

Student Study Guide
To Accompany
Explaining Criminal Conduct
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Science and Tradition in Criminology

Overview

This chapter introduces the study of crime with a look at the history of criminology. It deals with how criminologists know what they know about crime. Criminology aspires to be a social science but criminologists' use of the scientific models have left them with many theories of crime and no means of knowing which are true. The chapter suggests that criminologists ought to turn to philosophy, and evaluate theories as coherent explanations and invitations to public policy.

Outline

- I. Introduction
 - A. The First Criminologists
 - B. Social-scientific criminology
- II. The Dilemma of Contemporary Criminology
 - A. The Criminologists Dilemma
 - B. The Fact/Value Distinction
 - C. Scientism in Criminology
- III. The Return of Political Philosophy
 - A. Epistemology and Criminology
 - B. The Criminologist's Method

Key Words

Criminology (p. 3)	Falsification (p. 15)
Social-scientific criminology (p. 11)	Social fact (p. 13)
Criminologist's dilemma (p. 11)	Scientism (p. 15)
Integration (p. 12)	Criminologist's method (pp. 23-24)
Fact/value distinction (p. 13)	

Names

Raffaele Garofalo (p. 5)	Karl Popper (p. 13)
John H. Wigmore (p. 5)	Moses Maimonides (p. 19)
August M. Vollmer (p. 6)	Michael Oakeshott (p. 20)
Edwin Sutherland (p. 9)	

Basic Ideas

- _ What is criminology? (p. 3)
- _ Is contemporary criminology a medical science, legal science, police science, or social science? (pp. 5-7)
- _ How did sociology capture criminology? (pp. 9, 12)
- _ What problem has kept social-scientific criminology from making progress? (p. 11)
- _ How does the fact/value distinction lead to scientism? (pp. 16-17)
- _ Is science the only way of knowing things? What other way is there? (pp. 20-21)
- _ The criminologist's method relies on two strategies. What are they? (pp. 23-24)
- _ The book will discuss seven major ways of thinking in criminology. What are they? (p. 24)

The Seven Systems of Criminology

System	Founders	Key Doctrines	Applications
Freewill <i>Crime and Human Nature</i>	Cesare Beccaria and the philosophers of the Enlightenment	Utilitarianism, Social contract, Rationalism	Prison, police
Body <i>The Anatomy of Crime</i>	Cesare Lombroso and the Italian Positivists	Biological positivism, Naturalism	Eugenics
Mind <i>The Criminal Mind</i>	Sigmund Freud	Psychopath, Sociopath	Insanity plea, sexual psychopath laws, psychological profiling
Society <i>Social Sources of Crime</i>	Emile Durkheim Auguste Comte L.A.J. Quetelet	Sociological positivism, Structural causality	Delinquency prevention, social justice
Language <i>Social Construction of Crime</i>	Karl Marx and the Frankfurt School	Sociology of knowledge, ideology	Critical self-reflection, Revolution
Race <i>Race, Racism and Crime</i>	W.E.B. Du Bois	Racial identity, discrimination	Social policy, legal remedies, self-help,
Heart <i>The Heart of Crime</i>	C.S.Lewis	Moral law,	Restorative justice

Crime and Human Nature

Overview

Chapter 2 describes classical criminology. Classical criminology, derived from the political philosophy of the Enlightenment, views criminal conduct as a matter of human nature. Specifically, criminal behavior is a matter of freewill or choice. The ideas of classical criminology provided the foundation of the American criminal justice system. Current versions of classical criminology include the economic approach, rational choice, routine activities and the general theory of crime.

Outline

- I. Beccaria and the Enlightenment
- II. The Figure of Justice
 - A. The Scales of Justice
 - B. The Sword of Justice
 - C. Justice is Blind
 - D. Justice is a Woman
- III. Application of Classical Principles
- IV. Choice Theory
 - A. The Economic Approach
 - B. Rational Choice Theory
 - C. Routine Activities Theory
 - D. The General Theory of Crime
- V. The Limits of Abstract Reason

Key Words

Lettre de chachet, amende honorable (p. 31)
Enlightenment (p. 32)
Tabula rasa (p. 32)
noble savage (p. 33)
lassiez-faire (p. 34)
proportionality (pp. 35-36)
Deterrence (specific and general) (p. 36)
Utilitarianism (p. 37)
Social contract (p. 38)

