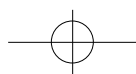
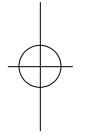
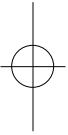
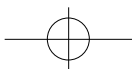
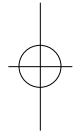
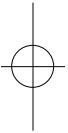


Explaining Criminal Conduct





Explaining Criminal Conduct

Theories and Systems in Criminology

Paul Knepper
PROFESSOR,
EAST CAROLINA UNIVERSITY

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Paul Hartley
“Detectives Don’t Rest” (c. 1980)
Collage, Pencil, Acrylic, and Oil on Paper
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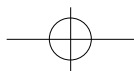
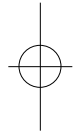
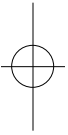
North Carolina artist Paul Hartley, a native of Charlotte, has taught painting and drawing at East Carolina University for twenty-five years. *Carolina Arts* (May 2000) describes him as “a skilled draftsman who combines intensely detailed natural images with an experimental and labor-intensive process.” “My own interest,” says Hartley, “is in creating something, not just in representing nature or the ‘real’ world. I do, however, want to create something with enough of nature’s attributes, its visual complexity, to engage the viewer in really looking.”

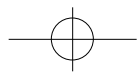
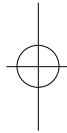
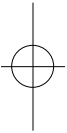
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To Lynn E. Knepper





Contents

Preface	ix
Chapter 1 Science and Tradition in Criminology	3
The Criminologists	4
The Dilemma of Contemporary Criminology	11
The Return of Political Philosophy	19
Conclusion	25
Chapter 2 Crime and Human Nature	27
Beccaria and the Enlightenment	28
The Figure of Justice	35
Application of Classical Principles	42
Choice Theory	46
The Limits of Abstract Reason	54
Conclusion	60
Chapter 3 The Anatomy of Crime	63
The Science of Criminology	64
The Criminal Body	69
The Criminal Brain	71
The Criminal Race	76
Eugenicist Legal Reforms	86
The Problem with the Moral Sense	91
Conclusion	97
Chapter 4 Inside the Criminal Mind	99
Freud's Theory of the Mind	100
The Psychopathology of Crime	105
Psychotropic Drugs and Criminal Behavior	113
Influence on Criminal Justice	117
Assessment of Psychiatric Concepts	125
Conclusion	134

VIII · CONTENTS

Chapter 5 The Social Sources of Crime	135
The Rise of the Sociological Imagination	136
Crime and Society	143
The Geography of Crime	150
The Social Psychology of Crime	155
Applied Sociology	160
Criminal Responsibility and Casuistry	164
Conclusion	170
Chapter 6 The Social Construction of Crime	173
The Frankfurt School	174
The Sociology of Knowledge	180
Bourgeois Ideology	187
The Architecture of Meaning	195
Constructionism and Socialism	201
Critique of Constructionism	205
Conclusion	211
Chapter 7 Race, Racism and Crime	213
The First Black Criminologist	214
The Liberal Mainstream	220
The Radical Critiques	230
The Black Conservatives	241
Conclusion	251
Chapter 8 The Heart of Crime	253
C.S. Lewis and Christianity	254
The Jewish Outlook on Crime and Justice	261
The Judaic-Christian Response to Crime	267
The Faith Factor	273
Conclusion	277
Chapter 9 The Death and Rebirth of Criminology	279
The Legacy of Natural Law	280
The Age of Social Control	285
The Ideal of Social Justice	290
Moral Philosophy and Crime	292
Conclusion	299
Notes	301
Index	345

Preface

“A novel,” Camus once wrote, “is never anything but a philosophy expressed in images.”¹ Criminology is like that. A theory of crime represents a moral philosophy expressed as an explanation.

