct or indirect racial discrimination in criminal justice processing,

¹¹ It has often been left to the media to bring to public attention the racism faced by minority staff in the criminal justice field. For example: 'An Asian lawyer who claimed that a culture of racism prevented her from being promoted within the Crown Prosecution Service was awarded £30,000 damages yesterday', *The Daily Telegraph*, 2 February 2000; 'The head of the prison service is to apologise to a black worker who was humiliated and abused when he returned to work after winning damages for racial discrimination' (*The Times*, 20 April 2000); 'North Wales Probation Committee must pay £3,500 after being found guilty of racial discrimination against the area's only black probation officer', *Daily Post*, 23 March 1996.

making it a futile exercise according to some criminologists (Reiner 1993; FitzGerald 1993; see also Holdaway 1997). In part because of a growing interest in minority experiences of crime and criminal justice, but also because of Section 95 of the Criminal Justice Act 1991, it is likely that research will continue to expand in this area. An innovative methodology for rigorously examining the decision-making of criminal justice agents, particularly those who have been traditionally less accessible to researchers and less open to public scrutiny, such as judges, will be required.

It is hoped that challenges to the common approach of using regression analyses to statistically model the complex decision-making of judges (Hood 1992), crown prosecutors and police officers (Mhlanga 1997; Phillips and Brown 1998) to find a direct 'race' effect will be accepted and taken forward. The US approach could assist here. Frazier and Bishop (1995), for example, used their quantitative data - which showed that the 'race' of offender had an independent effect in formal juvenile justice system processing - to explore whether the results were consistent with officials' experiences in the juvenile justice system. The researchers gave a two-paragraph description of the quantitative findings to judges, prosecutors, public defenders, and intake supervisors, and asked them whether the findings were consistent with their experiences. This was an attempt to explore the processes whereby 'race' and racism are socially constructed in routine decision-making (cf. Holdaway 1997). Similarly, Gelsthorpe (1993) has emphasised the importance of using qualitative data to examine the organizational context for report-writing practices, to flesh out the superficial data which comes from statistical analyses of

ethnically monitored outcomes. These types of studies have shed light on the way in which family assessments determining a lack of 'good parenting' (as assessed against white middle-class norms) impact disproportionately on minorities and are an example of indirect racial discrimination¹².

Minority criminologists

We touched on the question of who should contribute to a minority perspective in criminology earlier and do not intend to repeat the discussion here, except to consider the professional dangers of partiality (or bias) when minority criminologists study minorities' experience of victimisation, offending and criminal justice. Feminists and anti-racist researchers in other disciplines have been accused of lacking objectivity (see Gelsthorpe and Morris 1988; Troyna 1995; Russell 1992), but as Becker (1967:245) observed, it is inevitable that research is 'contaminated' by personal and political sympathies, "there is no position from which sociological research can be done that is not biased in one or another way". It is, in our view, possible and desirable to 'balance commitment with scholarship' (see Waddington 2000).

Associated with claims of damaging subjectivity is the concern with marginalisation whereby

¹² See also Frazier and Bishop (1995) who reported that juvenile justice officials used more severe sanctions where they perceived that minority families were incapable of providing good parental supervision. Where parents were expected to be interviewed by juvenile justice personnel, those without telephones, cars or with inflexible jobs were less accessible, and were implicitly deemed to be less capable of providing good parental supervision.

minority academics/researchers are warned of the danger of topic limitation by focusing exclusively on 'race issues'. Yet as Blaikie (2000) notes, social research is often carried out to pursue personal interests or commitments, to satisfy curiosity or to solve a personal problem. Moreover, regardless of whether the racialised status of minority criminologists does or does not influence their research interests, this should not take away from any significant contributions to the body of criminological knowledge that minority criminologists make, in whatever area. Finally, as the section on empirical approaches and the next section make clear, it is imperative that minority scholars undertake work in this area.

The establishment of the *Racism, Ethnicity and Criminology Round Table* website and discussion forum has been spurred on by the need to discuss these types of issues in a supportive environment¹³. Arising from a round table discussion held at the 1997 British Criminology Conference, its subscribers include minority and white researchers, academics and practitioners in the criminology community. Its purpose is to inform public opinion, and to aid practitioners and policy-makers in their work surrounding issues of racism, ethnicity and criminology. It has been used to discuss new work, emerging ideas, advertise conferences, and to announce employment opportunities in the field (see <http://www.surrey.ac.uk/~scp1az>).

¹³ Minority-established support organisations have also been set up in the police service, legal field, probation and prison services, and more recently the Home Office (see Bowling and Phillips 2002).

