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Perspectives
Newsletter of the ASA Theory Section
volume 27, number 2, April 2004

Theoretical Cultures in the Social Sciences and the Humanities

Michèle Lamont, Harvard University

In “Styles of Scientific Reasoning,” Ian Hacking discusses the historical formation of styles of argumentation that determine what is possible to believe, based on specific conventions concerning arguments and reasons. He incites us to examine styles of reasoning in the social sciences and the humanities, that is, the theoretical cultures and their preferred modes of verification and evaluation that prevail in these clusters of discipline. Thus, “Theoretical Cultures in the Social Sciences and the Humanities” will be the theme of the 2004 Theory Mini-Conference. I have asked Julia Adam and Neil Gross to join me in organizing three panels: 1) Theoretical Cultures Across the Disciplines (with Don Brenneis, Judith Butler, Hazel Marcus, and Richard Rorty); 2) Theoretical Cultures within Sociology (with Michael Burroway, Karen Cook, Cynthia Fuchs Epstein, and George Steinmetz); and 3) Analyzing Theoretical Cultures (with Bob Connell, Marion Fourcade-Gourinchas, Karen Knorr, and Peggy Somers) — the full program is listed on p. 28. We hope that you will attend these sessions in large numbers even though our program is slated for the last day of the meetings, on August 17th. It is a little early to be thinking ASA, but this is likely to be the only issue of the newsletter that will come to your door before you book your plane reservations.

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Sociological Theory Changes Hands

Julia P. Adams, Jeffrey C. Alexander, Ron Eyerman, Philip Gorski, Yale University

As it enters its third century, sociological theory faces some rather formidable challenges. One is the growing influence of economic theory within the social sciences, and especially within political science. While most economic theorists see some place for sociological theory, they generally see this place as quite small, and their followers in political science are apt to agree. Another challenge is the increasing importance of “theory” in the fields of language and literature, and its growing influence within “softer” social science disciplines, such as history and communications.

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I read with interest, and some dismay, Michele Lamont’s commentary on theory in the last issue of Perspectives. While her empirical diagnosis is probably correct, there are some obvious problems in her analysis. The most notable is the sample of only elite departments as ranked by a news magazine. What occurs at the top ten universities is not a very accurate reflection of what many other PhD-granting programs do. It may be that “grand theorists” are not hired at elite universities because people at these places have other priorities that may not reflect the priorities of others in the discipline. But, even if this intended sampling bias and other problems with Lamont’s analysis are eliminated, her conclusions that relatively few sociologists are engaged in “disembodied” theorizing is probably correct.

My own view is that the decline of grand theorizing has hurt the discipline which, over the last four decades, has differentiated into too many empirical specialties, each with its own narrow theoretical tradition. Without theorizing that seeks to integrate empirical findings and generalizations, it is difficult for a discipline to develop cumulative knowledge. Of course, the idea of developing cumulative knowledge through ever-more general theories explaining an ever-wider range of empirical findings is considered “old fashioned” by many sociologists these days. If theorizing of this “grand” sort is considered passé, then there is little hope that sociology will amount to much more than a scattered set of specialties, held together only by the dues-collecting administrative structure of the American Sociological Association. Humpty Dumpty will have already fallen off the wall, never to be put back together again.

Moreover, the fact that non-theorists often teach theory at elite universities is not necessarily a good thing. All of the people cited by Lamont do very interesting work that I have long admired, but much of this work is not highly theoretical, at least by the criteria of science. Indeed, a great deal of sociology these days involves “interpretations” of empirical findings with loose conceptual schemes and vocabularies, although there are some who use theoretical principles to explain their empirical findings. Added to this limited type of theorizing are activities, such as history of ideas, textual analysis of the classics, commentary on the current big names (like Bourdieu, Giddens, Habermas, and the like), epistemological critique (usually of science), ideological ferment over some injustice, that are also considered “theoretical” by many in the discipline. Taken together, these activities do not provide a firm base on which to develop cumulative scientific knowledge. Let me be clear one point, however; I am not arguing these diverse activities are not intellectually important or interesting. They are very important, but they are also not explanatory theory, at least in terms of the epistemology of science.

Lamont also appears to prefer middle range theorizing presumably because it is connected to data. My view is that Merton’s plea for middle range theorizing was not only vague but harmful to sociology. It was never really clear what Merton meant by middle-range theorizing, just as it is today by those who invoke this legitimating mantra. Did Merton mean theories that were highly abstract but with narrow scope conditions or did he mean relatively low-level generalization that abstract a bit above empirical regularities? If he meant the former, I have no quarrel with Merton or anyone who pushes for this kind of theorizing. Good examples of abstract theories with scope conditions include such research programs as expectation states, affect control theory, interaction ritual theory, exchange network analysis, identity theorizing, resource mobilization theories, and many other theoretically-informed research programs. What makes this kind of theorizing cumulative is that abstract models and principles that transcend the time and place are used to explain

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Classical theory is a hard subject to teach. Some faculty shy away from theory like it is the plague, others embrace it with a passion, and the remainder just sort of pick up theory teaching duties by default. I’ve been teaching theory for about four years now, and I am still trying to get it right. Unlike other sociology courses, such as social problems, race, class and gender, and social movements, there is little about classical theory that makes it inherently interesting or “sexy” to the students, and theory teachers usually do not have the luxury of using films or documentaries as a way to supplement lectures or to show on a day when the students just aren’t prepared to talk.

Certainly, the preparedness and motivation of students (no less than that of the teacher) play a big role in how the course progresses and what the students get out of the class. From my vantage point – teaching at what is basically the junior college level in a rural mountain community – there are a number of obstacles. Many students at my institution evince a remarkable lack of knowledge or even interest in history, science and philosophy; they don’t want to read and give up if the material seems too difficult; they could not care less – at least initially – about the “founding fathers” of the discipline; they are often sullen, apathetic, resistant and in some cases strive to pass classes without even bothering to acquire, let alone, crack the books. How does one teach theory under conditions such as these?

I begin teaching classical theory by stressing that theory is inescapable, that it is a mundane activity, and that we use theory all the time in the course of our daily lives. I run with and elaborate Charles Lemert’s observation that social theory is a survival skill. But I also emphasize that there is something special about social theorizing. As I learned a few years ago from a painting on the ceiling in a room of London’s Somerset House, “theory is the knowledge of what is truly nature.” Expanding on this – to my mind quite eloquent definition – I teach that social theory or sociological theory is the knowledge of what is truly “human nature.” I also like to point out, along with Habermas, the etymological and religious origins of the term, and try to get my students, too, to become contemplators of the [social] cosmos.

Another strategy I use is to try to get students to think of the classical theorists as contemporaries, as living figures who still have something important to say about our social condition and that they were human beings with their own passions, needs and idiosyncrasies. It is useful in this regard to bring in biographical accounts, such as discussing Weber’s nervous breakdown and his subsequent recovery; Marx’s early shift as a student away from law to philosophy; that Durkheim’s interest in suicide arose from trying to understand the suicide of his friend Victor Hommay, and so on.

Making the material relevant to student’s lives is also another way to pique student interest. In discussing Marx’s theory of alienation, I have the students write an essay on their own work experiences; when we are covering Durkheim I have them analyze a local ritual or ceremony that they are familiar with; and I use examples from the college bureaucracy to illustrate Weber’s ideas on rationalization and irrational organizational forms.

Throughout my classical (and contemporary) theory classes I also stress, following Richard Rorty, that learning theory is, at root, a matter of mastering a new vocabulary (e.g. commodity fetishism, ideal types, collective conscience) that the students can then play around with to make better sense of their own social worlds. I also spend a good deal of time stressing the importance of language for social science, and the power that can come from naming social phenomena which would otherwise remain opaque and misunderstood.

I am still trying to determine the best texts to use. I have assigned Terry Eagleton’s Karl Marx, which is a great
I find it delightfully incongruous that I was asked to write a short note on my intellectual biography as a “young theorist.” In fact, I am so “young” a theorist that I have taught sociological theory only once. Certainly, I am due to teach Berkeley’s undergraduate theory course next year, but does this make me a theorist? What is the trajectory that made it likely for someone like me to end up, enthusiastically for sure, with this “teaching assignment”? It is in France, where I was raised and lived until my master’s degree, that I first encountered social theory. Perhaps not unsurprisingly to those who are familiar with the French field, the process of my intellectual upbringing as a sociologist started with my reading a lot of philosophy. This was far from unusual. In spite of the grandiose vision that Durkheim expressed for his “science of society” at the turn of the twentieth century, French sociology institutionalized as a separate and autonomous discipline much later than in the United States. France’s most famous social theorists –from Durkheim and Mauss to Aron, Lévi-Strauss, Barthes, Althusser, Foucault and Bourdieu- all taught philosophy, just like Sartre, Camus, de Beauvoir and Merleau-Ponty. A separate licence in sociology was created in 1958 only, and it is not before 1977 that a teaching diploma (agrégation) was established in the “social sciences.”

