Who Killed the Berkeley School? Struggles Over Radical Criminology

Herman Schwendinger, Julia Schwendinger, Jeff Shantz

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Along with Platt’s losing battle for tenure and the assassination of the School, Herman Schwendinger was shot down. Subsequently, Julia Schwendinger and an ex-Jesuit Dean of Liberal Arts as well as the sociology faculty at the State University of New York, New Paltz, restored his professional career. Prior to his doctorate in sociology, Schwendinger had earned a Masters in Social Work from Columbia University. His social work experience centered on adolescent groups, including street gangs; and when he became a doctoral student in 1959 at UCLA, he utilized trusted relations with gang members to jump-start his research on adolescent subcultures and delinquency. By 1963, when he graduated, he had spent almost four years as “participant observer” studying Los Angeles gangs.

Shortly before receiving Herman’s PhD, the Schwendingers applied for a half-million-dollar grant to extend their “instrumental theory” of delinquency. Since neither Herman nor Julia actually had a doctoral degree in hand, they needed a sponsor who would assure the National Institute of Mental Health that the grant

1 The grants were among the highest received for research by any member of the School faculty. They finally totaled over $500,000 when Herman’s tenure review occurred.
would be administered responsibly. Joseph Lohman offered to be their sponsor, funneling the grant through the Berkeley School of Criminology, even though the research was conducted in Los Angeles. Their project was partly dependent on well-established contacts with young criminals who were actively engaged in illegal market activities; therefore, it had to be conducted in this southern California city.

When Schwendinger started teaching at Berkeley in 1967, he was known as an innovative researcher. The importance of research methods (for the development of theory and as “instruments of discovery”) was instilled in him early at Stuyvesant High School, an exceptional New York City public school devoted to science and engineering. Next, Schwendinger attended another outstanding institution known widely as the “Poor Man’s Harvard”—the College of the City of New York, where he was a psychology major. Consequently, instead of merely relying on survey methods or official data, he utilized field observations, small-group field experiments, sociometric procedures and other social-psychological methods seldom used in criminology. To obtain data required by his “instrumental theory,” he developed

2 Harold Garfinkel, a brilliant sociologist at UCLA, also had offered to be a sponsor.

3 Julia also had a Masters in Social Work from Columbia and she was enrolled in sociology at UCLA. Her graduate student career in sociology, however, was interrupted by the research project (which she co-directed) and the move to Berkeley. She enrolled in the School’s doctoral program and graduated in 1974.

4 Reportedly more Nobel Laureates graduated from Stuyvesant High than any other high school in the world.

5 We’ve also seen the phrase, “Harvard of the Proletariat,” used in a *NY Times* article. Established in the mid-1800s, CCNY was the first free college in the world. And, despite the nickname, it was better than Harvard.
 developed, among other things, methods for quantifying sub-cultural identities and sociometric/mathematical procedures for analyzing networks composed of thousands of youth.6

A manuscript with some of these methods and findings had been accepted around 1968 for publication in a Prentice Hall series edited by Herbert Blumer.7 However, instead of simply following up editorial suggestions and sending it in, the Schwendingers procrastinated. They wanted to include a macro sociological theory of adolescent subcultures that was not completed until the early 1970s.8 Also, they were anxious about the potential political abuse of their procedures for mapping large subcultural networks.9 Delaying publication and com-

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6 By the late 1970s, co-authored with Julia, his theoretical ideas and experimental work had been published and in some cases republished in professional publications. See also, their discussion of the field methods used for “spot checks.” Their ‘Galilean’ empirical strategy is detailed in “Charting Subcultures at a Frontier of Knowledge,” British Journal of Sociology, 48 (March) 1977, pp. 71–94. The 1970 article, “Defenders of Order or Guardians of Human Rights” was reprinted in What is Crime: Controversies over the Nature of Crime and What to do about It, (eds.) Stuart Henry and Mark M. Lanier. New York: Rowman and Littlefield 2001 pp. 65–98.

7 This manuscript was based on Schwendinger’s dissertation.

8 The essentials of this macro theory were published in a 1976 article.

pleting their work on *The Chair* finally resolved their uncertainties.

When the first draft of *The Chair* was completed, the Schwendingers circulated it and received encouraging responses. The manuscript was given to Messinger, who had replaced Wilkins as Acting Dean. In a memo to Schwendinger, dated July 7, 1971, he said: “That really is a magnificent book! I have no doubt at all about its publishability. I think it will be reviewed appreciatively, if sometimes with anger. You have accomplished a great deal.”

