

# Crime and Law

## PhD Comprehensive Reading List

Revised: December 2021

### I. CRIME

#### 1. Theoretical Perspectives on Crime

##### a) Early Writings, Rational Choice, and Routine Activity

###### *Early Writings*

Du Bois, W.E.B. 1899. "The Negro Criminal." In *The Philadelphia Negro: A Social Study*. Philadelphia, PA: University of Pennsylvania Press (same excerpt found here: Du Bois, W.E.B. 1987. "The Negro Criminal." *The Review of Black Political Economy*, 16(1-2):17-31).

Sutherland, E.H., Cressey, D.R., and Luckenbill, D.F., 1992 [1934]. *Principles of Criminology*, 11<sup>th</sup> ed. New York: Rowman & Littlefield.

Rafter, N. H. 1997. *Creating Born Criminals*. Chicago, IL: University of Illinois Press. ["Introduction: Born Criminals, Eugenics, and Biological Theories of Crime"]

###### *Rational Choice and Routine Activity*

Piliavin, I, Gartner, R., Thornton, C., Matsueda, R. 1986. "Crime, Deterrence, and Rational Choice." *American Sociological Review*, 51:101-119.

Osgood, D.W., Wilson, J.K., O'Malley, P. M., Bachman, J.G. and Johnston, L.D. 1996. "Routine Activities and Individual Deviant Behavior." *American Sociological Review*, 61(4):635-55.

##### b) Social Structure: Social Disorganization, Anomie/Strain, and Life-Course

###### *Social Disorganization*

Bursik, R. 1988. "Social disorganization and theories of crime and delinquency: Problems and prospects." *Criminology*, 26(4):519-51

Sampson, R. J., Raudenbush, S. W., and Earls, F. 1997. "Neighborhoods and violent crime: A multilevel study of collective efficacy." *Science*, 277(5328):918-924

### *Anomie and Strain*

Merton, R. 1938. "Social structure and anomie." *American Sociological Review*, 3(5):672-682.

Agnew, R. 1992. "Foundation for a General Strain Theory of Crime and Delinquency." *Criminology*, 30(1):47-88.

### *Life-Course*

Sampson, R.J., and Laub, J.H. 1993. *Crime in the Making: Pathways and Turning Points Through Life*. Cambridge, MA: Harvard University Press.

Sampson, R.J., and Laub, J.H. 2005. "A life-course view of the development of crime." *Annual American Academy of Social Sciences*, 602:12-45.

## c) Social Process: Social Learning, Control, and Labelling

### *Social Learning and Differential Association*

Becker, H. S. 1953. "Becoming a Marihuana User." *American Journal of Sociology*, 59(3):235-42.

Sykes, G. M., and Matza, D. 1957. "Techniques of neutralization: A theory of delinquency." *American Sociological Review*, 22(6):664-670.

Cressey, D. R. 2012 [1964]. *Delinquency, Crime, and Differential Association*. Springer Science & Business Media.

### *Social Control*

Hirschi, T. 1969. *Causes of Delinquency*. Berkeley, CA: University of California Press.

Gottfredson, M. R., and Hirschi, T. 1990. *A General Theory of Crime*. Stanford, CA: Stanford University Press. [Chapter 2]

### *Labelling*

Sykes, G. M., and Matza, D. 1957. "Techniques of Neutralization: A Theory of Delinquency." *American Sociological Review*, 22(6):664-70.

Becker, H. 1963. *Outsiders: Studies in the Sociology of Deviance*. New York: Macmillan.

Goffman, I. 1963. *Stigma: Notes on the Management of Spoiled Identity*. New York: Simon and Schuster.

Chiricos, T., Barrick, K., Bales, W., and Bontrager, S. 2007. "The labeling of convicted felons and its consequences for recidivism." *Criminology*, 45(3):547–581.

#### d) Social Conflict: Critical and Feminist Perspectives

##### *Critical Criminology*

DeKeseredy, W.S., 2021. "What is Critical Criminology?" In *Contemporary Critical Criminology*. Routledge.

Brotherton, D.C., 2008. "Beyond social reproduction: Bringing resistance back in gang theory." *Theoretical Criminology*, 12(1):55-77.

##### *Feminist Criminology*

Daly, K, and Chesney-Lind, M. 1988. "Feminism and Criminology." *Justice Quarterly* 5(4):497–538.

Smart, C., 2003 [1990]. "Feminist approaches to criminology or postmodern woman meets atavistic man." In *Crime: Critical Concepts in Sociology*. Londres: Routledge, pp.153-169.