Leviathan (p. 38)
Two principles of justice (p. 39)
Pure procedural justice (p. 41)
Panopticon (p. 43)
Choice theory (p. 46)
Expected utility principle (p. 47)
Rational choice (p. 48)
Partial rationality (p. 49)
Choice-structuring properties (p. 49)
Situational crime prevention (p. 50)
Lifestyle (p. 51)

Routine activities (p. 52)
Low self-control (p.52)

Rationalism (p. 54)
Herrenvolk democracy (p. 56)

Names

Cesare Beccaria (p. 28-29)
John Locke (p. pp. 32-33)
Thomas Hobbes (p. 33)
Jean-Jacques Rousseau (p. 33)
Adam Smith (p. 34)
Jeremy Bentham (p. 37)
John Rawls (p. 39)

James Q. Wilson (p. 46)
Gary S. Becker (pp. 46-47)
Ronald Clarke and Derek Cornish
(pp. 48-49)
Michael Gottfredson (pp. 50, 52)
Marcus Felson (p. 51)
Travis Hirschi (p. 52)

Basic Ideas

- _ What is the classical explanation for crime? (p. 27)
- _ Describe the Enlightenment with reference to nature (p. 33), reason (p. 33), and liberty (pp. 33-34).
- _ What does each of the following represent?
 - Scales of justice (pp. 35-36)
 - Sword of justice (p. 38)
 - Justice is blind (p. 40)
 - Justice is a woman (pp. 40-41)
- _ What principles of classical criminology do prison (p. 43) and police (pp. 44-45) represent?
- _ What is the economic explanation of crime (46-48)?
- _ What is rational choice explanation of crime (48-50)
- _ What is the routine activities explanation of crime (50-52)
- _ What is the general theory of crime (52-54)
- _ What is meant by the *rationalist* approach to justice (p. 54)?
- _ What is meant by *herrenvolk democracy* (pp. 55-56)? What three answers have been given to explain the injustice of herrenvolk democracy: Rawls's (pp. 57-58), Jordan's (pp. 57-58), Keyes's (pp. 58-59)?

The Anatomy of Crime

Overview

Chapter 3 reviews biological positivism. Biological positivists rely on the techniques of natural science to study criminal behavior and believe that the origins of criminal may be found within the human body. The chapter reviews research directed at the body, the brain, and heredity. Generally, the text shows how new scientific techniques have led to new explanations for criminal behavior.

Outline

- I. The Science of Criminology
- II. The Criminal Body
- III. The Criminal Brain
- IV. The Criminal Race
 - A. Hereditary Transmission of Crime
 - B. Genetic criminality
 - C. Intelligence and criminality
- V. Eugenicist Legal Reforms
- VI. Thinking About Moral Sense

Key Words

Criminal anthropology (pp. 64-65)
Degeneration (p. 65)
Recapitulation (pp. 65-66)
Biological positivism (p. 66)
Natural crime (p. 67)
Social accountability (pp. 67-68)
Conditional freewill (p. 68)
Stigmata (p. 69)
Somatotyping (p. 70)
Skin conductance (p. 71)
Phrenology (p. 72)
Cranimetry (p. 73)
Brain waves (p. 74)

Hormones (pp. 74-75)
Neurotransmitters (p. 76)
Lamarckism (p. 76)
Family studies (p. 78)
Twin studies (p. 80)
Adoption studies (pp. 81-82)
XYY chromosome (p. 82)
IQ (p. 84)
Eugenics (p. 86)
Anthropometry (p. 86)
Buck v. Bell (1927) (p. 89)
A priori culpability (p. 90)

Names

Cesare Lombroso (pp. 64-65)
 Enrico Ferri (pp. 67-68)
 Raffalae Garofalo (pp. 67-68)
 Charles Goring (pp. 69-70)
 Earnest Hooton (p. 70)
 William Sheldon (pp. 70-71)
 Franz J. Gall (p. 72)
 Paul Broca (p. 73)

Jean-Baptiste Lamarck (pp. 76-77)
 Jean de Lanessan (p. 77)
 Richard Dugdale (p. 78)
 Henry H. Goddard (pp. 78-79)
 Richard Herrnstein (p. 82)
 Sir Francis Galton (pp. 83-84)
 Alfred Binet (p. 84)
 James Q. Wilson (p. 92)