The other roots of the “science of society” in France are empirical, in the surveys carried out for the state administration from the middle of the nineteenth century on (LePlay is an early example). For the most part, this quantitative and rather a-theoretical tradition continues today at the National Institute of Statistics and Economic Studies (a state agency with a quasi-monopoly on data collection and treatment) and is carried out by trained statisticians rather than professional sociologists. As such, this “applied” social research has remained quite disconnected from the institutionalized discipline of sociology found in universities and prestigious research institutes. It should thus come as no surprise that the latter –between its limited access to quantitative data and technical knowledge on the one hand, and its historical subordination to philosophy on the other–ended up developing along a mainly qualitative, highly theoretical path.

Although I owe my taste for social theory in no small part to my teachers, both in France and the United States, I would be foolish to recognize nothing but my own personal biography in such an intellectual “disposition.” I come out of an educational system that trains people first and foremost to revere abstract thinking as the central element of any type of intellectual work (and I just explained briefly that there are some good historical reasons for the system to function this way). Not only that, but the organization of higher training around competitive examinations rather than research production tends to privilege exegesis and the knowledge of classical works, at least until (but sometimes beyond) the dissertation. Hence I wrote my master’s thesis in France as a long analytical commentary on the work on Albert Hirschman –a path not untypical for a young scholar. And I complied with the discipline of “dissertations” –these odd intellectual exercises that form the backbone of France’s upper level examination system in the humanities and social sciences, where candidates must, within a fixed time frame, mobilize all of their factual and theoretical knowledge to answer a very (some would say absurdly) general question.

This is not to say that there is no empirical research in France. Of course there is. But the point is that, partly due to the way intellectual production is structured, the habitus of the French sociologist remains, to this day, very wedded to a certain intellectual style, which strives for universal statements and puts a strong emphasis on the mastery of language.
Going Where Theory Leads

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Although law has become marginalized as a subject within sociology and the social sciences generally, it originally had a central place in classical sociological theory. When law had this more central place, its conceptualization was more capacious than conceptualizations that came to predominate in twentieth-century American scholarship. Durkheim gave considerable attention to law throughout his writings, theorizing that law was the fundamental material social fact to get at such immaterial social facts as the collective conscience. Within societies with an advanced division of labor, law displaced the traditional role of religion, providing the grounds for a new civic ethic of interdependence and reciprocity. For Durkheim, “law is the example par excellence of the social fact. It is a visible symbol of all that is essentially social” (Hunt, 1978:65). For Weber too, law was a central focus, the lynch pin in his description of processes of modernization. Modernity was characterized by a shift in the forms of domination (command relationships in which obedience is experienced as both voluntary and obligatory), epitomized by the rise of formal legal rationality which itself is associated with the rise of bureaucratic administration. In classical social theory, the law is not simply the armed receptacle for values and priorities determined elsewhere; nor is the law merely a limited device of the modern state as conceived in positivist and behaviorist perspectives. It is part of the complex social totality in which law constitutes and is constituted, shapes and is shaped. Despite the centrality of law in classical sociological theory, the twentieth-century understanding of the relationship between law and society shifted: law was dislodged from a central

The Work of Theory

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At the most fundamental level, theory operates as a learned disposition: a set of intellectual reflexes that come to define an author’s distinctive way of looking at the world. One develops a tendency to frame issues in a certain way, to make particular connections, to ask particular kinds of questions, and to focus on specific processes or problems. One views the world with the aid of specific metaphors – the social world as a struggle for dominance, a strategic game, a system of interlocking parts, a religious ritual, a theatrical stage, a dance figuration, or whatever. This fundamental approach to things may line up with identifiable theoretical frameworks (in my case, structuralism, functionalism, and interpretivism) or with exemplary theorists (my list would include Marx, Hirst, Freud, Foucault, Weber, Durkheim, Geertz, Elias and Bourdieu) but there is a sense in which it pre-exists these scholarly choices, shaping the ways in which ideas are taken up and put to work.

This theoretical habitus is, no doubt, a consequence of one’s initial formation as a scholar – a training that inserts the novice into a particular academic field at a particular time and place, exposing him or her to definite styles of thought, paradigmatic texts, and inspirational figures, as well as to locally defined hierarchies of intellectual and institutional status and various norms of professional conduct. Developing this habitus – what I think of as finding one’s own voice – is a process that begins before graduate school and ends, to the extent it ever ends, when one matures as a writer and thinker.

My own formation took place in the UK, and was perhaps somewhat irregular when judged against the standard track of the American graduate school, though its oddity may have become an asset in
Potential for Mutual Benefits: Sociological Theory and Criminology

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Two theses claim and two stories illustrate the potential mutual benefits of sociological theory and research on crime and criminal justice.

Thesis 1: Sociological theory is especially crucial for areas of sociological inquiry that lie in the vicinity of fields of praxis as criminological and criminal justice research (C&CJR) does. Theory provides conceptual tools allowing scholars to keep analytic distance from the terms and everyday theories of practitioners. Such distance is a condition for the autonomy of science, especially in fields (social movements, organizations, and policy areas alike) that possess considerable symbolic or material resources. This is particularly so if these resources can be converted into scientific capital.

Thesis 2: C&CJR that is inspired by sociological theory in turn produces benefits for sociological theory, just like research in the sociology of culture or comparative-historical sociology does. C&CJS, however, is perceived as marginal by many theorists, and I appreciate Neil Gross’s courage to include it as an early case in this series on the link between theory and substantive research areas.

Well known examples for the profound contributions that a theory-inspired approach to crime and crime control can offer reach from Durkheim’s insight that crime is “normal,” to Black’s understanding of “crime as social control” (American Sociological Review, 48/1983:34-45). Hamilton and Sutton’s (Theory and Society 18/1989: 1-46) contribution to our understanding of the Pragmatist movement and its application to control in the weak state, and Sutton’s manifold empirical examinations of this idea, provide another example. Contributions of many others,

Theory, Abortion, Policing, Terrorism

Mathieu Deflem, University of South Carolina

For scientific theory is one thing to which the pragmatic formula applies; it is justified only by its usefulness in understanding the facts of empirical experience.

—Talcott Parsons

It is more than merely provocative to make the case for the pragmatic objectives of theory by quoting from the work of a sociologist not uncommonly thought of to have contributed little beyond conceptual schemata. Besides unraveling the characteristics, structures and processes of selected institutions in the context of specified socio-historical conditions, the primary objectives of my work in the area of the sociology of law and social control involve a determined attempt to link the insights from general theoretical models with empirical research, whether in terms of appropriate approaches or fruitful arrivals.

My fondness for theory must have preceded my interest in sociology, for when I became an undergraduate student of sociology in Belgium in 1980 I was interested almost exclusively in issues far outside the discipline. Whatever few sociological interests I did then maintain, however, were entirely theoretical. The theories I now develop and apply also date back to my undergraduate student days and the fortuitous and fortunate exposure to the writings of Emile Durkheim, Robert Merton, and Talcott Parsons. I thus learned the proper boundaries of sociology early. The first sociological article I ever read was Merton’s (1968:73-138) essay on manifest and latent functions, a paper that proved its point
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What is a theoretical culture? At its simplest, it can be defined as a researcher’s understanding of what she is producing and her assumptions about how to assess the value and quality of this contribution. In this mini-conference, we are asking our presenters and our members to suspend for a few hours any sense that we, individually or collectively, have found “the one best way” to grasp the world that surrounds us. We are inviting you to approach ourselves as natives to analyze how our production of knowledge is guided and bounded by the beliefs and practices (in a word, the culture) of our disciplines and disciplinary organizations. Among the questions to consider, we should ponder: What questions are our approaches best and least suited to address? What criteria are we using to evaluate our own work and that of others? What is our understanding of the truth status of the knowledge we produce (if any)? To what extent do we view a “finding” as resulting from our shared inter-subjective activity, as opposed to existing “out there”? And what are the customary rules we follow to establish that someone is making a contribution?

Of course, we already have literatures that answer some of these questions. However, the Social Study of the Social Sciences and the Humanities remains a highly disorganized field with unpredictable and often incompatible and multidirectional growth spurts, especially when considered in comparison with the field of the Social Study of Scientific Knowledge. By choosing “Theoretical Cultures in the Social Sciences and the Humanities” as the theme of the 2004 mini-conference, we hope to direct our collective attention toward a cluster of topics that is far from being exhausted, and that is of great relevance to the production and consumption of sociological theory, which I take to be the unifying principle of the section’s membership. A close examination of the questions that interest us may very well result in more sophisticated, pliable, and pluralistic approaches to social science and humanities research, and to the competing theories that animate it. Theory is as much prescriptions about how to actually produce research and determine its value/quality as it is about ascertaining what is, what is not, and what could or should be.