He made editorial suggestions and offered to contact Aldine, where he served as an editor of an academic series. The Schwendingers, however, decided to send their manuscript to Basic Books, an eminent publisher, where it was reviewed and accepted for publication.10 Because of its size, the firm contracted with the Schwendingers to produce a two-volume work. But, after discovering how much both volumes would cost readers, the Schwendingers got the publisher to lower the purchase price by combining the volumes.

*The Chair* was essential to Schwendinger’s quest for tenure. However, since the combined work ran to more than 600 printed pages, the period for processing the publication was prolonged. As a result, only difficult to read, bound photocopies of about 1100 unedited pages of the immense typewritten manuscript were sent by the senior faculty to the three sociologists—Richard Quin-

10 Basic Books was the only publisher sent the book. After the reviews requested by the School were received and evaluated, the Schwendingers with the help of students reorganized and edited the manuscript. They are forever grateful for this help.
ney, Norman Birnbaum, Lewis Coser—and an anthropologist, Marvin Harris.

Quinney called *The Chair* “a major achievement.” He believed the Schwendingers provided “a more critical, more insightful, and more extensive analysis of American sociology” than Gouldner’s *Coming Crisis of Western Sociology*.\(^{11}\) He said *The Chair* destroyed the myth about the origin of sociology as a liberating force. It showed that concepts and theories formulated during the formative years—as a response to social and economic turmoil—still guided the work of many social scientists. Quinney approved of analyses of Ward, Small and Ross’ relationship to the social and economic context of their time. He congratulated the Schwendingers for their work.

Coser condemned the book. “I have gone through all four volumes,\(^{12}\) a feat which, where there’s any justice in this dismal world, I should be awarded several Boy Scout stars.” He said, “No effort is made to place the figures discussed in the general social and historical context of their time.” In fact,

> [The Schwendingers] judge all writings of the past in terms of present Left standards. Hence these men [the founders of American sociology] are accused of racism, sexism, imperialism, etc. while no attempt is made to explain why these men made the statements they made. To be sure few of these men came up to the purity of women’s lib. [sic] ideology espoused by the authors,


\(^{12}\) These typewritten pages were bound in four segments that Coser assumed were four volumes.
but why should they have, considering the context of their culture and their time? To be sure, E.A. Ross wrote some sharp things against the Chinese, etc. immigrants, but there is no indication here that he did this in terms of his ‘progressive’ defense of American wage earners and the threat to their standard of living by oriental immigration. (The point is not that Ross was right, it is however that he cannot be assessed properly if one doesn’t indicate why he made the statements he made.)

The Schwendingers, Coser added, are as relentless as a “D.A. who, through selective use of the evidence, shows that the accused is guilty—of non radicalism. . . . This is pamphleteering rather than scholarship.” The book, in his eyes, could not be compared with works by C. Wright Mills or Alvin Gouldner. He concluded, “I doubt very much that it will find a publisher and it is my considered opinion that it lacks any redeeming scholarly value.”

Ironically, a contract for the publication of The Chair had been signed before Coser evaluated it. Yet, his comments about Ross were more revealing of his poor judgment. Ross, despite Coser’s estimation, did not defend American wage earners. He defended white wage earners. His so-called “progressive” stance rode roughshod over other racial groups in America; and his theory of Aryan supremacy included, in addition to Asian immigrants, the Native Americans who were annihilated in Northern California.13 Finally, The Chair is set apart

from other historical works because it exposed the racist content of Ross’ defense of working-class living standards. That defense did not take place in a world created by sociological myths. It took place in a real world where other men of Ross’ time, Debs and Haywood, knew that racism kept workers divided and more exploitable.\textsuperscript{14}

Unlike Coser’s, Birnbaum’s review was positive even though he emphasized his “reading was hasty, with a great deal of sampling.” He found “the effort to reinterpret the early history of American sociology commendable.” He also found “it difficult to disagree with the general ideological characterization of the period in the text.” While he observed, “the authors have gone to considerable trouble to depict the primary sources,” he felt they ignored “one or two important works” and “tended to use stereotypes (e.g., sexism and racism).” Nevertheless, he said the book was “better than a good deal of work on American sociology, and will cause some readers to reflect on matters they hitherto ignored.” He felt that it was not a work “in the intellectual class” of Mills or Gouldner. Still, he also felt that “if the level of work found in the authors I have just mentioned were required for tenure, most American academic departments would be emptied, rather rapidly, of their teachers.”