Basic Ideas

- _ Biologist positivists follow two organizing principles for their theorizing about criminal behavior. What are they (p. 66)?
- _ Describe the search for the origins of criminal behavior within the human body (pp. 69-71).
- _ Describe the search for criminality within the brain (pp. 71-76).
- _ Describe the mechanisms for inter-generational transmission of crime (pp. 76-81).
- _ Have biologicistic criminologists identified a crime gene (pp. 81-83)
- _ How is intelligence related to crime (pp. 83-86)?
- _ Identify three aspects of the American eugenics campaign (pp. 86-90).
- _ What is meant by “the moral sense”? (p. 92) What does naturalism imply about politics (pp. 95-96) and moral values (p. 97)?
- _ Does use of the scientific method guarantee arriving at the truth? (p. 97)

The Two Cesares

Cesare Beccaria (1738-1794)

Cesare Lombroso (1835-1909)

Influenced by the Enlightenment	Influenced by Darwinian evolution
Thought about criminal conduct as a matter of freewill	Thought about criminality as a function of biological endowment
Wanted to replace traditional thinking about crime with reason	Wanted to replace traditional thinking about crime with science
Viewed crime prevention the <i>raison d'être</i> of the legal system	Viewed protection of society as the <i>raison d'être</i> of the legal system
The punishment should fit the seriousness of the criminal offense	The punishment should fit the criminality of the person
Made no distinction between criminals and non-criminals	Considered criminals as a special type of person distinct from normal people
Concerned with torture and tyrannical government	Concerned with the production of a criminal race
Led to thinking about crime as a matter of opportunity, self-control, and cost-benefit calculation	Led to the application of new technology for locating the origins of criminality in the body, brain, and

	genetics
Application of ideas includes the prison, for those meriting deprivation of liberty, and police, to deter potential lawbreakers	Application of ideas led to eugenics proposals for identification, institutionalization and sterilization of the unfit

Chapter 4

The Criminal Mind

Overview

Chapter 4 reviews the search for the origins of crime within the mind. From the perspective of psychiatric criminology, the mind is separate from the body and the mind of a criminal is different from that of a normal person. The chapter traces the concept of the “criminal mind” in psychiatric criminology. It also deals with several related issues: mind-altering drugs and crime, concepts of abnormal mind in criminal justice, and theoretical issues dealing with studying something that cannot be observed.

Outline

- I. Freud’s theory of the mind
- II. The Psychopathology of Crime
 - A. The American Psychopath
 - B. From Psychopathy to APD
 - C. Developmental pathways
- III. Psychotropic drugs and Criminal Behavior
 - A. Drugs and Criminal Law
 - B. Drugs and Criminality
- IV. Influence on Criminal Justice
 - A. Insanity and the Courts
 - B. Sexual Psychopath Laws
 - C. Investigative Techniques
- V. Assessment of Psychiatric Concepts
 - A. The Tautology of Psychopath
 - B. The Problem of Reification
 - C. The Mind-Body Problem

Key Words

Dualism (p. 99, 132)

Psychosis/neurosis (pp. 99-100)

Manie sans delire (p. 100)

Hysteria (p. 101)

Conscious/unconscious (p. 102)

Id/ego/superego (pp. 102-103)

Psychosexual development (p. 103)

Psychopath (p. 105, 109)

Primary psychopath (p. 107)

Sociopath (pp. 108, 109)

Antisocial personality disorder (pp. 108-109)
Superpredator (p. 109)
Borderline personality disorder (p. 110)
Developmental criminology (p. 112)
Development pathways (p. 113)
Psychotropic drugs (pp. 113-114)
Classic disinhibition hypothesis (pp. 115-116)

Psychological disinhibition hypothesis (pp. 115-116)
Forensic psychiatry (p. 117)
M'Naughten test (p. 118)
Sexual psychopath (p. 120)
Psychological profiling (p. 123)
Tautology (p. 125)
Reification (p. 128)

Names

Phillipe Pinel (p. 100)
Sigmund Freud (p. 101)
Bernard Glueck (p. 106)
William Healey (p. 106)
David T. Lykken (p. 108)

Hervey Cleckley (p. 107)
John DiIulio (p. 109)
Rolf Loeber (p. 112)
James Brussel (p. 123)
Richard DeGrandpre (p. 130-131)