A personal note: My own interest for the cluster of issues I just described goes back to my graduate student days in Paris in the late seventies. My dissertation concerned the very rapid growth of the social sciences and the decline of the humanities in Québec between 1960 and 1980. Although I never published this work, over the past twenty years I have revisited intermittently a range of issues pertaining to the institutionalization of models of excellence in the social sciences and the humanities, mostly through a series of collaborative publications. An early article analyzed what made Derrida important in France and the United States; it showed that Derrida was leading parallel existences in the two countries, having different identities and audiences in the two national contexts. More recently, I have analyzed how “the best and the brightest” of American high school students understand the meaning of academic excellence and what they do to demonstrate excellence (they all similarly claim to be demonstrating their own authenticity and individuality). I have also analyzed the types of excellence favored in letters of recommendation written for a prestigious fellowship in the 1950s and the 1970s, considering the importance attached to meritocratic and universalistic traits. I am now investigating the types of arguments that individuals serving on funding panels in the social sciences and the humanities make in favor and against fellowship proposals. The goal is to produce a book on the criteria of excellence at work in the social sciences and the humanities and the customary rules that are followed to produce legitimate evaluations. A recent ASR article showed that panelists define originality in terms of proposing new approaches (as opposed to offering new theories or new findings) and that they associated it with a whole range of positive moral traits, such as courage and integrity. This contradicts a traditionally held prescription in the sociology of science literature, namely that originality means mainly new findings and new theories, and that a firewall should separate cognitive and non-cognitive factors when it comes to scholarly evaluation. I am still figuring out what these projects add up to, but through them, I have gained a renewed appreciation for the virtues of the sociology of knowledge. It is my desire to share this excitement that prompts me to invite you to engage in a moment of collective reflectivity, both from within sociology, and in

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dialogue with some of the best practitioners of our neighboring disciplines. If nothing else, we may be made wiser from having attempted to understand, as an ethnographer would, what makes the research world of others “tick.”

References


Reference to my papers can be found at http://www.wjh.harvard.edu/soc/faculty/lamont/
While humanists still read classical social theory, particularly Marxist theory, they tend to be quite suspicious of theoretical systems and empirical generalization. And then there are the challenges from within sociology itself. One is the place of theory within the discipline. There are still a great many sociologists, particularly (if not exclusively) in the quantitative areas of the discipline, who see theory as little more an idle distraction, something one learns in graduate school and then discards as soon as one starts doing “real research.” The second internal challenge is the tendency of American sociology to ignore world sociology or even to see itself as world sociology. Strangely, this may be more true in the theory area than in many empirical sub-fields.

In assuming the editorship of Sociological Theory, we have four goals, which spring directly from these challenges.

1) To enhance the visibility and influence of sociological theory, by making Sociological Theory the premier journal in its area.

2) To encourage dialogue and debate with other forms and traditions of theory, particularly in economics and the humanities.

3) To showcase work at the interface between theoretical and empirical investigations, so as to emphasize how the one can inform and strengthen the other.

4) To attract theoretical work from outside the United States and generate greater attention for work from within the United States.

In short, we hope to open up more space for theory within sociology, and capture more attention for sociological theory within the social sciences.

These are ambitious goals for any editor – even for four co-editors! Fortunately, there are many people whom we can turn to for help – including the readers of Perspectives. Indeed, one of our policies as editors will be to cast the net as widely as possible – to publish works representing all the major and minor streams and rivulets of contemporary and classical theory. Carrying out this policy will be made easier by the fact that we ourselves have swum so many of these currents – everything from Marx, Weber and Durkheim, to rational-choice theory, feminism and discourse analysis. Most any manuscript can thus be assured of at least one sympathetic and informed editorial reader.

This does not mean that we will favor pure over applied theory. Despite our strong theoretical interests, all of us have engaged in empirical research as well, and we are well aware of the many ways in which theory and research can enrich one another. Thus, we are also committed to publishing theoretical work that emerges out of substantive investigations. It is our strong belief that one major strain of sociological theory must be directed to the “big problems” of explanation and interpretation of social life.

While sociological theory has become increasingly separated from empirical research, it has been almost completely divorced from social and political theory of a more explicitly normative type. We are not sure this divorce is a happy one. Some of the most innovative and exciting developments in theoretical thinking in recent years have emerged from debates in “critical theory” broadly defined: theories about gender and sexuality, race theory, postcolonial studies, environmentalism, and reflections on civil society, and globalization. We believe
that the discipline would benefit from greater awareness of these developments. We also believe that it might benefit from greater reflection about its underlying normative commitments. Economic and cultural theorists are quite open about these commitments, and this may account for their greater resonance with a wider public.

Sociological theory also risks being isolated from the prodigious and controversial philosophical discussions that have put the humanities into the center of theoretical debate. We would try to bridge this gap as well, not to do a “sociology of” literary theory but to demonstrate that, at its best, this theory has important insights to offer to social science. We would also, to the extent possible, try to reach out to critical conceptual and empirical developments in the natural sciences, where work in neuroscience, genetics, and cosmology is establishing fundamental new ways for looking at the natural world.

Finally, there are two other new directions in which we would like to push ST. The first is to reach out more strongly into the international arena. At this time of aggressive American unilateralism, it seems particularly important to strengthen our intellectual links with strong theoretical voices outside the U.S. But the issue goes far beyond recent policies. Globalization is not only economic and political. In recent decades, there has emerged an increasingly vibrant international public sphere, one significant part of which is intellectual communication. At the present time, there is no true global stage for sociological (or for that matter social) theory. Each of us has personal networks that connect us to high level sociological theory around the world, not only in Western and Eastern Europe, but also in Asia, South America and Africa. By bringing these voices into ST, we would commit ourselves to helping construct a global public sphere in sociological theory.

The other area to which we want to pay careful attention is younger theorists. We want to encourage the participation of younger members of the discipline in the development of sociological theory. Theory is not exactly an endangered species among younger sociologists, but some of the developments we have discussed earlier have made sociological theory less attractive to those who have more recently come into the field.
empirical findings. The other implied meaning of Merton’s advocacy, however, has been harmful because it elevated the empirical generalization to the status of theory and promoted what I have termed “theories of ______________” (fill in the blank with your favorite empirical area, such as family violence, discrimination, status attainment in the U.S, and a host of time-bound empirical facts that are dressed up to sound theoretical). Merton argued that at some point in the future sociology would have its Einstein who would integrate all of these disparate generalizations into general theories, but the time was not right; it would be necessary to continue developing empirical generalizations and perhaps limited theories while sociology waited for its theoretical messiah. My criticism of Merton’s advocacy here is not an attack on induction because some rather famous theories emerged from careful empirical observations that have inspired thinkers to make a conceptual leap to a more abstract level and, thereby, articulate a general theory. Charles Darwin’s observations during the voyage of the Beagle represent one example of inductive theorizing, but the key to Darwin’s induction is that he articulated abstract concepts, such as natural selection, that became part of some general principles on ecological dynamics and speciation. Alfred Wallace made a more deductive jump, literally, in a fever pitch (from Malaria), and arrived at the same conclusion as Darwin, but unlike Darwin, he had only a smattering of empirical knowledge that he used to assess the plausibility of his sudden insight. The critical step for both Darwin and Wallace was the willingness to think big, grand if you will, and move to a higher level of abstraction that seeks to explain the phenomena of speciation in all times and places. Merton would have sociologists summarizing time-bound empirical data, without developing abstractions that move us away from the data of a time and place. Lamont appears to make the same argument: stay close to the data and do not develop disembodied theory that moves away from the particulars of a set of data. Lamont does throw grand theorists a bone, however, announcing that such theorizing “certainly remains a crucial part of a good sociological education, and of intellectual literacy more generally” but she immediately concludes that grand theory is more of a “complement” to middle range theory and empirical research.

A discipline that sees its most general theories as an historical anachronism is indeed in trouble. The goal of any science is to explain as much reality as is possible with as few concepts, models, and principles as is possible; when elites in a discipline subvert the goal of grand theory and, instead, prefer conceptual foreplay around time-bound data, that discipline will have a great many conceptually-massaged empirical observations and very little explanatory theory. Moreover, the discipline will have waves of “hot” fields that come and go, without leaving much cumulative knowledge about the operative dynamics of the universe. Today, as Lamont emphasizes, comparative-historical analyses and cultural approaches are “hot,” especially at elite universities, but unless those working with data in these areas move away from the data and up the ladder of abstraction, the very promising findings in these areas will be lost in a dust heap of empirical descriptions. Fortunately, some in these fields—for example, Charles Tilly and Robert Wuthnow come to mind—have been willing to make the leap to more abstract principles to explain empirical findings; and it is these kinds of efforts that produce cumulative science.