Harris’s review was irresponsible. He was obviously too busy and should have sent the manuscript back without reviewing it. He believed \textit{The Chair} was a doctoral dissertation and said its organization was “execrable.” He said Schwendinger had the worst case of “foot-and note disease” he has seen. “Most of Schwendinger’s evi-

\textsuperscript{14} Wage levels among white workers are higher in industries where racial disparities are lower.

dence seems to consist of the analysis of theory—what he calls metatheory. Personally, I find this kind of approach to the harlot functions of academia irredeemably scholastic.”

After continuing in this vein, Harris wrote,

Perhaps, if I could have read the four tomes on an uninterrupted schedule, I would not have soured on them quite so much. (But who has such opportunities?) It would be grossly unfair to give the impression that I was not educated by my experience. I learned a great deal and if I had a copy to consult over the years, I’m sure I would find it very useful. I hope that in a more cogent form it will be published.

Despite Birnbaum’s review, the other reviews were baffling or equivocal. (What could be said about a reviewer who complains about organization of The Chair and the fact that the author is “irredeemably scholastic?”) Consequently, even though Schwendinger teaching evaluations were outstanding, the decision regarding tenure was delayed pending responses from a new set of reviewers.

This delay was justified by Messenger who noted that the School’s future was in doubt. He also said that Schwendinger should be spared further anxiety for the moment. Schwendinger, at that time, was having great difficulty coping with Julia’s life-threatening bout with cancer.

Schwendinger’s bid for tenure obviously was in deep trouble. Realizing this, he wrote to John Horton, respected by left-wing sociologists, for a review which had
been written for Basic Books. It was sent to Bowker who added it to the other reviews. Horton had called the work exceptional. He said, “C. Wright Mills perhaps comes closest to the critical spirit of The Sociologists of the Chair. Yet the latter is more sweeping in its social analysis. Mills traces connections between professional ideologies and middle class beliefs and institutions. The Schwendingers relate professional ideologies to ruling beliefs and institutions.” He said The Chair was more accurately historical than Gouldner’s effort and more macrosociological than Mills’ critique.

Although Schwendinger only had a cursory acquaintance with Immanuel Wallerstein, he also sent him the draft of the book. Wallerstein’s pioneering volumes on the modern world system made his national and international stature greater than the reviewers selected in the first and second stages. To make sure he was fully informed, Schwendinger sent copies of the first tenure reviews. He replied, “I’m sorry to have taken so long to write to you. But this has been a busy period and I wanted to read your book carefully. I have now done so.” Wallerstein added,

It is a very good book indeed, and I am very glad you asked me to read it. It shows very clearly what you say it does—the socio-intellectual roots of contemporary American sociological theory in the transformation of the U.S. and world economic structures around the turn of the 20th century. You show how the now largely unread early American sociologists (Ward, Small, et al) reflected the need to cope ideologically with the changed social situation. This is of course what one would expect, but you spell
it out. What is even more striking is the degree to which the ideas of the post-second World War era are continuous with the earlier ideas. This challenges the conventional history of the discipline, which you and I were taught as graduate students, to wit, that Parsons’ Structure of Social Action revolutionized thinking in U.S. sociology. It turns out that what he really did is to show Americans that the ideas they were using had really been stated earlier in similar, if in perhaps more sophisticated, terms by European scholars.

Wallerstein indicated the style of the book presented a problem. He said that reading the book was like going through jungle underbrush. It took him about 150 pages before he began to like the book. “Maybe this is what happened to some other readers,” he added.

They did not feel the need or have the persistence to go past their initial stylistic turn-off to the heart of the argument. Their loss. For you have something important to say and it is something that no one has said in this documented way before. I

15 Obviously the manuscript had serious stylistic and organizational problems. The Schwendingers got a short delay from the editor at the publisher while more than 24 students came to their aid and helped them reorganize and edit the manuscript. The revised draft was sent to the publisher.

16 The founders actively selected preexisting ideas that seemed to deal with contemporary events; and The Chair had to show why these ideas were important. Unfortunately, it pedantically devoted 160 opening pages to a variety of precursors even though their relevancy could not be really appreciated until the transitional theories, bridging the corporate phase of liberalism with earlier phases, were presented.
congratulate you on it and thank you for it.