Burgess-Proctor, A. 2006. "Intersections of Race, Class, Gender, and Crime: Future Directions for Feminist Criminology." *Feminist Criminology* 1(1):27–47.

Kruttschnitt, C. 2016. "The Politics, and Place, of Gender in Research on Crime." *Criminology* 54(1):8-29.

Miller, J. 2001. *One of the guys: Girls, gangs, and gender*. New York: Oxford University Press.

#### e) Emerging Criminologies: Cultural, Narrative, and Queer

##### *Cultural Criminology*

Ferrell, J. 1999. "Cultural Criminology." *Annual Review of Sociology*, 25:395–418.

Hayward, K.J. and Young, J., 2004. "Cultural criminology: Some notes on the script." *Theoretical Criminology*, 8(3):259-273.

Lyng, S., 1990. "Edgework: A social psychological analysis of voluntary risk taking." *American Journal of Sociology*, 95(4):851-886.

Young, J. 2004. "Voodoo criminology and the numbers game." In *Cultural Criminology Unleashed*. Eds. Ferrell, J, Hayward, K, Morrison, W, Presdee, M. London: GlassHouse.

## *Narrative Criminology*

Presser, L, and Sandberg, S. 2015. "Introduction: What Is the Story?" In *Narrative Criminology: Understanding Stories of Crime*. Eds. L. Presser and S. Sandberg. New York: New York University Press.

Miller, J, Carbone-López, K., and Gunderman, M. 2015. "Gendered Narratives of Self, Addiction, and Recovery among Women Methamphetamine Users." In *Narrative Criminology: Understanding Stories of Crime*. Eds. L. Presser and S. Sandberg. New York: New York University Press.

## *Queer Criminology*

Ball, M. 2014. "What's Queer about Queer Criminology?" In *Handbook of LGBT Communities, Crime, and Justice*. Eds. Dana Peterson and Vanessa R. Panfil. New York: Springer.

Panfil, Vanessa. 2017. *The Gang's All Queer: The Lives of Gay Gang Members*. New York: New York University Press.

## 2. Selected Topics in Criminology

### a) Criminal Groups

Adler, P.A., & Adler, P. 1983. "Shifts and oscillations in deviant careers: The case of upper-level drug dealers and smugglers." *Social Problems*, 31(2):195-207.

Venkatesh, Sudhir A. 1997. "The Social organization of street gang activity in an urban ghetto." *American Journal of Sociology*, 103(1):82-111.

Bucerius, S.M., 2007. "'What else should I do?' Cultural influences on the drug trade of migrants in Germany." *Journal of Drug Issues*, 37(3):673-697.

Contreras, R. 2013. *The Stickup Kids: Race, Drugs, Violence, and the American Dream*. Berkeley, CA: University of California Press.

Smith, C. M., and Papachristos, A.V. 2016. "Trust Thy Crooked Neighbor: Multiplexity in Chicago Organized Crime Networks." *American Sociological Review*, 81(4):644-67.

### b) Inequality and Crime

Massey, D. 1990. "American Apartheid: Segregation and the Making of the Underclass." *American Journal of Sociology* 96:329-57.

Wilson, W.J. 1999. "When Work Disappears: New Implications for Race and Urban Poverty in the Global Economy." *Ethnic and Racial Studies* 22:479-499.

Anderson, E. 1999. *Code of the Streets: Decency, Violence, and the Moral Life of the Inner City*. New York: W.W. Norton and Company.

Bourgois, P. 2003. *In Search of Respect: Selling Crack in El Barrio*. Cambridge: Cambridge University Press.

### c) Neighborhoods and Crime

Sampson, R. J. 2012. *Great American City: Chicago and the Enduring Neighborhood Effect*. Chicago, IL: Chicago University Press.

Pattillo, Mary E. 1998. 'Sweet Mothers and Gangbangers: Managing Crime in a Black Middle-Class Neighborhood.' *Social Forces* 76:747-774.

Carr, P., Napalitano, L. & Keating, J. 2007. "'We Never Call the Cops Here and this Is Why': A Qualitative Examination of Legal Cynicism in Three Philadelphia Neighbourhoods." *Criminology*, 45(2):445-480.

Harding, David J. 2009. 'Violence, older peers, and the socialization of adolescent boys in disadvantaged neighborhoods' *American Sociological Review* 74 (3): 445-464.

Berardi, L., 2021. "Neighborhood Wisdom: An Ethnographic Study of Localized Street Knowledge." *Qualitative Sociology*, 44:103-124.

