

Constructing Crime

Contemporary Processes
of Criminalization

Edited by

Janet Mosher and Joan Brockman

Crime And Criminalization

L Reisser



Crime And Criminalization:

Crime and Criminalization Clayton A. Hartjen, 1978 *Crime and Criminality* Ronald D. Hunter, Mark L. Dantzker, 2005-01-01 **Constructing Crime** Janet Mosher, Joan Brockman, 2010-05-10 Constructing Crime examines the central question Why do we define and enforce particular behaviours as crimes and target particular individuals as criminals To answer this question contributors interrogate notions of crime processes of criminalization and the deployment of the concept of crime in five radically different sites the enforcement of fraud against welfare recipients and physicians the enforcement of laws against Aboriginal harvesting practices the perceptions of incivilities or disorder in public housing projects and the selective criminalization of gambling By demonstrating that how crime is defined and enforced is connected to social location and status these interdisciplinary case studies and an afterword by Marie Andr e Bertrand challenge us to consider just who is rendered criminal and why This timely volume will appeal to policy makers and students and practitioners of law criminology and sociology *Crime, Criminalization and Refugees* Darren Palmer, Garry Coventry, Glenn Dawes, Stephen Moston, 2020-09-07 This book explores criminal justice responses to Sudanese Australians crime and victimization Based on research in four major Queensland communities it adopts a multi faceted approach to capture the voices of various interest groups Challenging the concept that Sudanese Australian refugees are the criminal other that primary definers such as the media or would have us believe it also highlights the differently situated subgroups of Sudanese Australians with a focus on how individuals and groups develop and maintain a sense of belonging not always successful and not always law abiding but by no means indicative of the reductive notion of the criminogenic refugee On Criminalization Jonathan Schonsheck, 1994-01-31 When thinking about justified criminalization whether some action may morally be made a criminal offense philosophers tend to rely upon balancing Arguments favoring and opposing criminalization are weighed on a simple beam balance the weightier reasons prevail Jonathan Schonsheck argues that this methodology is deeply flawed among other infirmities it fosters the neglect of items essential to a defensible decision He urges the adoption of filtering a multi step procedure which directs one to discuss the moral authority of the state to consider measures less coercive than a criminal statute and to investigate the pragmatic consequences of criminalization This procedure he argues imposes a structure on disputes which facilitates philosophical progress Filtering is then applied to an array of public policy issues including laws which require the use of automobile seat belts and motorcycle helmets and laws which prohibit the use of certain psychoactive substances drugs Additionally the book addresses a number of more theoretical issues in the philosophy of the criminal law Throughout it engages the work of leading philosophers Derek Parfit Cass R Sunstein Richard J Arneson and especially Joel Feinberg *Demystifying Crime and Criminal Justice* Robert M. Bohm, Jeffery T. Walker, 2006 Bohm and Walker s thought provoking volume addresses many of the American public s misconceptions about crime and criminal justice These understandings are often inaccurate and based on myths Each of this anthology s 27 chapters demystifies or

debunks one of these current myths setting the record straight DEMYSTIFYING CRIME AND CRIMINAL JUSTICE is organized to follow a logical progression through the criminal justice process Part One addresses myths about crime Part Two examines myths about law enforcement Part Three investigates myths about the administration of justice and Part Four focuses on myths about punishment and corrections A unique feature of the book is that every chapter follows the same format Each chapter opens with a brief section introducing a myth or a set of myths about a particular topic Next follows the Kernel of Truth section which identifies accurate aspects of the myth or myths The authors assume that for myths to be believable and accepted they usually must contain at least a kernel of truth In the third section The Truth or Facts the authors debunk the myth or myths by providing evidence This is followed by Interests Served by the Myth which illuminates how the interests of specific individuals or groups are promoted by the creation and perpetuation of the myth or myths Finally Policy Implications of Belief in the Myth highlights some of the practical and often undesirable consequences of belief in the myth or myths Written in clear accessible language DEMYSTIFYING CRIME AND CRIMINAL JUSTICE engages the reader with straightforward analysis cutting edge information and research Designed to stimulate critical thinking and class discussion this mindset challenging volume offers students a deeper understanding of crime and criminal justice

From Slave Abuse to Hate Crime Ely Aaronson,2014-10-06 This book explores the complex ways in which political debates and legal reforms regarding the criminalization of racial violence have shaped the development of American racial history Spanning previous campaigns for criminalizing slave abuse lynching and Klan violence and contemporary debates about the legal response to hate crimes this book reveals both continuity and change in terms of the political forces underpinning the enactment of new laws regarding racial violence in different periods and of the social and institutional problems that hinder the effective enforcement of these laws A thought provoking analysis of how criminal law reflects and constructs social norms this book offers a new historical and theoretical perspective for analyzing the limits of current attempts to use criminal legislation as a weapon against racism

Overcriminalization Douglas Husak,2008-01-08 The United States today suffers from too much criminal law and too much punishment Husak describes the phenomena in some detail and explores their relation and why these trends produce massive injustice His primary goal is to defend a set of constraints that limit the authority of states to enact and enforce penal offenses The book urges the weight and relevance of this topic in the real world and notes that most Anglo American legal philosophers have neglected it Husak s secondary goal is to situate this endeavor in criminal theory as traditionally construed He argues that many of the resources to reduce the size and scope of the criminal law can be derived from within the criminal law itself even though these resources have not been used explicitly for this purpose Additional constraints emerge from a political view about the conditions under which important rights such as the right implicated by punishment may be infringed When conjoined these constraints produce what Husak calls a minimalist theory of criminal liability Husak applies these constraints to a handful of examples most notably to the

justifiability of drug proscriptions *Crimes, Harms, and Wrongs* A P Simester, Andreas von Hirsch, 2011-06-24 *Crimes Harms and Wrongs* is a philosophical analysis of the nature significance and ethical limits of criminalisation