While Coser and Harris had no doubt that the book did not merit tenure at a major university, Wallerstein disagreed:

I cannot understand these doubts. I can only say that it would be a salutary thing for American sociology if large numbers of the tenured faculty at our various major departments had written as good and as important a book. In these days of political polarization in our departments, there is a facile use of pseudo-academic criticisms of the work of others we do not like. But a sober appraisal of your work, and a careful one, should, in my view, end in a very positive note. I hope, for all our sakes, that you will get this sober and careful appraisal.

Wallerstein gave Schwendinger permission to use the review as he saw fit, but it was not sent to Messinger. In the first place, by then it was obvious that the review would be discounted because the School did not solicit it. Furthermore, by the time Wallerstein’s review had arrived, Schwendinger had been informed that the second set of reviewers would only consist of UCB faculty members, Philip Selznick—a virulent anti-Communist and chief architect of the Law School department that was to replace the Criminology School—and two others, Leo Lowenthal, a lesser member of the Frankfort School whose works have passed into obscurity, and Philip Nonet who hardly deserves mention. Selznick and Nonet were close to Messinger and Skolnick, and they had met secretly to establish a politically sanitized “Law and Society” program at the Law School. Moreover, Skolnick,
Diamond and Messinger not only refused to get reviewers from other universities—they also rejected Paul Takagi’s suggestion to include Troy Duster, David Matza or Robert Blauner even though they, too, were members of the UCB sociology department. Since the second review took place as the School was being closed, using Wallerstein’s reply to fight for outside reviewers would have been as exhausting and useless—as Platt’s fight for tenure had proved.

Down but not forgotten, Schwendinger was dismissed on June 30, 1975. He sought employment everywhere, but the radical reputation of The Chair—and phone calls by respective employers to UCB—put him on a blacklist. He applied for a UCLA sociology department position where he had been a graduate student but the faculty was deadlocked around his candidacy for two years, during which time no one else was hired. The sociology faculty and two Deans approved his application at Boston University but the archconservative President Silber turned him down. The faculty at the California State University, Northridge, also voted to hire him, but the Liberal Arts Dean refused. And so it went.

Julia bravely kept her family afloat with the aid of Sheriff Richard Hongisto, who hired her to head the resource program for the San Francisco women’s prison. Then, she obtained employment as an Assistant Profes-

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17 At this point, the book had been edited but Messinger insisted on using the original unedited manuscript and refused to use the edited copy for the review.

18 Schwendinger was informed that Bowker allowed the Horton review to be included in the first review but a year later he was told that it would not be included in the second review, because it was not solicited by the senior faculty.

19 Schwendinger finally withdrew his candidacy so the people who supported him could work out a compromise with the other side.
sor at the University of Nevada, Las Vegas. But after two semesters teaching criminal-justice courses, other faculty members told her that she would never get tenure at “Disco Tech,” as it was fondly called. She had filed an affidavit proving that a colleague had been denied “due process” when the senior faculty cowardly refused to grant him tenure because a conservative Regent had attacked him for adopting the textbook, *The Iron Fist and the Velvet Glove.*

Fortunately, Herman applied to SUNY, New Paltz. Its Dean of Liberal Arts—after phoning “West Coast friends” who said Schwendinger was an “exceptional scholar”—approved the sociology department’s unanimous recommendation.

The Schwendingers landed on their feet. Their books and articles have received the *Tappan Award* from the Western Society of Criminology, the *Distinguished Scholar Award* from the Crime, Law and Deviance Section of the American Sociology Association, the *Outstanding Scholar Award* from the Society for the Study of Social Problems, a *Scholarship and Research Award* from the Women’s Division of the American Society of Criminology, and the Major Achievement Award from the Critical Criminology Division of the American Society of Criminology.

Herman was awarded the title of *SUNY Faculty Exchange Scholar.* (This SUNY-wide Academic senate award provided Herman with honoraria and travel funds to share his work with people on other SUNY campus-

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20 Lynn Osborn also filed an affidavit. She was a UNLV sociology faculty member who had also graduated from the UCB School of Criminology. This was not the only occasion where she showed her courage. The Schwendingers remember visiting her in jail during her student days after she was arrested at a demonstration.
es.) He also received the coveted SUNY Excellence Award “in recognition of sustained, outstanding performance and superior service to the State University and the State of New York.”

In 2010, the Schwendingers were included in a work entitled Fifty Key Thinkers in Criminology. This work featured philosophers, legal scholars and social scientists who had written landmark works from the 18th century onward.21 None of the faculty who denied Schwendinger tenure were included in that volume.

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