## II. PUNISHMENT & THE CRIMINAL JUSTICE SYSTEM

### 1. Foundational Perspectives

Durkheim, E. 1969 [1900]. "Two Laws of Penal Evolution." *University of Cincinnati Law Review*, 38:32-61.

Cohen, S. 2011 [1972]. *Folk Devils and Moral Panics*. Routledge. [Chapter 1]

Foucault, M. 1977. *Discipline and Punish: The Birth of the Prison*. New York: Vintage Books.

Cohen, S. 1985. *Visions of Social Control: Crime, Punishment and Classification*. Wiley.

Garland, D. 1990. *Punishment and Modern Society*. Chicago: University of Chicago Press.

O'Malley, P. 1999. "Volatile and Contradictory Punishment." *Theoretical Criminology*, 3(2):175-196.

Braithwaite, J. 2003. "What's wrong with the sociology of punishment?" *Theoretical Criminology*, 7(1):5-28.

Western, B. 2006. *Punishment and Inequality in America*. Russell Sage Foundation.

## 2. Selected Topics in Penology

### a) The Punitive Turn: Neoliberalism and Actuarial Risk Management

Feeley, M. M. and Simon, J. 1992. "The New Penology: Notes on the Emerging Strategy of Corrections and Its Implications." *Criminology* 30(4):449-474.

Garland, D. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.

Beckett, K. and Western, B. 2001. "Governing Social Marginality: Welfare, Incarceration, and the Transformation of State Policy." *Punishment & Society*, 3:43-59.

Wacquant, L. 2001. "Deadly symbiosis: When ghetto and prison meet and mesh." *Punishment & Society*, 3(1):95-133

Pager, D. 2003. "The Mark of a Criminal Record." *American Journal of Sociology*, 108(5):937-975.

Maurutto, P. and Hannah-Moffat, K. 2006. "Assembling Risk and the Restructuring of Penal Control." *British Journal of Criminology*, 46(3):438-454.

### b) Prisons and Punishment

Sykes, G. 1958. *The Society of Captives*. Princeton University Press.

Goffman, I. 1961. *Asylums*. Garden City, NY: Anchor Press.

Irwin, J., & Cressey, D. R. 1962. "Thieves, convicts, and the inmate culture." *Social Problems*, 10(2):142-155.

Sparks, J.R., & Bottoms, A.E. 1995. "Legitimacy and order in prisons." *British Journal of Sociology*, 46(1):45-62.

Crewe, B., 2007. "Power, adaptation and resistance in a late-modern men's prison." *British Journal of Criminology*, 47(2), 256-275.

Rowe, A., 2016. "'Tactics', agency and power in women's prisons." *British Journal of Criminology*, 56(2):332-349.

Haggerty K.D., and Bucerius S. 2020. "The proliferating pains of imprisonment." *Incarceration*.

### c) Policing and Punishment

Wortley, S. and Owusu-Bempah, A. 2011. "The Usual Suspects: Police Stop and Search Practices in Canada." *Policing and Society*, 21(4):395–407.

Stuart, Forrest. 2016. "Becoming 'Copwise': Policing, Culture, and the Collateral Consequences of Street-Level Criminalization." *Law & Society Review*, 50(2): 279–313.

Brayne, S. 2017. "Big Data Surveillance: The Case of Policing," *American Sociological Review* 82(5):977–1008.

Maynard, R. 2020. "Police abolition/Black revolt." *TOPIA: Canadian Journal of Cultural Studies*, 41(Fall):70–78.

### d) Courts and Punishment

Feeley, M. M. 1979. *The Process is the Punishment: Handling Cases in a Lower Criminal Court*. New York: Russell Sage Foundation.

Leverick, F., & Duff, P. 2002. "Court culture and adjournments in criminal cases: A tale of four courts." *Criminal Law Review*, January, 39-52.

Doob, A.N., and Sprott, J.B. 2007. "The Sentencing of Aboriginal and Non-Aboriginal Youth: Understanding Local Variation." *Canadian Journal of Criminology and Criminal Justice*, 49(1):109-123.

Kohler-Hausmann, I. 2013. "Misdemeanor justice: Control without conviction." *American Journal of Sociology*, 119(2):351-393.

### e) Race, Gender, Sexuality, and Punishment

#### *Race*

Owusu-Bempah, A. 2017. "Race and Policing in Historical Context: Dehumanization and the Policing of Black People in the 21st Century." *Theoretical Criminology* 21(1):23–34.

Miller, R. J. and Stuart, F. 2017. "Carceral citizenship: Race, rights and responsibility in the age of mass supervision." *Theoretical Criminology*, 21(4):532–548.