Looking within the discipline

If a minority perspective is to confront practices within the discipline of criminology itself this leads to the question ‘is British criminology institutionally racist?’ must be faced. The Home Secretary and Minister of State for Prisons publicly acknowledge institutional racism in the Home Office and Prison Service, but there appears to be little consideration of such issues within academia more generally¹⁴. Borrowing from the definition provided by the Lawrence Inquiry, we have to ask whether British criminology fails to provide an appropriate and professional service to people because of their colour, culture or ethnic origin through discrimination, prejudice, ignorance, thoughtlessness and racist stereotyping?

A starting point to answering this question would be to examine whether the lower salary, seniority and poorer tenure position found for minorities by the Association of University Teachers (2000) using Higher Education Statistics Agency data for 1998/1999 is mirrored in criminology/criminal justice. What are the levels of representation and seniority for minority and white criminology/criminal justice academics and researchers, as well as those serving on the editorial boards of criminological journals, personnel employed within funding agencies such as the Home Office, and those tasked with the governance of the British Society of Criminology? Such basic information needs to be supplemented by a more qualitative assessment of minority experiences in the discipline, including the extent of

perceived prejudice and discrimination in the academic setting, policy-making environment or in research settings. Is there evidence of prejudice, direct, indirect, institutional or contextual discrimination in student recruitment, in teaching and learning, on work placements, for contract research jobs or other points of access to the field? Are minorities included in the informal networks and patronage that typically feature in a successful academic career (see Heward, Taylor and Vickers 1997)? Are discriminatory practices evident in the centres of criminology and criminal justice in universities and the Home Office, in terms of career development and work experience?

While there are obvious limitations to comparing the US and the UK experience, such as the relative size of minority populations, research in this area could usefully draw on what is known about the experience of minority criminologists in the USA. They have painted a largely pessimistic picture of the excluded status of minorities in the criminology/criminal justice field. Young and Sulton (1996), for example, have described the invisibility of minorities in influential positions within American criminology. They feel excluded from reviews of theory, providing expert opinions to the media, as recipients of major grant awards, on policy groups or task forces, on policy-making boards of criminology organizations, and on editorial boards of journals. They note that only two of 157 members of editorial boards of the ten leading refereed journals in criminology/criminal justice were African American. Taylor Greene and Gabbidon (2000) have also criticised mainstream criminological discourses for ignoring the work of pioneering and contemporary African American scholars such as Du Bois and Hawkins.

¹⁴ A new study on institutional racism in universities is being conducted by the University of Leeds Centre for Ethnicity and

Some positive solutions have been sought in the field, however, including three American Society of Criminology Fellowships for ethnic minorities, the National Institute of Justice W.E.B. DuBois Fellowship Program, and the Andrew W. Mellon Foundation/Vera Institute of Justice Postdoctoral Fellowship on Race, Crime and Justice. In 1995 the American Society of Criminology established a Division of People of Color and Crime to facilitate research and advance multiple perspectives about people of colour and crime and criminal justice, to stimulate teaching in the field, to raise awareness within the American Society of Criminology, as well as serving as a resource network for those in the field, alongside internet-based discussion groups. There has also been the devotion of journal issues to minority scholars or work on 'race' and ethnicity. Professional workshops for minorities are also included at conferences in the US. A minority perspective could carefully consider whether any of these options are appropriate for the UK context. Indeed, following the US lead, the

Arlene Mundle Postgraduate Scholarship has been established by the British Society of Criminology, with applications encouraged from minority students.

Just as one response to the Macpherson Inquiry has been a widespread consensus that more minorities need to be recruited into criminal justice services as employees, claims can be made for improving the representation of minorities within criminology and criminal justice. Those working in academic or administrative criminology should reflect the local communities of which they form a part. As Russell (1992) suggests, minority lecturers may also encourage minority students into the field, an essential development for the future of the discipline. The role of minority lecturers, according to

Russell, may also be to diversify the criminology curriculum. Indeed, the way in which 'race', ethnicity and racism are covered in criminology must also be examined. The potential for conflict in confronting such academic practices is highlighted by Erasmus (2000) in discussing tensions in the South African academy as minorities challenge liberal white academics' positions on interpreting the stories of minorities, racism, and white dominance post-apartheid.

Conclusion

The current political climate is more receptive to seeing crime and criminal justice from a minority perspective than it has ever been. The government acceptance of the Lawrence Inquiry's finding of institutional racism in the Metropolitan Police Service, the acknowledgement that it is present in many social institutions, including the Home Office and the Prison Service, and the promotion of minority professional associations in the criminal justice professions (the National Black Police Association, Society of Black Lawyers, National Association of Asian Probation Staff, Home Office Network to name but a few) are evidence of this changed environment. The arguments presented in this paper have explored some of the guiding principles for minority perspectives in criminology. It is very possible that they will face the same marginalised status as feminist perspectives have in criminology (Gelsthorpe and Morris 1988). At the very least, however, we hope that its impact will be felt at the front-line, so to speak; that is, in the interaction between researcher and researched.

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