The problem with much grand theorizing in the past—Talcott Parsons’ action theory being the exemplar—is that it was not really theory. Parsons developed an incredibly elaborate system of classification, with explanation consisting of finding the right place in this system for any empirical finding. This kind of grand theorizing is deservedly left to history and, if one is so disposed, to “a good sociological education, and (to)...intellectual literacy...” Parsons’ conceptual scheme could serve as a springboard to more general theoretical principles and models, as Richard Munch in Germany has ably demonstrated. Yet, I am not sure that building such an elaborate conceptual scheme is desirable in developing the abstract principles of grand theory. It is better to use a minimal conceptual scheme and go directly to formulating abstract theoretical principles. More importantly than the shortcoming of past efforts at grand theorizing, there is still a considerable amount of grand theorizing in sociology,
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perhaps not at the elite universities that Lamont reviews but at other, respectable places. Some sociologists are still trying to develop highly abstract concepts, models, and principles that are disembodied from any particular set of data and that seek to explain the operative dynamics of the social universe in all times and places. These scholars may not phrase the goals of grand theory in quite these terms, but their intent is clear: formulate abstract principles to explain data in varying times and places. If a discipline turns away from these efforts, it will not develop cumulative knowledge; rather, it will proliferate knowledge without any intellectual force to pull the differentiated areas of empirical inquiry together. Sociology is running the danger of continued differentiation, as researchers continue to partition themselves into increasingly narrow specialties whose practitioners do not feel any need to integrate the knowledge within their own camp, to say nothing of knowledge emerging from other camps. Indeed, many are not only doubtful about the prospects for grand theory, but like Lamont, many are contemptuous of the idea of general theory that “disembodies” itself from the particulars of specific empirical contexts.

A scientific discipline does not need very many grand theorists, of course, but it needs some. And, if Lamont’s survey of elite departments is true for all graduate departments of sociology, then the next generation of grand theorists is not being trained. And so, when the few remaining “senior scholars,” as Lamont phrases the matter, die, so will grand theory. Indeed, Lamont seems to prefer that theory migrate to “theory satellites” of other sections inside and outside of ASA, but this is a formula for partitioning of knowledge in ways that do not encourage theoretical integration. Sociology will proliferate loose “theories of” a great many empirical areas of empirical interest (whether for intellectual, ideological, and political reasons) that will not stand the test of time. These “theories of” will be as irrelevant a generation from now as is Parsons’ functionalism today. Without a younger generation of grand theorists willing to look across the proliferating specialties within and outside of sociology, sociology will become “a tower of babble,” in all senses of this phrase. If grand theory is indeed “dead,” then sociology is dead as a vibrant and interesting discipline. Without a theoretical core, sociology will move in two directions, one toward dustbowl empiricism about a subject matter that does not matter and the other toward a smug form of “humanities talk” where clever but obtuse discourse rules. Sociology will become increasingly irrelevant to solutions to the problems that confront human societies in today’s world; and because of the importance of these problems, sociology will have to be reinvented by another name.
little book, but at only 56 pages, not long enough to stand alone. Randall Collins’ *Max Weber: a Skeleton Key* is also very good, but a bit dated now and I have heard it is expensive for students. Steven Lukes’ *Emile Durkheim* is an excellent but mammoth text, and probably too rigorous for most of the students I currently teach. At the moment, I am using Craig Calhoun et al.’s *Classical Sociological Theory*, which has a great general introduction and very good excerpts by Marx. The introductions to the book’s other sections, however, are to my mind much too brief and the excerpts included not rich enough to teach from. Calhoun and his colleagues spend roughly eighty pages on Marx, yet only sixty each on Durkheim and Weber. The remaining 200-odd pages in the book cover Mead, Du Bois, Freud and Simmel and then jump all the way (which personally seems quite a stretch for a “classical theory” text) up to Horkheimer and Adorno and Parsons and Merton. Lemert’s *Social Theory* anthology has great section introductions and very good short biographical essays, but the readings themselves, though carefully selected, are extremely short. Lemert’s book can be useful for covering a lot of ground quickly, but seems to work against sustained theoretical reflection and may foster a kind of “sound bite” knowledge of important thinkers and ideas.

I have on occasion used supplementary or reserve reading as a way to fill in the gaps of student knowledge, and to flesh out more thoroughly ideas discussed in the main text, but I find that I have more success at getting students to do the reading if they just have one book to deal with instead of a main text and lots of photocopies. I would like to find a text, an anthology, of about 600 pages in length, that would deal mostly with Marx, Weber and Durkheim in about 20 page increments (about as much classical theory I think students can handle in one session), and which would also include biographical, historical and critical material, but I have not yet come across such a book.

In closing, I would like to add that in order to teach theory, I think you also need a certain amount of irony. We need to acknowledge that these are for the most part dwems (dead, white, European males) that we are talking about it, and that as insightful as they were, the founders are not without their flaws. We also need to be cognizant that the “Holy Trinity” of classical theory is to a certain extent an arbitrary construction born of organizational pressures and historical contingencies, and any good theory teacher should be prepared to answer questions such as: Why does sociological theory begin with Marx but political theory goes all the way back to Plato and Aristotle? Why doesn’t Nietzsche count as a classical theorist? When did Pareto drop out of the canon? Where does Tocqueville fit into the sociological tradition?

I enjoy teaching many subject areas in sociology, but with the right students I like teaching theory the most because I feel like I am introducing and accompanying them to new and distant worlds. For reasons I mentioned at the beginning, students may not want to stay too long in these strange lands (although I hope they will), but I feel that I have done my job well if at least they now know that they exist.
and argumentation. The élégance and sophistication of writing, the distance from empirical materials, are considered a normal part of the scholarly enterprise, which consists primarily in showing an ability to manipulate concepts.\textsuperscript{3}

Certainly, “theory” is important in the United States, too, but my sense is that we relate to it in a different way. Most sociology departments here regard “social theory,” particularly classical theory, as one of the building blocks of their core curriculum. Yet we tend to parcel it out from the rest of sociological training. Nowhere is this split more evident than in the way we organize our teaching—dividing our intellectual work between “theory” and “research,” fundamental common knowledge and specialization. Classical theory rarely has a place in our field courses, particularly at the graduate level.

I have taught classical sociological theory once, but the obliged format of the course has forced me to operate in a, well, fairly classical manner—following authors chronologically and placing them in the historical context of eighteenth- and nineteenth-century Europe and America, sometimes indulging in the artificial exercise of contrasting Marx to Weber, or Marx to Durkheim. Having theory boxed in special courses forces an arbitrary divorce between old and new, between “background” and “frontier,” and prevents us from meaningfully incorporating these insights into our routine research procedures—not as occasional resources that can be instrumentalized, but as a fundamental intellectual orientation, as a sociologist’s habitus. By sacralizing them, and pinning them against one another rather than against our own substantive approaches, we too often end up excluding these classics (old and new) from the space of normal science, when they should be part and parcel of our everyday intellectual toolkit and constantly inform our sociological imagination.

The highly ritualized status of the classics in sociology contrasts quite markedly with the invisibility of Smith, Ricardo or John Stuart Mill in economics, whose works have been digested and turned into a set of a-historical tools. Economists, in fact, find their common ground in “universal” microeconomic technique (their “theory” is the theory of the consumer, or the producer). We, however, claim to find ours among our shared knowledge of a collection (variable, for sure) of authors whose unique intellectual stature we largely, as a discipline, agree upon. But our use of the classics is much less universalized than economists’ use of maximization—sometimes bordering on hand-waving, if not theoretical amnesia. (For instance, blanket Marx, or Weber, under “power” approaches, as is often done, does little justice to the intellectual legacies we intend to reclaim.)

Yet weaving complex theories into the fabric of our approach to immediate empirical questions is one of the most exciting intellectual exercises given to us, in our role as teachers especially. This year, for instance, I have tremendously enjoyed teaching Marx, Durkheim, Simmel, Elias and others in the midst of my “sociology of culture” class—helping students understand why they show quasi-religious awe during graduation ceremonies, why it is particularly difficult to be gay in rural areas, or why so few people in America seem to disagree with the Bush tax cuts. Likewise, I found the times when I had to discuss Gramsci or Bourdieu to illuminate a point in my graduate economic sociology class particularly exhilarating. Upon reflection, the moments when such theories were brought in to bear on some pressing material or intellectual issues are probably among my most cherished experiences of “theory teaching”—as they were my most cherished learning and “thinking” experiences in my earlier years studying philosophy.