Tetrault, J. E., Bucerius, S. & Haggerty, K. 2020. "Multiculturalism under confinement: Prisoner race relations inside western Canadian Prisons." *Sociology*, 54(3):534-555.

### *Gender*

Gartner, R. and Kruttschnitt, C. 2004. "A Brief History of Doing Time: The California Institution for Women in the 1960s and the 1990s." *Law & Society Review* 38(2):267–304.

Jewkes, Y., 2005. Men Behind Bars: "Doing" Masculinity as an Adaptation to Imprisonment. *Men and masculinities*, 8(1):44-63.

Bucerius, S., Haggerty, K., & Dunford, D. 2020. "Prison as Temporary Refuge: Amplifying the Voices of Women Detained in Prison." *The British Journal of Criminology*.

### *Sexuality*

Sexton, L., Jenness, V., and Sumner, J. 2010. "Where the margins meet: A demographic assessment of transgender inmates in California prisons." *Justice Quarterly*, 27(6):835–866.

Borchert, J. W. 2016. "Controlling Consensual Sex among Prisoners." *Law & Social Inquiry* 41(3):595-615.

## f) Indigenous Peoples and Injustice

Crosby, A., and Monaghan, J. 2016. "Settler Colonialism and the Policing of Idle No More," *Social Justice* 43(2):37-57.

Arbel, E. 2019. "Rethinking the 'Crisis' of Indigenous Mass Imprisonment." *Canadian Journal of Law and Society* 34(3):437–56.

Chartrand, V. 2019. "Unsettled times: Indigenous incarceration and the links between colonialism and the penitentiary in Canada." *Canadian Journal of Criminology and Criminal Justice*, 61(3):67-89.

Bucerius, S., Berardi, L., & Haggerty, K.. Forthcoming. "‘I’m in a Federal Prison, and I’ve Never Felt More Free’: The Multi-faceted Pains Experienced by Incarcerated Indigenous Women in Canada." In *Power and Pain in the Modern Prison*. Eds. Ben Crewe, Mark Halsey, and Andrew Goldsmith. London: Oxford University Press.



## III. LAW

### 1. Overview and Theoretical Foundations

Trubek, D.M. 1972. "Max Weber on Law and the Rise of Capitalism." *Wisconsin Law Review*, 720-53.

Bourdieu, P. 1987. "The Force of Law: Toward a Sociology of the Juridical Field." *Hastings Law Journal*, 38:805-853.

de Sousa Santos, B. 1987. "Law: A Map of Misreading: Toward a Postmodern Conception of law." *Journal of Law and Society*, 14(3):279-302.

Liu, S. 2015. "Law's Social Forms: A Powerless Approach to the Sociology of Law." *Law & Social Inquiry* 40(1):1-28.

### 2. Legal Consciousness

Ewick, P. and Silbey, S. S. 1998. *The Common Place of Law: Stories from Everyday Life*. University of Chicago Press.

Hull, K.E. 2003. "The cultural power of law and the cultural enactment of legality: the case of same sex marriage." *Law & Social Inquiry*, 28(3):629– 58

Marshall, A. 2005. "Idle rights: Employees' rights consciousness and the construction of sexual harassment policies." *Law & Society Review* 39: 83–123.

Silbey, S. S. 2005. "After Legal Consciousness." *Annual Review of Law and Social Science*, 1(1):323-368.

Chua, L.J., and Engel, D. M. 2019. "Legal Consciousness Reconsidered." *Annual Review of Law and Social Science*, 15(1): 335-353.

### 3. Law, Diversity, and Injustice

Napoleon, V. and Friedland, H. 2014. "Indigenous Legal Traditions: Roots to Renaissance." In M. Dubber and T. Hörnle (eds.) *The Oxford Handbook of Criminal Law*. Oxford: Oxford University Press.

Lawrence, B. 2013. "Gender, race and the regulation of Native identity in Canada and the United States: An Overview." *Hypatia*, 18(2):3-31.

Berrey, E. 2015. *The Enigma of Diversity: The Language of Race and the Limits of Racial Justice*. University of Chicago Press.

## 4. Organizations

Edelman, L.B., Uggen, C., and Erlanger, H.S. 1999. "The Endogeneity of Legal Regulation: Grievance Procedures as Rational Myth." *American Journal of Sociology*, 105(2):406-454.

Dobbin, F. 2009. *Inventing Equal Opportunity*. Princeton, NJ: Princeton University Press.

Edelman, L. B. 2016. *Working Law: Courts, Corporations, and Symbolic Civil Rights*. Chicago: University of Chicago Press.