Basic Ideas

- _ Freud divided the realm of the mind into three spheres. What are they? What is important about the unconscious? (p. 102)
- _ How did Freud explain crime in some people? (pp. 104-105)
- _ Describe the concept of psychopath. (pp. 105-106)
- _ What is the difference between a psychopath and a sociopath? (pp. 108-109)
- _ Is “superpredator” just another name for antisocial personality disorder? (pp. 108-109)
- _ How does the research of developmental criminology compare with that of Freud? (pp. 101-102, 112)
- _ What is use of some drugs prohibited by law and not others? (pp. 114-115)
- _ What is the difference between the “classic” and the “psychological” versions of the disinhibition hypothesis? (pp. 115-116)
- _ How did the M'Naughten test come about? What replaced it? (pp. 117-119)
- _ How did sexual psychopath laws come about? What replaced them? (pp. 120-122)

_ How does psychological profiling differ from what the FBI does in VICAP? (pp. 123-124)

_ How does the testimony in the Hiss case illustrate of problem of tautology? (pp. 126-127)

_ How do the M’Naughten case and ADHD illustrate the problem of reification? (p. 129, 131)

_ Has science solved the mind-body problem in philosophy? (pp. 132-133)

Seven Concepts of Person

Enlightenment	A person has a will or intellect that allows for choice between good and evil.
Biological positivist	A person can be reduced to the inner workings of the body; behavior reflects brain waves, genetic endowment, or evolutionary development.
Psychiatric	A person has a mind or psyche that is separate from the body and influences the will.
Sociological	A person represents the sum total of his or her experience; the socialization process instills social characteristics associated with various societies.
Constructionist	“Person” exists only as a category of thought; “human nature” is fabricated by collective experience.
Racist	Differences in behavior among individuals reflect biological differences owing to race.
Judaic-Christian	Each person is created in the image of God; a person possesses a spirit that communicates with God.

Chapter 5

The Social Sources of Crime

Overview

Chapter 5 describes the sociological search for the origins of crime within society. Sociologists offer various features of society as explanations for crime patterns. While they disagree about what feature of society is most important, they agree about the importance of social factors in explaining behavior. Structural causality means that human behavior reflects not individual choice but social processes related to culture, physical environment, and interaction with others.

Outline

- I. The Rise of the Sociological Imagination
 - A. The Sociological Imagination
 - B. Durkheim and social order
 - C. Durkheim on law and crime
- II. Crime and Society
 - A. Strain Theory
 - B. Control Theory
 - C. Shaming Theory
- III. The Geography of Crime
 - A. Social Cartography
 - B. Social Ecology
 - C. The Criminology of Place
- IV. The Social Psychology of Crime
 - A. Imitation
 - B. Social learning
 - C. Crime as a situated transaction
- V. Applied Sociology
- VI. Criminal Responsibility and Casuistry

Key Words

Sociological imagination (p. 136)
positivism (p. 137)
social mechanics (p. 138)
social facts (pp. 139-140)
collective mind (p. 140)
social solidarity (pp. 140-141)
anomie (p. 141)
attachment to social groups (pp. 141-142)
repressive/restitutive law (p. 142)
strain (p. 144)
subculture (p. 145)
general strain (p. 146)
social bond (p. 147)
life course (pp. 147-148)
reintegrative shaming (p. 149)

social cartography (pp. 150-151)
social ecology (p. 152)
environmental design (p. 154)
hot spots (pp. 154-155)
defensible space (p. 155)
imitation (p. 156)
differential association (p. 157)
observational learning (p. 157)
social learning (p. 158)
victim precipitation (p. 159)
situated transaction (p. 159)
great society (p. 162)
JJDP Act (pp. 163-164)
Structural causality (p. 165)
Rotten social background (p. 166)
Casuistry (p. 169)

Names

Auguste Comte (pp. 136-137)

L.A.J. Quetelet (p. 138)

Emile Durkheim (pp. 138-139)
Robert K. Merton (pp. 143-144)
Richard Cloward & Lloyd Ohlin (p. 145)
Robert Agnew (p. 146)
Travis Hirschi (p. 146)
Robert J. Sampson & John Laub (p. 147)
Sheldon and Eleanor Glueck (p. 148)
John Braithwaite (p. 148)
A.M. Guerry (p. 150)
Robert Park (p. 151)
Clifford Shaw & Henry McKay (p. 152)
Clarence R. Jeffrey (p. 154)