I am now facing the task of preparing a syllabus for my first undergraduate theory course next fall. I know that the main pedagogical purpose I will strive to achieve is to force a “deep reading” of these texts that will allow students to see the world around them in a different light, by relating the most mundane issues to the most sophisticated (hopefully)
intellectual questions. Judging from the texts that preceded mine in this “column,” I am certainly not alone in this aspiration. Michèle Lamont pointedly noted in her opening statement as chair of this section that the young scholars who teach classical theory today come from very diverse empirical fields of sociology rather than from a specialization in sociological theory proper. Perhaps this is an indication that the way we are teaching theory is changing, too.

Endnotes


2 As an illustration, the sociology examination questions for the last two agrégations de sciences sociales were: “Is it still possible to look at the city as a social laboratory?” (2003) and “Can a sociology of the body and of bodily practices help us understand the social?” (2002)

3 The fact that the new generations of French sociologists do not have to go through as much philosophy training as their elders is an important factor of change, which is encouraging a much more inductive, ethnographic style of research.
role in the constitution of society to a peripheral position as a technical instrument of the modern state. What law tells us *about* society became less important than what law does *to* society. Law became defined primarily in terms of the processes of creating and enforcing formal rules, as machine rather than as meaning.

Beginning in the 1960s with the work of Philip Selznick, socio-cultural analyses of law gained renewed energy and attention, spawning what are now several generations of scholars mapping the cultural lives of law. Selznick eschewed any transcendental grounding and played down the absolute authority of law. He suggested instead that legality is like a Weberian ideal type which humanly made law approximates and to which it aspires. He described legality as a socially constructed ideal, albeit an imperfectly institutionalized ideal, for limiting arbitrariness in social organizations and behavior (1969:13). Although a product of self reflection and systematic critique, legality was presented as a practical norm, an empirically derived concept of variable instantiation.

Some years ago, Patricia Ewick and I set out in a Selznickian trek to understand how, in the face of enormous variability and contradictions, law nonetheless manages to be experienced as a powerful, determining institution. We attempted to understand how law is emergent in the activities of ordinary people. Rejecting overly idealist or materialist conceptions, exclusively agential or structural determinacy, we introduced the concept of *legality* as a reciprocal process in which actions and interpretations given by individuals to their world -- and law and legal institutions as part of the lived world -- become repeated, patterned, stabilized as part of the material and discursive systems that limit and constrain future meaning-making. To frame our inquiries, we deployed concepts from contemporary social theory (e.g. Bourdieu, Connell, de Certeau, Foucault, Garfinkel, Giddens, Goffman, Smith and others). We found that in pursuing our research, we had to deal with some of the central theoretical controversies, and it is our belief that what we learned makes a contribution not just to the sociology of the law, but also to social theory.

We claim that legality is a structural component of society. (We use the word *legality* to refer to the meanings, sources of authority, and cultural practices that are recognized as legal, regardless of who employs them or for what ends. Legality is an analytic term rather than a socially approved state of affairs. In this rendering, people may invoke and enact legality in ways neither approved nor acknowledged by law.) Legality consists of cultural schemas and resources that operate to define and pattern social life (Sewell 1992). Through repeated invocations of the law, legal concepts and terminology, as well as through imaginative and unusual associations between legality and other social structures, legality is constituted through everyday actions and practices. Legality is produced through every package of food and electrical appliance with a label warning us about its dangers. Newspapers, television, novels, plays, magazines and movies are saturated with images of legality, while at the same time invoking legal claims, such as copyright. Legality is enacted every time we park a car, deliver clothing for dry-cleaning, or leave an umbrella in a cloakroom. We pay our bills because they are due; we respect our neighbor’s property because it is theirs; we carry plastic bags when we walk our dog in the park because it is public property. We rarely consider, however, through what collective judgments and procedures we have defined “coming due”, “theirs”, or public property. If, by some chance, we trace the source of these meanings to some legal institution or practices, the specifically legal origin is fixed so far away in time and place that the circumstances of their invention have been long forgotten. As a result, contracts and property seem not only necessary but natural and inevitable parts of social life. This pervasiveness of law - its semiotic, visual, discursive profusion - is the daily construction of legality.

If, as we argue, legality is an emergent rather than necessary and determinate aspect of social relations, we still need to answer the theoretical question as to how the multitude of interactions that form everyday life come to assume the unity and consistency we recognize as a social structure and a durable institution. Thus, our research
focused on the ways in which local, concrete actions accumulate into systemic institutions and structures (Ewick and Silbey 1998). We document situations in which local processes recursively reproduce macro social structures and institutions and, at the same time, provide openings for creativity in reshaping those structures. Diverse, sometimes deviant or resistant, and often repetitious, interactions of everyday life accumulate to produce structures with enough integrity and unity to have concrete effects back upon the very interactions out of which they emerge. Despite the diversity of actions and experiences, law and legality achieve their recognizable character because individual transactions are crafted out of a limited array of what are generally available cultural schemas. Moreover, these cultural schemas are also being constantly reproduced and recreated through local invocations and inventions.

Out of the thousands of individual accounts of law we collected, we identified three schemas, or publicly circulating narratives of legality, running like a braided plait through the discrete stories people told us. Each of these three understandings draws on a different cultural schema; each invokes a different justification for law; each expresses a different explanation of the capacities and limits of legal action; and finally, each of the three narratives locates legality differently in time and space, positioning the speaker differently in relation to law and legality (as a supplicant, player, or resister).

Recently we have given more attention to the theoretical significance of the stories we were told of resistance to law. Rather than focus on the act reported, we pay attention to the fact that we were told about this act of resistance. How might the narrative of the act be understood in relation to theories of structure and power? Conventional analysis of individual acts of resistance usually describe them as politically impotent, incapable of producing an effective challenge to institutionalized power. Moreover, by providing temporary relief of the burdens power imposes, individual tactical resistances may make insufferable conditions tolerable and thereby inoculate power from sustained and more powerful challenges. But these conventional analyses invoke a conception of structure as relatively fixed, and as existing prior to social action rather than continually reproduced and recreated through social transactions. If we take our cultural-constitutive perspective seriously, we are theoretically compelled to rethink the significance of narratives of resistant acts. If the social world is being made (and remade) through daily social transactions, then individual acts of resistance must also be a part of the constitution of the world. We cannot reject out of hand the myriad acts of resistance that clearly leave an imprint on organizational practices. If individual acts of resistance do not overturn institutions, might they play some other role in the constitution of social relations? We reexamined the stories of resistance to law and realized that each of these stories included a recognition of how social structures work to limit opportunities to redress grievances, demand or obtain justice. The acts of resistance inverted the usual structure of relations, e.g. by leap frogging over layers of bureaucracy, by adopting a role more acceptable to legal authority, by occupying the time or space of more powerful others. To understand how these stories might contribute to the constitution of everyday life, we began exploring theories of storytelling and narrative. This, in turn, led us to theorize a distinction between subversive stories and hegemonic tales in order to develop a sociology of narrative (Ewick and Silbey 1985). In our more recent work, we extended this analysis to describe how stories of resistance, rather than the acts themselves, extend temporally and socially what might otherwise be an individual, discrete, and ephemeral transaction (Ewick and Silbey 2003).

Adopting a concept of power as a contingent outcome in a social transaction, we emphasize that both domination and its resistance draws from a common pool of socio-cultural resources, including symbolic, linguistic, organizational and material phenomena. Although acts of resistance may not cumulate to produce institutional change, they may nonetheless have consequences beyond the specific social transaction. A chief means for extending the social consequences of resistance is through the transformation of an act of resistance into a story of resistance. These
stories of resistance express, as an integral part of the narrative, a recognition of being powerless in a situation of power. In addition, they express an appreciation of features of social structure (e.g. social roles, rules or norms, hierarchy, time, space) as they operate within the transaction. Based upon an appreciation of the structural conditions of power and authority, stories of resistance can become instructions about both the sources and limitations of power, providing accounts of how these familiar structural resources can be mobilized to reverse a probable trajectory of power. The stories make an implicit claim about not just the possibility but the justice and morality of resistance to authority. Because the stories are told in interaction with others, they become part of a stream of socio-cultural knowledge about how social structures work to distribute power and disadvantage.

Thus, beginning from classical social theories locating law as a central institution of modern society, through theories of the normative and cultural role of law, we moved from a study of how people understand and use law to an account of the durability and power of legal institutions, not despite but as a result of variable instantiation and contradiction. Following where the theories seem to lead us, we found ourselves moving from the sociology of law through cultural analysis to new territory in the sociology of narrative.