This book is about theories of crime. It is not so much about explaining crime as about describing how criminologists have thought about crime. Within the history of explaining crime, there are seven original ideas: human nature, the human body, the mind, society, language, race, and the heart. All explanations in criminology, from eighteenth century political theory and nineteenth century science to contemporary social science, derive from one of these. They represent what might be called modalities. To the philosopher, a modality marks the line at which differences of judgment are considered differences in kind rather than degree. Each represents a way of looking at the world through a set of concepts particular to itself.² Criminal conduct has been understood, then, politically, biologically, psychologically, sociologically, linguistically, racially, and spiritually.

Since the nineteenth century, the modality of society has furnished the paradigmatic outlook. Most texts in criminology theory seek to evaluate theories of crime in terms of the findings of social science research. Social science gives to quantifiable ideas the status of observable reality and attempts to rule out those ideas not falsifiable within this framework. Social science represents, however, only one modality—one historically identifiable means of explaining criminal conduct. This book reviews the social science outlook alongside others. The task is to identify the consistent elements within each mode so that they can be considered from the standpoint of logical coherence and as invitations to public activity. Or, in other words, to extract what is philosophical from different ways of looking at crime. The goal, as Oakeshott says somewhere, is to enlighten rather than instruct.

X · PREFACE

My interest in criminology began with W. Byron Groves—or Casey, he told us to call him. He taught at the University of Wisconsin Green Bay where, during the early 1980s, I pursued an undergraduate degree. I had no idea what to make of the tallish, lanky frame that stood in front of the class each day. He wore slacks with a t-shirt and sneakers. He walked as he talked, stopping occasionally to scratch a few words on the board or sip from a can of soda. There was always a smile on his face that the eyeglasses never seemed to fit, below a head of thick, black curls. He guided us through a picture-less text that had to do with theories of crime. Never did he fail to challenge, evoke, and entertain, and most of this in the first fifteen minutes. He found meaning beneath the surface, a pattern pieced together by zeroing in on a few telling words, philosophical expressions, and comments in footnotes. Before the end of that first semester, I too wanted to be a criminologist. I wanted to see what Casey could see.

Somewhere in my office I still have the letter he sent me while I was in graduate school working on the PhD. I remember the day it arrived. I stopped from my assigned task of keyboarding data to examine the note Casey had written on university letterhead. It was an academic family tree. There was Casey, along side his brother, his father above, and his grandfather at the top of the page. My name appeared under Casey's. I had arrived. If Casey thought I was a criminologist, then it must really be true. I also remember the day, not long after taking my first job as a professor, that a mutual friend called to say Casey had been killed in a car accident. He was just thirty-seven.

After thinking for fifteen years or so about what Casey said I came to conclusion that he was looking in the wrong direction.³ This book pursues an understanding of criminology free from the sort of criminology he pursued as well as from the conventional, social-scientific brand he critiqued so well. I do not think that serious study in criminology requires, or even allows for, checking moral values at the door. On the contrary, I believe that moral judgment is indispensable for those engaged in the study of crime as well as those involved in the administration of justice. My ambition, which I started but did not finish here, is to describe the moral life in such a way that both criminal conduct and ethical conduct can be understood.

It would be a very long list, and very incomplete, if I tried to acknowledge all those who have shaped my thinking about what I

PREFACE • XI

have written here. And so I must settle for naming only a few. Eric Reyes and David Turnage read and commented on chapters. Yolanda Burwell, Mary Jackson, and Rabbi Michael Cain gave me ideas at key places that I have freely borrowed and most likely distorted. Keith Sipe believed in the project from the beginning; Glenn Perkins saw it through publication. And most of all, I want to thank Cathryn Ann Knepper, who was always willing to listen.

Finally, I would like to note that I concern myself in these pages with ideas first and last. I offer details about the lives of individuals to make the narrative more interesting, not in any effort to supply insight into their ideas. In the same way, when I offer my own critique, I am taking issue with the ideas, not the people. I have a great deal of respect for the individuals whose ideas I attempt to refute. Some I know personally and happen to like very much. Others I know only through their writings and admire from a distance. If it appears that I have singled anyone out for special criticism, it is because their ideas have consumed a large portion of my thinking, and only means that I would relish an evening with them discussing criminology, as I did with Casey.