Larry Sherman (p. 154)
Marcus Felson (p. 155)
J.G. Tarde (p. 156)
Edwin Sutherland (p. 157)
Albert Bandura (pp. 157-158)
Ronald Akers (p. 158)
Marvin Wolfgang (p. 159)
David Luckenbill (p. 159)
Robert Kennedy (p. 160)
Lyndon Johnson (p. 162)
David Bazelon (p. 166)

Basic Ideas

- _ How do the “laws of society” shape individual behavior? (pp. 136-137)
- _ What did Comte mean by “positive laws” (p. 137) What did Quetelet mean by “social mechanics”? (p. 138)
- _ How did Durkheim’s explanation for suicide differ from Esquirol’s? (p. 137, 139)
- _ What is social solidarity? (p. 140)
- _ What does “attachment to social groups” have to do with morality? (p. 142)
- _ What did Durkheim mean when he wrote crime is a factor in public health? (p. 143)
- _ What are the five adaptations to strain? (pp. 144-145)
- _ What is meant by “the other side of strain”? (p. 145)
- _ What are the four elements of the social bond? (p. 147)
- _ How does the life-course approach explain crime? (pp. 147-148)
- _ What is the difference between “reintegrative shaming” and “stigmatization”? (p. 149)
- _ What is meant by “social cartography”? (p. 151)
- _ Why did Shaw and McKay say that delinquency was highest within the “zone in transition”? (p. 152-153)
- _ How would Sherman explain McKay’s comment that even within high-crime neighborhoods some places are crime-free? (p. 154)
- _ How did Sutherland explain delinquency? (p. 157)

- _ Did Bandura say that television violence leads to criminal violence? (p. 158)
- _ What did Wolfgang mean by “victim-precipitated crime”? Would Luckenbill agree? (p. 159)
- _ Attorney General Robert Kennedy read what book about delinquency? (p. 160)
- _ Johnson’s Commission on Law Enforcement and the Administration of Justice was influenced by what book? (p. 162)
- _ What is structural causality? (p. 165)
- _ Bazelon and Delgado advocate for a RSB defense; Morse, Moore and Tonry disagree. Summarize their debate. (pp. 166-168)
- _ How could the RSB defense lead to casuistry? (p. 169)

The Classical and the Sociological

Question	Classical Answer	Sociological Answer
<i>What is crime?</i>	Crime is a violation of the law	Crime—deviance to be more precise—is a violation of social convention
<i>What is law?</i>	The law reflects rules that rational people have agreed to for the purpose of maintaining an orderly society (social contract)	Law reflects social conventions—social rules are enforced by government
<i>Why do some people commit crime?</i>	Because they can, or think they can, get away with it (rational choice)	Because something went wrong in the socialization process; they do not have the same attachment to the group (structural causality)
<i>Why do most people not commit crime?</i>	Because they fear the law; they want to avoid being punished (deterrence)	Because they are socialized to follow the rules; they benefit, or at least think they benefit, from conformity
<i>Can crime be prevented?</i>	Yes, by making sure people receive rewards for abiding by the law and punishment for breaking it	Yes, by relying on the informal social rules within neighborhoods and communities rather than legal coercion (social control)
<i>What is the role of government in responding to crime?</i>	The government upholds the rights and responsibilities of citizens so that each person has a fair chance in life (legal justice)	The government should distribute the benefits and burdens in society to reduce the need. (social policy)

The Social Construction of Crime

Overview

Chapter 6 reviews theories of crime derived from the Marx's theory of knowledge. Constructionists do not offer a theory of crime so much as a critique of other theories of crime, even the enterprise of criminology itself. The chapter introduces this way of thinking about crime with reference to the Frankfurt School of critical social theory, then surveys three strands of constructionist critique dealing with the social construction of reality.