References


the long run. Having read law as an undergraduate, I subsequently did graduate work in criminology, which led, in turn – it was the era of “the new criminology,” Stuart Hall, and the British Althusserians – to an interest in theories of ideology, structuralist analysis in all its forms, social and cultural history, and eventually to a doctoral dissertation in historical sociology that fused Marxist and Foucauldian themes.

Thereafter, my theoretical reflex has always been to shift attention from narrow legal issues or institutional practices to the social contexts in which they operate, asking about their historical genealogy and broader social functioning, bringing to bear the tools of phenomenological description, structural analysis and historical explanation. The questions I find myself pursuing are questions about social change, social order, social subordination and social control, usually in ways that connect one domain (the legal, the criminological) to another (the social, the cultural), and which frame the present in a longer-term perspective.

My instinct is to suppose, with Michel Foucault, that problematic institutions (penal-welfarism, mass imprisonment, or the crime complex) can be made more intelligible if we consider the historical conditions upon which they depend, and with Norbert Elias, that static oppositions (between individual and group, free will and determinism, or culture and social structure) are frozen representations of interactive processes that are really dynamic and developmental. My focus is drawn to historical moments of transition in which systems of thought or institutional regimes undergo some kind of transformation. And my stance is that of a dispassionate observer, the aim being to investigate issues with which I am passionately involved, but with a detachment that permits me to grasp complexities and to minimize the projection of my own wishes and fears onto the phenomenon.

To say that our most basic theoretical orientation is, in part, an ingrained disposition is not to deny the importance of elaborating and examining the theoretical assumptions and concepts that one brings to one’s work. The exemplary social experience of being both a product and a producer of scholarly practices – an actor who is acted upon, a self shaped in interaction with others – means that one is always re-acting upon oneself, seeking to rework, rethink and redirect one’s basic competences and capacities. One works with what one has, while simultaneously striving for self-critical reflexivity.

A highly developed self-consciousness about the way one frames questions and conceptualizes phenomena is an essential element of mature scholarship. It is in the nature of theory to be dynamic, adaptive, pragmatic: one needs continuously to revise concepts and adjust frameworks to fit the research problem being addressed. All the great theorists constantly rework, revise and replace their key concepts as they address new questions and tackle new problems. The task of “theory-building” ought to be a provisional stock taking between projects, rather than an end in itself. A theoretical edifice that remains static over time is a monument to a mistaken view of what theory is for.

The need for articulated, self-conscious theory is especially pressing in a field such as criminal justice, which has a tendency towards uncritical empiricism. Twenty years ago I co-edited a volume entitled *The Power to Punish* that sought to re-orient the study of penal institutions. The book criticized traditional penology and its alignment with the institutions that it purported to study, arguing for a more expansive, sociological approach to the analysis of penal practices and representations. We urged scholars to study these institutions by exploring their historical conditions of existence and their social functioning and by developing empirical analyses of their aggregate effects. Criminal justice institutions were to be reconceptualized as institutions of state-directed power and symbolic violence, a means of governing the poor and managing the socially marginal. Our analyses leaned heavily upon neo-Marxism and Foucault but the book’s central message – the need for a critical sociology of penal institutions – could just as well have drawn upon other traditions of social theory. In an academic field that tends towards the uncritical reproduction...
of state ideologies and institutional self-conceptions, the conscious turn to theory is, in itself, a critical move.

In 1985 I published *Punishment and Welfare: A History of Penal Strategies*, which traced the social forces and causal mechanisms that transformed criminal law and penal practice in the UK at the end of the nineteenth century. The project grew out of a meeting of theoretical interests and empirical observations that prompted new questions about both. Tony Bottoms mentioned to me that there had been a flurry of statutory enactments just before the First World War, introducing probation, youth reformatories, preventive detention, and various kinds of prison reform, all in a matter of a few years. At that moment I was studying Marxist theories of monopoly capitalism and the rise of the welfare state, and this information struck me as highly significant. I began to make a study of these penal reforms and the kind of aims and ideas that they embodied. About the same time, I read *Discipline and Punish* and realized that the processes Foucault was discussing could be dimly discerned in my British materials, though in a rather different historical period and in ways that were less clear-cut than his work would imply. Out of this convergence of broad theoretical interests (in state formation, changes in the mode of production, ideologies of power, the history of criminology, the emergence of the disciplinary society, etc.) and a very specific set of historical materials (the British penal reforms of the 1890s and 1900s) developed a research problem that was empirically focused and theoretically significant.

My most recent book, *The Culture of Control: Crime and Social Order in Contemporary Society* (Chicago 2001) does much the same thing. It starts from a series of empirical observations about developments in crime control and criminal justice (observations that are themselves the product of prior research motivated by various kinds of theory); it suggests that these disparate developments can be rendered intelligible if they are interpreted as conjoined aspects of a definite field of practice undergoing a structural transformation “from below” as well as “from above”; and it establishes the theoretical significance of the problem by noting that these developments exhibit penological, historical and sociological trajectories that run counter to those predicted by existing scholarship in each of these fields.

As a final example, let me mention some work I am currently doing on the question of public torture lynchings in twentieth-century America. My aim is to render these events more intelligible by showing how lynchers drew upon the symbols and iconography of public executions in order to claim public support and legitimacy. (Here, as elsewhere, the careful tracing of actors’ and audiences’ meanings helps establish causation – interpretation and explanation being mutually supportive rather than mutually exclusive.) But I also use these events to revise the standard narratives of the sociology of punishment – narratives of modernization, rationalization and civilization for which these spectacularly violent lynchings are deeply anomalous and anachronistic. The use of theory here is self-conscious and strategic: research questions are posed in a way that allows empirical inquiry to carry theoretical implications going beyond the immediate locus of the investigation.

The research question of *Punishment and Welfare* was to explain a specific set of historical events but its deeper purpose was to address the philosophical problem of how social science and individuation were able to enter into the doctrine and practice of criminal law. *The Culture of Control* aimed to describe contemporary crime control and the cultural practices that gave rise to it, but it was also concerned to trace the break-down of modernist conceptions of the state and the emergence of new ways of organizing security and building social order. As Foucault says of his genealogical method, the point is not to think historically about the past but to use history to rethink the present.

In my historical studies, theoretical concepts primarily function as means rather than ends, as tools for analyzing rather than as topics of analysis. The studies aim to solve problems, to explain developments, or to render phenomena intelligible and they try to develop theoretical frameworks and concepts in ways best suited to the
task at hand. My use of theory and of concepts therefore tends to change over time. The specific conceptualization of “punishment” (or “culture” or “the state”) that I use for one study may not be appropriate for a different study. Complex phenomena have many different aspects, and can be viewed from a variety of angles. For some purposes it makes sense to think of punishment primarily as a form of state power, and to allow its other aspects to recede into the background. For others, one needs to think of it as a matter of symbols, or sensibilities, or legal procedures.

Each historical study tends to produce descriptions and classifications that are, in effect, theoretical specifications, designed to describe phenomena in a way that highlights a specific interpretation of their meaning (for example by pointing to their social source, their underlying function, or their connection to other phenomena). Concepts such as “penality,” “penal-welfare,” “the criminology of the other,” “adaptation, denial and acting out,” “mass imprisonment,” “the crime complex” or “the culture of control” function in this way, combining description and theoretical specification. Some of these concepts will have a general application, proving useful to other scholars in other fields, while others will be of use only in the domain in which they were developed.

The framing of a research problem similarly calls for pragmatic decisions. For one study it makes sense to identify the object of analysis as “punishment,” as Antony Duff and I did in our edited work on the philosophy of punishment – *A Reader on Punishment* (OUP 1994). For another, the phenomenon needs to be rethought in a more complex, institutional, way as “penalty.” In yet other studies the proper focus is upon a broader set of practices, implicating governmental and non-governmental actors, so that the object of study becomes “the field of crime control and criminal justice.”

In my own writing, a concern with systematic theory-building is usually subordinated to this more pragmatic, problem-solving use of theory. On occasion though, the question of how to think about a specific phenomenon has become a problem in itself, and theory has become the topic of my work rather than a resource for it. I have written, for example, on theories of “governmentality,” “postmodernism,” “the new penology” or the concept of “risk,” in order to explore their likely usefulness, suggesting where they might and might not be applicable. And of course my book, *Punishment and Modern Society: A Study in Social Theory* (Chicago 1990), argued for a multi-dimensional theory of punishment – one that was attuned to punishment’s cultural, irrational and emotional aspects as well as to its control functions. That book took systematic theory – rather than historical events or institutional practices – as the problem to be addressed, but even here, my argument was for a flexible form of theorizing, adapted to the task in hand. Treated in this way, systematic theory is a means of cataloguing and refining the tools at our disposal, exploring the uses to which they can be put, and demonstrating which ones can be fruitfully used together. Pursued with these goals in mind, abstract theorizing can produce valuable resources for further research. But I grow impatient when theoretical discussion drifts too far away from the empirical problems for which it was developed and to which it ought to return. In modern sociology, “theory” too often becomes a fetishized, aesthetic object that is prized for its own sake. The purpose of theory is the development of knowledge and understanding of the world. And to serve that purpose, it must be put to work.
I limit myself instead to telling two stories about my own experiences, turning points in the life of a European who visited the U.S. and was aided by sociological theory to make sense of stunning trends and ideas he encountered in the worlds of crime and criminal justice (citations have to be highly selective). Potential payback for sociological theory should become evident.

