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## Book Review: The Social Organization of Juvenile Justice, by Aaron V. Cicourel

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*The Social Organization of Juvenile Justice.* By AARON V. CICOUREL. New York: John Wiley & Sons. 1968. Pp. vii, 345. (\$8.95 U.S.)

This "book" attempts to conceptualize the "findings" relating to the label "delinquent" obtained from data which reflect social organization concepts as explicated by sociologists with some interdisciplinary associational connexions with ethnoscience, ethnographic semantics and ethnomethodology along with some psycholinguistic overtones.

The foregoing paragraph could be an accurate summary of the style and content of this book. Professor Cicourel's book is a study of police, probation and court procedures with juvenile delinquents in two small California cities. The study forms part of the research programme of the Center of Law and Society at the University of California, Berkeley. Presumably, such a study sponsored by such a Center has something to say to lawyers. Unfortunately, Professor Cicourel has failed. I am not suggesting that the author is not a competent sociologist but he has failed to communicate any data which are useful to the lawyer or law-maker. Anyone interested in juvenile delinquency and juvenile justice would be better advised to read Jerome Skolnick's *Justice Without Trial*,<sup>1</sup> a study of adult law-enforcement, and to draw inferences which could be applied to problems of juvenile law-breakers.

It is ironic that sociologists of the stripe of Professor Cicourel, who are so engrossed in methodology and linguistics, are incapable of communicating. Cicourel's style is nothing short of infuriating. He is capable of converting any noun into a verb by applying the "-ize" ending. One of my favourite words, however, is a noun; "generalizability" reflects the turgidity of his prose. The first paragraph of this review shows two other stylistic qualities which Professor Cicourel should avoid in future books; not only does the author insist upon writing interminable sentences but he is so engrossed in the meaning of meaning that every sentence contains numerous words in quotes. This latter habit is most disconcerting to the reader because he feels that some special meaning is attributable to the words in inverted commas and that he lacks the

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<sup>1</sup> (1966).

ability to penetrate this thicket of esoterica.

Perhaps it seems unfair to start out a review by criticizing the author's style, but given the present climate of legal research, the lawyer is seeking inspiration and co-operation from the sociologist. Inter-disciplinary research is likely to prove impracticable if the sociologist insists upon examining what is essentially a legal concept in such an unhelpful manner.

Two passages from *The Social Organization of Juvenile Justice* should give a fair indication of the problems facing anyone seeking knowledge from this work. So that bias can be kept to a minimum, neither passage contains words in quotes nor is it stuffed with technical phrases. These two extracts, one from the Preface and one from the concluding chapter, seem to reflect the thesis which Cicourel is propounding:

A primary assumption of my work has been that sociological research problems have been influenced too much by everyday social problems such as, for example, crime, delinquency, overcrowded slums, and political reform. Basic questions about how social order (or concerted social action) is possible need not be limited by the traditional views that a common value system and network of norms provide consensus in society, and that the problems that sociologists must focus upon stem from special-interest groups, inadequate pursuit and realization of basic values, and the implementation of accepted norms.<sup>2</sup>

This passage should perhaps be pondered for a moment, despite the obvious fact that it is not, in itself, very clear. What are the tasks of the sociologist? What are his aims? If the sociologist sees himself as engaged in pure, value-free research, then, at one level, he must be applauded for his scholarly dedication and regimentation. He is carrying out his functions in the best traditions of Max Weber. No one suggests that the sociologist's work should be bound to solve practical social problems. Too frequently the public has had the mistaken view that the sociologist is merely the theoretician for social work. This does not mean, however, that the sociologist should ignore humanistic considerations. A sociological study which adheres too closely to the theory or dogma of the discipline can be as useless to society as a narrowly conceived and expressed theology.

The pure sociologist is not dealing with molecules and chemical substances but with society and human beings. I fail to see how sociological research can be as free of values, conventional or otherwise, as the author seems to be suggesting. How can the sociologist avoid the "everyday social problems", particularly when he is carrying out a research project on juvenile delinquency? Professor Cicourel expresses the opinion that previous sociological explanations of delinquency have either been too clinical or too heavily reliant on societal norms. Similarly, the use of official

<sup>2</sup> P. vii.

statistics can lead us astray. What alternative does he suggest? Then again is it asking too much of the sociologist (whose major interest is social organization) to frame alternative solutions? Should we be satisfied with an exposure of the present dysfunction of the system and expect our legislators and policymakers to draft and implement new procedures which, in time, can be subjected to sociological scrutiny? Professor Cicourel's present study seems to stop at the point of describing the present situation:

The officer's attempts to comply with departmental and legal requirements, through written and oral reports, initiate an accounting system I have labeled loosely the "creation or generation of history". I have attempted to describe how the historicising features of the legal system (as it is implemented in a particular community) determines the nature of social control, the judicial procedures that are likely to follow, and the kinds of delinquent or non-delinquent products officially recorded or not recorded. A researcher utilizing official materials cannot interpret them unless he possesses or invents a theory that includes how background expectancies render everyday activities recognizable and intelligible. In addition, the researcher must be familiar with the implementation of organizational policies and day-to-day procedures of law enforcement agencies and the administration of juvenile justice activities that can follow.<sup>3</sup>

Perhaps the use of the term "historicising" is not accidental but this is not the proper forum for a full-scale debate on the tasks of sociology or the virtues and vices of historicism.

To be fair to the author, he seems to be saying that the sociologist should describe the true state of affairs and should not be misled by conventional sociology and official statistics. Perhaps this is the import of the second quotation which is the final sentence in the book:

The negotiated character of phenomena labeled delinquency by community and law-enforcement members cannot be shown by merely examining statistical information on administratively produced accounts, unless the researcher can utilize a theory of social organization which would generate both the statistical materials and the activities that such materials truncate and transform.<sup>4</sup>

Professor Cicourel's study attempts to show that the prejudices and discretionary practices of law enforcement officials, probation officers and others having dealings with youth directly affect the outcome of a case—whether the child is charged, arrested, brought to trial and how the child is described in official documents or histories and in information passed on to interested parties. He shows that there is bias based on socio-economic, racial and residential grounds. The author has described these processes and is obviously trying to make an important point. All is not what it seems in juvenile justice. I presume that it is now up to someone to change the system. But how and to what? Professor Cicourel talks

<sup>3</sup> Pp. 328-329.

<sup>4</sup> P. 336.

of political corruption, the ability of middle-class parents to keep their children out of juvenile courts and training schools, the way in which official descriptions in school or probation reports can distort social pathology and can affect the future of a child. Obviously, laws cannot change these injustices because they have failed in the past. Obviously, we cannot have lawyers present at all police and probation interviews of juveniles. We cannot change the hearts and minds of all personnel involved in juvenile justice. Presumably, Professor Cicourel does not deny that problems exist. Perhaps he is telling us that, in addition to overcriminalization in adult courts, we have overdelinquentization in the administration of juvenile justice—if the author will forgive the expression.

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