Outline

- I. The Frankfurt School
 - A. The Dialectical Imagination
 - B. The First Generation
 - C. The Second Generation
- II. The Sociology of Knowledge
 - A. Legal Realism
 - B. Labeling
 - C. Moral Panics
- III. Bourgeois Ideology
 - A. Marx, Crime and the law
 - B. American Marxist Criminology
 - C. Critical criminology
- IV. The Architecture of Meaning
 - A. Foucault's Criminology
 - B. Critical Legal Studies
- V. Constructionism and Socialism
- VI. Critique of Constructionism

Key Words

Dialectical materialism (pp. 174-175)
Social labor (p. 175)
Mode of production (p. 175)
Class structure (pp. 175-176)
Base-superstructure (p. 176)
Economic determinism (p. 176)
Ideology (p. 176)
False consciousness (p. 176)

Immanent critique (p. 177)
Legal syllogism (p. 178)
Ideal speech situation (p. 179)
Sociology of knowledge (p. 180)
Legal realism (p. 181)
Conduct norm (p. 182)
Primary/secondary deviance (p. 183)
Moral entrepreneur (p. 184)

Moral panic (p. 185)
Claims-making (p. 185)
Framing (p. 186)
Professional/political crime (pp. 188-188)
Egoism (p. 189)
Commodity form (p. 189)
Grounded labeling theory (p. 191)
Social reality of crime (p. 192)
State crime (p. 193)
Critical criminology (p. 194)

Left idealism/realism (p. 195)
Postmodernism (p. 196)
Panoptisme (p. 197)
Critical legal studies (p. 198)
Deconstruction (p. 199)
Critical semiotics (p. 202)
Critical self-reflection (p. 202)
Demarginalization (p. 203)
World state (p. 204)
Nihilism (p. 208)
Historicism (p. 210)

Names

Max Horkheimer (p. 174)
Frankfurt School (p. 174)
Karl Marx (pp. 174-175)
George Rushe and Otto Kirchheimer (pp. 175-178)
Jürgen Habermas (p. 178)
Karl Mannheim (p. 180)
Roscoe Pound (p. 180)
Jerome Frank (p. 181)
Thorsten Sellin (p. 182)
Edwin Lemert (p. 183)
Howard S. Becker (p. 184)

Stanley Cohen (p. 185)
Stephen Pfohl (p. 186)
Evgeny Pashukanis (p. 189)
Anthony Platt (pp. 190-191)
Richard Quinney (p. 192)
William Chambliss (p. 193)
Ian Taylor, Paul Walton & Jock Young (p. 194-195)
Michel Foucault (p. 196)
Roberto M. Unger (p. 198)
Dragan Milovanovic (p. 200)

Basic Ideas

- _ What is the class structure of capitalism? (pp. 175-176)
- _ Describe the base-superstructure model. (p. 176-177)
- _ What is “immanent critique”? (p. 177)
- _ What is the “ideal speech situation”? (p. 179)
- _ What is the “sociology of knowledge”? (p. 180)
- _ Describe each of the following:
 - Legal realism (p. 181)
 - Labeling (p. 182)
 - Moral panics (p. 185)
- _ What is “bourgeois ideology”? Is it the same thing as “false consciousness”? (pp. 176,187)

_ What is the difference between political and professional crime? (pp. 188-189)

Chapter 7

Race, Racism and Crime

Overview

This chapter deals with issues of race, racism, and crime with reference to the African-American experience. It features what Black criminologists have to say about crime and the Black community beginning with W.E.B. Du Bois, the first Black criminologist. The ideas of Black criminology can be divided into three major categories: liberal, radical, and conservative.

Outline

- I. The First Black Criminologist
 - A. Du Bois on Race
 - B. Du Bois on Crime
- II. The Liberal Mainstream
 - A. The Mystery of the Underclass
 - B. The Color of Inequality
 - C. Liberal Solutions
- III. The Radical Critiques
 - A. Conspiracy Theory
 - B. American Colonialism
 - C. Afrocentrism
 - D. Critical Race Theory
 - E. The Radical Alternatives
- IV. The Black Conservatives
 - A. Conservatives and Liberals
 - B. Conservatives on Crime
 - C. Conservatives and Radicals

Key Words

Black criminology (p. 213)
Double-consciousness (pp. 215-216)
Talented tenth (p. 216)
Integrationist thinking (p. 216)

Submerged tenth (p. 218)
Underclass (p. 220)
Lower self-esteem (p. 221)
Subculture of violence (p. 222)

Southern sharecropping (p. 223)
Family disorganization (p. 223)
Black matriarchy (p. 224)
Truly disadvantaged (p. 226)
Overt/covert discrimination (p. 228)
Black nationalism (p. 230)
Conspiracy theory (p. 231)
Criminalization industry (p. 232)
Alienation (p. 233)