First story: I first arrived in the U.S. as a 1982-83 German Academic Exchange Fellow at the Johns Hopkins University in Baltimore. Like Alexis de Tocqueville one and a half centuries earlier, I came to study an innovation in American criminal justice and ended up with more general insights. Curious about “community based crime and delinquency prevention programs,” I faced astonished misunderstandings before I discovered that the meaning of the concept had changed dramatically, away from programs that sought to provide legitimate opportunities for underprivileged minorities to programs of community organized control and sanctions (e.g., neighborhood block watch). I encountered, it seemed, a collective amnesia about the previous meaning of the concept, not just among practitioners but even among criminal justice scholars. I also came to understand that knowledge about crime and punishment had changed in the public sphere as had the practice of punishment. Capital punishment had just been revived, and the almost 500% increase in imprisonment rates had begun. Why?

Over the years I found theories focusing on crime trends, strategies of conservative elites, labor markets and living conditions in late modernity to be useful but insufficient in explaining the changes of the 1970s and the horrific trends of the 1980s and 1990s. Conservative elites had come to power in many Western countries, deindustrialization and the 1973 oil shock had not just hit the U.S., crime had increased elsewhere, and the signs of late modernity had made themselves felt in most Western countries. In my attempts at explaining the American situation, I had to take actors seriously who acquire knowledge and make decisions in specific institutional settings. These institutions vary across societies and such variation seems to help account for cross-national differences. I found guidance in Weber and Weberians such as R. Bendix, G. Roth, S. Kalberg, and, later, P. Gorski. Their work helped me organize my observations. Institutions are the key, and institutional differences between home and host countries were substantial. It turned out that more market driven American media are more inclined to sensationalize crime than media run through neo-corporate arrangements. Elected prosecutors and judges are more likely to respond to public opinion than their life-tenured civil servant colleagues in Germany. Primary systems and weak political parties make legislators receptive to wishes of their constituents, and the elected head of the executive branch is more open to the public than the prime minister/chancellor in a parliamentary system. The difference between more market-driven American institutions versus more bureaucratized institutions in much of Europe thus appears to explain more dynamic trends of public opinion and punishment in the U.S. compared to more stable trends in Germany and other countries (Savelsberg, American Journal of Sociology 99/1994:911-943; Sutton, American Journal of Sociology 106/2000:350-386). Important exceptions are those cases in which bureaucracy is coupled with strong centralization of political authority, for example in state socialism (Savelsberg, Punishment and Society 1/1999:45-70). These insights are of general theoretical relevance as they caution against black box assumptions in macro sociology. This line of research further aids in the development of useful ideal-types.

Like other sectors, American academia is more market driven than its European counterparts. This enhances second order institutional change as funding programs of political and policy institutions strengthen their
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position as interlocutors between political and science systems, and as academic institutions adapt to markets and to expectations of their political environment. National Science Foundation-funded analyses of sociology and criminology journals between 1951 and 1993 shows that the effects on the institutional context in which criminological research is conducted and on knowledge produced are considerable (Savelsberg/King/Cleveland, Social Problems 49/2002:327-348; Savelsberg/Cleveland/King, Social Forces 83/2004/forthcoming). Part of criminology may be at risk of being cut off from other sociological work, including theory (Savelsberg/Sampson, Crime, Law and Social Change 37/2002/99-106).

Following the causal change further back in history, the search for sources of institutional differences was again inspired by Weberian ideas about religion, carrier groups, and historical contingencies (Savelsberg, Law and Social Inquiry 29/2004/forthcoming; for a neo-Marxist approach see Melossi, Theoretical Criminology 5/2001:403-424).

Second story: I visited the U.S. a second time, as the 1997-98 John F. Kennedy Memorial Fellow at Harvard University. This time I was struck by attempts of the federal government to establish sentencing guidelines and by the considerable hopes for equality and justice invested in this project by policy makers and scholars alike. I interpreted guidelines in Weberian terms as a neoclassical attempt to reestablish sociologically formal rationality (a rational-legal state emphasizing calculable enforcement of guaranteed rights) through the establishment of logically formal rationality (a method of central guidance by means of a logical and gap-less system of rules) (Ewing, Law and Society Review 21/1987:487-512). I argued that those social forces that had enhanced substantive rationality in the first place, such as working classes, legal clients and a status-driven legal profession (depicted in the final sections of Weber’s Sociology of Law), still had to be counted on in the promulgation and implementation processes. Indeed, it was easy to illustrate their impact for the construction of the U.S. guidelines (Savelsberg, American Journal of Sociology 97/1992:1346-81). This Weberian approach to the study of sentencing guidelines has since been applied in a variety of empirical research articles (e.g., Dixon, American Journal of Sociology 100/1995:1157-98; Ulmer/Kramer, Criminology 34/1996:383-407; Engen/Steen, American Journal of Sociology 105/2000:1357-95). These articles have illustrated benefits and challenges of using Weber’s terminology in the context of American criminal law. They have also provided fascinating empirical results, showing considerable support for the working of both formal and substantive (often narrowly interpreted as welfare) rationality. Both seem to share the stage in current American criminal law. Research articles also draw our attention to organizational rationality, the concern of court personnel with efficiency (expressed through lenient sentences in exchange for guilty pleas). These insights should be fed back into deliberations on the conceptual and theoretical ideas Weber offers in his Sociology of Law.

Finally, while the above projects already invoked a sociology of knowledge perspective, we now seek to link Mannheim’s and Halbwachs’ ideas with current thought on collective memory and cultural trauma (e.g., J. Olick; J. Alexander) as we examine hate crime law in Germany and the U.S. (with Ryan King), the effect of generational versus period effects in criminological knowledge (with Sarah Flood), and the legitimization of terrorism.


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References


rather well, for it was like no other writing instrumental for my development as a theoretically inclined sociologist.

The pragmatic objectives of theory are proclaimed more readily than they are practiced. Admittedly, some of my writings are ‘purely’ theoretical (Deflem 2003, 1999), and there must be room for such work, particularly inasmuch as it clarifies the sociological usefulness of theory to relevant specialty audiences (Deflem 1996, 1989; Featherstone and Deflem 2003). But I value an exclusive preoccupation with theory only by those who can perform it competently, which I am not. Instead, I have in my work mostly sought to show the value of sociological theory for issues of law and social control, especially by applying theory in various studies on empirical phenomena. Starting from the premise that social life is located in time and space, my work concerns aspects of society that relate to the reproduction of social order in matters of law and social control. Among the topics I have studied in most detail are constitutional aspects of abortion policy and the internationalization of the police function.

Reviewing the existing scholarly literature on abortion policy, it is hard to imagine an area of investigation more inspired by divergent but always ethical orientations and less informed by theoretical insight. Most of the existing abortion scholarship indeed confuses the normativity that social facts resonate with the intellectual foundations of the study thereof, thus neglecting the value of an analytical distinction that has been with sociologists since Durkheim. To avoid such pitfalls, my work relies on the writings of Jürgen Habermas and Talcott Parsons to analyze the evolution of the constitutional regulation of abortion in the United States. Because of their breadth and staunchly modernist aspirations, the works of Habermas and Parsons offer fascinating perspectives on which to build a meaningful sociological analysis of the dualities of modern societies. Habermas’ and Parsons’ theories combine to usefully reflect on the enduring tension produced by the legal recognition of an individualized right on abortion—a tension that is reflected not least of all in the proliferation of abortion groups and the polarization of abortion opinion—in spite of and contrary to law’s self-proclaimed function to regulate social behavior and integrate society (Deflem 1998). In other words, a functionalist orientation should not lead astray from a historical orientation, both perspectives (again) inherited from Durkheim.

At least since Weber, a central focus in the study of law is the tension between legitimacy and legality. This duality is articulated in the institution of law, minimally in the continued normative aspirations of law through legislation, on the one hand, and the establishment of an efficient apparatus of rule enforcement, on the other. Focusing on the behavior of police institutions, the theoretical orientation of my work on the historical foundations of international policing argues against unfounded reductionist perspectives of police power in terms of state or market (Deflem 2002). It is not only ironic to argue that the extent to which the bureaucratic autonomy of police institutions is not recognized among sociologists may count as its single most perceptible indicator. The neglect of the study of police in sociology and of its relevance in society is not only a function of the institutionalization of managerial police studies in criminal justice. It is also intellectually dumbfounding that police cannot easily be discussed nor perceived in a discipline whose founders focused centrally on the development of criminal law and surveillance and the bureaucratization of the state. Weber even equated modern power with bureaucracy: “domination is in everyday life primarily administration (Verwaltung)” (Weber 1922:126).