Criminalization, Representation, Regulation Deborah Brock, Amanda Glasbeek, Carmela Murdocca, 2014-09-30 What is a crime and how do we construct it The answers to these questions are complex and entangled in a web of power relations that require us to think differently about processes of criminalization and regulation This book draws on Foucault's concept of governmentality as a lens to analyze and critique how crime is understood reproduced and challenged It explores the dynamic interplay between practices of representation processes of criminalization and the ways that these circulate to both reflect and constitute crime and justice *Not a Crime to Be Poor* Peter Edelman, 2017-10-31 Awarded Special Recognition by the 2018 Robert F Kennedy Book it also exposed exorbitant fines and fees for minor crimes that mainly hit the city's poor African American population resulting in jail by the thousands As Peter Edelman explains in *Not a Crime to Be Poor* in fact Ferguson is everywhere the debtors prisons of the twenty first century The anti tax revolution that began with the Reagan era led state and local governments starved for revenues to squeeze ordinary people collect fines and fees to the tune of 10 million people who now owe 50 billion Nor is the criminalization of poverty confined to money Schoolchildren are sent to court for playground skirmishes that previously sent them to the principal's office Women are evicted from their homes for calling the police too often to ask for protection from domestic violence The homeless are arrested for sleeping in the park or urinating in public A former aide to Robert F Kennedy and senior official in the Clinton administration Peter Edelman has devoted his life to understanding the causes of poverty As Harvard Law professor Randall Kennedy has said No one has been more committed to struggles against impoverishment and its cruel consequences than Peter Edelman And former New York Times columnist Bob Herbert writes If there is one essential book on the great tragedy of poverty and inequality in America this is it **Criminalization of Activism** Valeria Weis, 2021-12-22 *Criminalization of Activism* draws on a multiplicity of perspectives and case studies from the Global South and the Global North to show how protest has been subject to processes of criminalization over time Contributors include scholars and activists from different disciplinary backgrounds with a balance between authors from the Global North and the Global South An introduction frames the topic within critical criminology while also highlighting the possible disciplinary approaches and definitions of criminalization of resistance activism The editor also investigates the particularities of the current times in comparison to dynamics of criminalization in prior stages of capitalism Bringing together a range of criminalization themes into a single volume comprising historical criminology Indigenous studies gender studies critical criminology southern criminology and green criminology it will be of great interest to scholars and students of criminology social movement theory and social sciences as well as those involved in activism and with a stand against criminalization *The Boundaries of the Criminal Law* R.A. Duff, 2010-11-11 This is the first book of a series on criminalization examining the principles and goals that should guide what kinds of conduct are to be

criminalized and the forms that criminalization should take The first volume studies the scope and boundaries of the criminal law asking what principled limits might be placed on criminalizing behaviour *Criminal Theory and International Human Rights Law* Steven Malby, 2019-09-11 The development of an international human rights jurisprudence on criminalization is in its relative infancy Nonetheless systematic examination of international decisions on acts engaging the criminal law reveals an emerging human rights approach to the acceptability or not of criminalization This book provides an in depth characterization of the reasoning and principles that underpin those decisions The work builds upon and adds value to existing literature by bringing together two fields of study international human rights law and criminal theory that usually receive separate treatment It provides an in depth analysis of human rights criminalization jurisprudence and presents a systematic identification of underlying reasoning and concepts that influence international human rights decisions on criminalization The work thus advances both fields independently as well as providing an example of inter sub disciplinary analysis The book will be a valuable resource for academics and students working in the areas of International Human Rights Law Criminal Law and Moral Philosophy *Society, Crime, and Criminal Behavior* Don C. Gibbons, 1987 **Our Criminal Society** Edwin M. Schur, 1969 **The Structures of The Criminal Law** R. A. Duff, Lindsay Farmer, Massimo Renzo, S. E. Marshall, Victor Tadros, 2011 Criminalization is a new series arising from an interdisciplinary investigation into the issue of criminalization focussing on the principles and goals that should guide decisions about what kinds of conduct are to be criminalized and the forms that criminalization should take Developing a normative theory of criminalization the six volumes will tackle the key questions at the heart of issue By reference to what principles and goals should legislations decide what to criminalize How should criminal wrongs be classified and differentiated And how should law enforcement officials apply the law s specification of offences The second volume in the series concerns itself with the structures of criminal law in three different senses The first examines the internal structure of the criminal law itself and the questions posed by familiar distinctions between which offences are typically analysed These questions of classification include discussion of the growing range of crimes and the problems posed by this broadening of definition Should traditional ideas and conceptions of the criminal law be reshaped in light of recent developments or should these developments be criticized and refuted Structures of criminal law also refer to the place of the criminal law within the larger structure of the law Here the book examines the relationships with and between the criminal law and other aspects of law particularly private law and public law It also looks at how the criminal law is made and by whom Finally the third sense of structure is outlined the relationships between legal structures and social and political structures What place does the criminal law have within the existing political and social landscapes What are the influences both political and social upon the criminal law and should they be allowed to influence the law in this fashion What is its proper role Focussing not only on the questions about the criminal law s proper scope but also on crucial questions about how crimes should be structured defined and classified this book provides a deeper

understanding of criminalization , The Criminalization of States Bruce Bagley, Jorge Chabat, Jonathan D. Rosen, 2019-05-23 This volume examines the relationship between states and organized crime It seeks to add to the theoretical literature for analyzing the criminalization of the state The volume also explores the nature of organized crime in countries throughout the Americas from Central America to the Southern Cone **The Journal of Criminal Law & Criminology** ,1980

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