Internal colonialism (p. 234)
Afrocentricity (p. 235)
Deracination (p. 235)
Race conscious (p. 236)
Racial hoax (p. 239)
Legal instrumentalism (p. 240)
Affirmative race law (p. 241)
Deracialization (p. 242)
Politics of respectability (p. 245)

Names

W.E.B. Du Bois (p. 214)
Kenneth and Mamie Clark (p. 220)
Marvin Wolfgang (p. 222)
Nicholas Lemann (p. 222)
E Franklin Frazier (p. 223)
William J. Wilson (p. 225)
Christopher Stone (p. 227)
Malcolm X (p. 231)
Angela Y. Davis (p. 232)

Frantz Fanon (p. 233)
Molefi Asante (p. 235)
Derrick Bell (p. 236)
Richard Delgado (p. 238)
Floyd Flake (p. 243)
Randall Kennedy (p. 244)
Glenn Loury (p. 245)
Reuben Greenberg (p. 247)

Basic Ideas

- _ How did Du Bois define race? (p. 215)
- _ How does the “talented tenth” compare with the “submerged tenth”? (pp. 216, 218)
- _ How does race prejudice contribute to crime? (p. 218)
- _ Du Bois identified six reasons for Black crime. What are they? (p. 219)
- _ Several explanations have been offered for “the Black underclass.” Describe them.
 - Lower self-esteem (p. 221)
 - Subculture of violence (p. 222)
 - Southern sharecropping (pp. 222-223)
 - Family disorganization (p. 223)
 - The truly disadvantaged (p. 226)
- _ What is the difference between overt and covert discrimination? (p. 228)
- _ How would a new Works Progress Administration reduce crime? (p. 230)
- _ What is “Black nationalism”? (pp. 230-231)

- _ How does conspiracy theory explain crime? (pp. 231-232) What does the criminalization industry have to do with it? (p. 232)
- _ How does colonialism lead to crime? (p. 234)
- _ What does it mean to adopt a “race conscious” perspective”? (p. 236)
- _ Describe the perspective of critical race theory on
 - Criminal law (p. 237)
 - Black crime (p. 238)
 - Racial hoax (p. 239)
- _ What are “legal instrumentalism” and “affirmative race law”? (pp. 240-241)
- _ What is the political strategy of deracialization? (p. 242)
- _ How does Kennedy’s “new” politics of respectability differ from the “old” version? (p. 245)
- _ What two enemies and two games does Loury discuss? (pp. 245-246)
- _ Describe the market-approach to law enforcement. (p. 247)
- _ How do Black conservatives differ from DiIulio’s brand of conservative? (pp. 248-249) From the radicals (pp. 249-250)

Three Perspectives in Black Criminology

Liberals	Radicals	Conservatives
View crime as a product of political, economic, and social forces transforming Black community into an underclass	View crime as a political strategy used by White power-elite to disenfranchise Black people	View crime as a response to racism against Black community and as dysfunctional behaviors within Black community
Emphasize concepts of self-esteem, southern culture, family structure, and economic displacement	Emphasize concepts of conspiracy, colonialism, afrocentrism, and race-conscious thinking	Emphasize concepts of deracialization, economic empowerment, and self-help
Seek extension of civil rights and government intervention as solutions	Advocate legal instrumentalism and affirmative race law as solutions	Emphasize neighborhood investment, cultivating personal integrity, and full enforcement as solutions

Chapter 8

The Heart of Crime

Overview

Chapter 8 looks to the spiritual realm as an explanation of crime with reference to Judaic-Christian faith. It opens with a discussion of C.S. Lewis, a twentieth-century Christian writer, and then discusses rabbinic teaching within Judaism concerning crime and punishment. The chapter describes victim-offender mediation as an example of a Judaic-Christian response to crime and concludes with a discussion about the faith factor in criminology.