Based on a rejection of the conflict-theoretical appropriation of Weber, I have developed a theory of policing that posits the bureaucratic autonomy of police institutions as a necessary condition for the development of international cooperative structures. Police institutions form international networks with broad participation when they are sufficiently divorced from the political dictates of their respective governments and, additionally, have developed a professional agenda on the means and objectives of crime control. Gradually in the course of history
these conditions are met more successfully. As Weber already foresaw, modern bureaucracies ultimately become an “almost unbreakable formation,” relative to which the political ruler is but “a dilettante” (Weber 1922:570, 572). This insight is important to recognize among theoretically oriented sociologists regardless of their research specialty. A respected colleague once told me, “Surely, police has something to do with the control of labor.” More than questioning the validity of this statement, my work is theoretically oriented at getting rid of the ‘surely.’

The bureaucratization theory of policing has been applied primarily in the historical context of Europe and the United States from the middle of the nineteenth century until Word War II. My current investigations extend the theoretical perspective to analyze ongoing developments in the policing of terrorism, again with special and not farfetched attention to the international dimensions that are involved. The events of September 11 have impacted sociological scholarship (Deflem 2004a, 2004b) and have also removed the need to look for a contemporary topic supplementing my historical work. The theory of bureaucratization now serves to guide research on the policing of terrorism and related aspects of terrorism policy. Based on ongoing research, the theory most distinctly leads to defend the viewpoint that the present-day constellation of counter-terrorism policy is fragmented along various institutional dimensions, involving political, legal, economic, cultural, and, indeed, organizational components.

There is a dubious tendency in the sociology of law and social control (and, I suspect, in other specialty areas of our discipline) to have the theoretical intentions of one’s work be presented as more important than the systematic unraveling of the empirical dimensions of the social structures and processes one’s sociological attention is devoted to. There is also an accompanying tendency that one’s work will be evaluated more in theoretical terms related to the advancement of sociology rather than on the basis of substantive insights related to society. At the same time, along with the theory-first drift one can also observe a trend for certain kinds of work in the sociology of law and social control (and elsewhere) to leave out considerations of theoretical merit altogether in favor of a valuation in entirely practical or ethical terms. In both cases, the divorce of theory and research is arbitrary and unhealthy for sociological theory and research alike (Merton 1968:139-171). It is an especially unfortunate and—as my colleagues here show—illegitimate impression that our specialty would be less involved with theory than others who are said to engage in core epistemological and theoretical issues. But that impression exists. Theory is a culture too.

References


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ASA Theory Section Panels

A. *Theory Section Mini-Conference on Theoretical Cultures*

*Session 1: Theoretical Cultures Across the Disciplines*

Organizer: Michèle Lamont, Harvard University  
Presider: Michèle Lamont, Harvard University

Don Brenneis, Department of Anthropology, University of California, Santa Cruz and Past President of the American Anthropological Association. “Bracketing Theory: Culture, Ethnography, and the Spaces In Between.”

Judith Butler, Departments of Rhetoric and Comparative Literature, University of California, Berkeley. “Title TBA”

Hazel Markus, Department of Psychology, Stanford University. “Psychological Theory: Made in the USA.”

Richard Rorty, Department of Comparative Literature, Stanford University. “Philosophical Geniuses and Professional Philosophers.”

Discussant: Michèle Lamont, Harvard University

*Session 2: Theoretical Cultures within Sociology*

Organizers: Julia P. Adams, Yale University  
Michèle Lamont, Harvard University  
Presider: Robyn Stryker, University of Minnesota

Michael Burawoy, University of California, Berkeley and President of the ASA. “The Tempestuous Marriage of Marxism and Sociology.”


Cynthia Fuchs Epstein, CUNY Graduate Center. “On the Persistence and Negotiation of Boundaries: Culture, Gender, Structure, and Social Change.”

George Steinmetz, University of Michigan. “Are all Comparisons Odious? The Location of Theory in American Sociology.”

Discussant: Julia Adams, Yale University

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Session 3: Analyzing Theoretical Cultures

Organizers: Neil Gross, Harvard University
Michèle Lamont, Harvard University

Presider: Neil Gross, Harvard University

Bob Connell, University of Sydney. “Northern Theory: On the Global Political Geography of Social Theory.”

Marion Fourcade-Gournichas, University of California, Berkeley. “Of Price and Men: The Theoretical Cultures of Economics.”

Karin Knorr, University of Konstanz. “Analyzing Postmodern Cultures.”

Margaret Somers, University of Michigan. “How the Market Wins: Why all Theoretical Cultures are Not Created Equal.”

Discussant: Craig Calhoun, President, Social Science Research Council

B. Special Session: Conflict, Marginality, and Intellect: Research Inspired by Lewis A. Coser (co-sponsored with the History of Sociology Section)

Organizers: Andrew Perrin, University of North Carolina
Woody Powell, Stanford University


Gad Yair, Hebrew University. “Israel and the Exile of Intellectual Caliber.”

Kevin Leicht, University of Iowa. Craig Jenkins, Ohio State. “Social Movement Entrepreneurs and Endogenous Preferences: Lewis Coser’s Functions of Social Conflict Revisited.”

Eviatar Zerubavel, Rutgers University. “Title TBA.”

Barbara Misztal, University of Leicester. “Title TBA.”

C. Refereed Roundtables

Organizer: Mario Small, Princeton University

Table 1: Identity and Society

See ASA on next page
Perspectives


James Chriss, Cleveland State University. “Identity Shopping.”

Barbara Misztal, University of Leicester. “The Importance of Civil Courage.”

Y. Bodemann, University of Toronto. “From Berlin to Chicago and Beyond: Georg Simmel and the Journey of his ‘Stranger.’”


Table 2: Macro/Micro, Structure/Agency, Other Foundational Concerns


Table 3: Revisiting Foucault

Cihan Tugal, Northwestern University. “‘Foucault’: Reconceptualizing Resistance.”

Isaac Reed, Yale University. “Renarrating Foucault: Archaeology and Cultural Sociology.”

Jorge Arditi, University at Buffalo. “Social Knowledge, Social Ontology, and the Order of Things: Re-reading the Early Foucault.”

Table 4: Agency, Interpersonal Relationships, and Weber

Jimi Adams, Ohio State University. “Finding the Fourth Legitimate Form of Domination.”


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Mamadi Corra, East Carolina University. “Separation and Exclusion: Distinctly Modern Conditions of Power.”

Table 5: Epistemological Concerns, Past and Present

Dmitri Shalin, University of Nevada, Las Vegas. “Hermeneutics and Prejudice: Heidegger’s and Gadamer’s Thought in Its Historical Setting.”

Mohammad Tamdgidi, University of Massachusetts, Boston. “Private Sociologies and Burawoy’s Sociology Types: Reflections on Newtonian and Quantum Sociological Imaginations.”

Book Announcement: The Dialogical Turn

Rowman & Littlefield has just published a book of essays honoring Donald N. Levine. Entitled The Dialogical Turn: New Roles for Sociology in the Postdisciplinary Age, the Festschrift credits Levine’s work with having played a major role in transforming sociological discourse in a dialogical direction. A dozen essays, by distinguished scholars from four countries, draw on Levine’s writings on the forms and functions of intellectual dialogue to explore the dialogical possibilities for sociology both constructively and critically. Edited by Charles Camic (University of Wisconsin-Madison) and Hans Joas (Max Weber Center, Erfurt, and University of Chicago), the book includes a complete bibliography of Levine’s publications.

From the publisher’s blurb: “The discipline of sociology was born-and has been recurrently reconstituted-in response to the fragmentation of ideas about the social world. For two centuries, sociologists have sought refuge in ‘synthesis: programs designed to integrate multiple perspectives within a unifying framework. Yet even as this cause has inspired many of the discipline’s major thinkers, past and present, its objective has proven elusive, leaving nearly as many syntheses as synthesizers. This volume considers an alternative response that has recently developed within sociology to the crisis of intellectual fragmentation: ‘the dialogical turn.” Rather than decry the multiplicity of social theories, research methods, and results, this response welcomes a plurality of orientations and approaches as the essential basis for establishing and maintaining productive dialogue. ...

The contributors assess the role of sociology in the conversation across contemporary academic disciplines, exploring the fundamental structural and conceptual reconstructions now taking place in sociology and neighboring fields.”