Outline

- I. C.S. Lewis and Christianity
 - A. The Universe Next Door
 - B. The Christian Outlook
 - C. Lewis and Politics
- II. The Jewish Outlook on Crime and Justice
- III. The Judaic-Christian Response to Crime
- IV. The Faith Factor

Key Words

Heart (p. 253)	T'shuvah (p. 264)
Bulverism (p. 256)	T'sedekah (p. 264)
Traditional morality (p. 257)	Ayen tachat ayen (p. 266)
Theocracy (p. 260)	Restorative justice (p. 267)
Humanitarian punishment (pp. 260-261)	Reconciliation (p. 271)
Mitzvot (p. 262)	Shalom (p. 271)
Halakah (p. 262)	Syncretism (p. 275)
Mishpatim (p. 262)	Community justice (p. 275)
Chayt (p. 263)	

Names

C.S. Lewis (p. 255)	Howard Zehr (p. 271)
Morris Kertzer (p. 263)	Charles Colson (p. 272)
David Worth (p. 268)	John DiIulio (p. 273)
Mark Yantzi (p. 268)	Peter Drucker (p. 275)

Basic Ideas

- _ What is meant by "heart"? (p. 253)
- _ How did C.S. Lewis come to be a Christian? (p. 255)
- _ What did Lewis mean by
 - Bulverism (p. 256)
 - The Tao (p. 257)
 - Theocracy (p. 260)

- _ Why did Lewis object to the “humanitarian theory of punishment” (p. 260)
- _ What is meant by:
 - Torah (pp. 261-262)
 - Halakah (p. 262)
 - Mishnah (p. 262)
 - Yetzer ra, tov (p. 263)
 - Chayt (p. 263)
 - T’sedekah (p. 264)
 - Mishpat (p. 265)
 - Shalem (p. 266)
- _ What is the rabbinical interpretation of “an eye for an eye”? (pp. 266-267)
- _ What is the goal of restorative justice? (p. 267)
- _ How did victim-offender mediation come about? (p. 268) What do VOM programs do? (p. 270)
- _ How does the VOM goal of reconciliation compare to the Jewish idea of t’shuvah? (p. 271)
- _ What is meant by “the faith factor”? (p. 273)
- _ Can science really prove or disprove whether faith works? (pp. 274-275)
- _ How does syncretism transform faith in the supernatural into a social ethos? (p. 275)

Chapter 9
The Death and Rebirth of Criminology

Overview

The last chapter of the book returns to the discussion began in the first chapter. It describes criminology as a political philosophy rather than a social science. Specifically, it discusses the influence of three ideas--natural law, social control, and social justice--as organizing ideas in criminology. It concludes with a sketch of a political philosophy of crime derived from two philosophers: Michael Oakeshott and Soren Kierkegaard.

Outline

- I. The Legacy of Natural Law
- II. The Age of Social Control
- III. The Ideal of Social Justice
- IV. Moral Philosophy and Crime
 - A. Moral Conduct
 - B. Law and Government

Key Words

Natural law (pp. 280-281)
Eternal law (p. 281)
Human law (p. 281)
Just, unjust law (p. 284)
Civil disobedience (p. 284)
Deviance (p. 286)
Social control (p. 286)
Social support (p. 289)

Social justice (p. 290)
Morality of individuality (p. 291)
Morality of collectivism (p. 291)
Justice (p. 293)
Pure humanity (p. 294)
Civil association (p. 296)
Enterprise association (p. 296)
Rule of law (p. 297)

Names

Thomas Aquinas (p. 281)
William Blackstone (p.282)
Joseph Story (p. 283)
Martin Luther King, Jr. (p. 284)
Edwin Sutherland (p. 285)
Oliver Wendell Holmes (p. 286)

Michel Foucault (pp. 287-288)
Francis T. Cullen (p. 289)
Michael Novak (p. 290)
Michael Oakeshott (p. 293)
Soren Kierkegaard (p. 293)

Basic Ideas

_ How did the Enlightenment view of natural law differ from the Greek view? (pp. 280-281)

- _ Which view did the classical criminologists adopt? (pp. 282-283) Which view did Justice Story and Dr. King pursue? (pp. 283-284)
- _ Social-scientific criminology aims to explain “deviance” rather than crime. What’s the difference? (p. 286)
- _ How did the concept of social control change from external to internal (pp. 287-288)
- _ What is the difference between “good” and “bad” social control? (p. 289)
- _ Can social justice be defined? (pp. 290-291)
- _ Oakeshott insists that social justice is incompatible with a view of human beings as free moral agents. How so? (p. 292)
- _ What is meant by “moral tradition”? (p. 294) How does this concept of moral conduct differ from “pure humanity”? (p. 294)
- _ Why is civil association more appropriate to free moral agents than enterprise association? (p. 296)
- _ What does Oakeshott mean by “the rule of law”? (p. 297)
- _ What is the difference between political conduct and criminal conduct within the rule of law? (p. 298)