

# The Critical Criminologist

Newsletter of ASC's Division on Critical Criminology

## Message from the Chair

Martin D. Schwartz, Ohio University

1 It is with some joy that I can report that  
2 my term of office is coming to an end. This is a  
3 joy, of course, because it means that someone else  
4 will be in charge. But, looking back, it has also  
5 been a time of achievement, although some  
6 serious work is being left for the next set of  
7 officers.

8 The nominations committee, under  
9 Shahid Alvi, has put together a wonderful and  
10 expansive (very expansive!) list of nominees, and  
11 I urge you to take seriously voting on the next set  
12 of officers to bring us to another level of  
accomplishment. It is a good sign that the  
nominations committee was overwhelmed with  
people who were nominated and agreed to run,  
and from my perspective there isn't a loser in the  
bunch – the Division will win no matter what the  
outcome of the election.

One of our most important  
accomplishments, albeit slower and with more  
potholes than we expected, has been getting the  
journal back together. I have been engaged in  
numerous negotiations for two years with  
publishers, and we now have a good contract with  
Kluwer Publishing of Holland. We now have a  
great editorial team with Jeff Walker and Paul  
Leighton on the North American side, and Jock  
Young on the European side, and book review  
editors John Fuller in North America and Jayne  
Mooney in the UK. Our new 30-member  
editorial board is extraordinary, and includes the  
best critical criminologists in about 10 countries.  
We have an issue in production, and another  
close. It has been slow: we have run into every  
roadblock imaginable, including an almost  
unknown clause in the ASC constitution  
forbidding divisions from having journals. The  
simple solution? The ASC changed the  
constitution. Our thanks to Ron Huff, Chris  
Eskridge and Todd Clear for working with us on  
that one.

We have, with the leadership of Bob  
Bohm, set up a Section on Critical Criminology at

ACJS. I am temporary head of it, and we need  
to do some movement on setting up permanent  
camp there. Volunteers to work with Bob and  
me would be most helpful, especially as I will  
be on sabbatical this year.

I am particularly happy to have  
worked with the officers of this group over the  
past two years, all of whom have been helpful  
in everything. Jeff Ferrell has been vice-chair,  
Jeff Walker secretary/treasurer, and Bob  
Bohm and Becky Tatum have been board  
members. All have taken on particular tasks  
and done them well. We have left for Becky  
to arrange a "buy your own" dinner Saturday  
night at the ASC meetings, so look for a sign-  
up sheet there. We will also need some  
people, including graduate students, who  
might put in a few hours sitting at a table  
recruiting members. Write me  
(Schwartz@ohio.edu) if you can volunteer (or  
volunteer someone else!).

The next group of officers has the  
potential to be more diverse than seen for  
many years in this group. We have more  
women running than ever before, more  
internationals running, and a fine mix of "big  
names" and people devoted to the division. I  
can't imagine a bad set of officers coming out  
of this election.

The next set of officers will, if they  
want my advice, want to deal with  
membership issues, including trying to expand  
our core of white male lefties into a division  
that provides an umbrella for all critical  
criminologists. We have never left that goal,  
but we are less an umbrella than we were  
when Susan Caringella-MacDonald and others  
did the initial work to start this division (a  
subtle piece of self-promotion since I was  
vice-chair under Susan!). I wish the best of  
luck, more success, and a lot less problems to  
the next set of officers.

Volume 11, Issue 3  
August, 2001

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Barbara Sims

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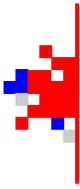
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Michael G. Santos



## Why Is A Photographer At an Execution A Criminal?

Paul Leighton, Eastern Michigan University



“Those who carry out the penalty tend to become an autonomous sector; justice is relieved of responsibility for it by a bureaucratic concealment of the penalty itself.” Michel Foucault (*Discipline and Punish*)



Timothy McVeigh was billed as the worst US terrorist, and under our law it is illegal to document his execution through photography, even though several hundred surviving victims saw the closed circuit broadcast. A federal court denied an internet entertainment group permission to webcast the execution, even though they are willing to use the feed from the Bureau of Prisons (BOP) camera and require a credit card to prohibit access by minors.

The reason for denying the request is related to ‘security’ and ‘privacy’ concerns, both of which deserve scrutiny because of their history in being used to cover up embarrassing or awkward information. So it is important to examine why a photographic witness to a state-sponsored execution is a criminal.

The district court opinion in *Entertainment Network v. Lappin* is a hodgepodge of cases where the media in general, and television in particular, have been denied access to prison and military events. Ultimately, Judge Tinder deferred to the prison administrators, who argued that the regulation against recording an execution served “peonological interests,” including “(i) the prevention of the sensationalizing of executions, (ii) the preservation of the solemnity of executions, (iii) the maintenance of security and good order in the Federal Prison System, and (iv) protection of the privacy rights of a condemned individual, the victims, their families and those who participate in carrying out the execution.”

The Judge then rather uncritically accepts the reasoning in the warden’s affidavit, whose five points are listed below with some commentary.

“First, that to maintain security and good order in a prison setting, it is important that inmates understand and believe that they

*will be treated like human beings and not dehumanized.”*

I agree – and want to point out that this source isn’t a soft-on-crime liberal, but the Bureau of Prisons. Why haven’t they made this point more forcefully during the last three decades of ‘tough on crime’ whose point was frequently to degrade and dehumanize inmates (including chain gangs and boot camps)?

“Second, that the government’s interests in not sensationalizing and preserving the solemnity of executions is based upon the danger that if prison inmates were to see the execution on television or receive word of the televised event through other means, the inmates may well see the execution as ‘sport’ which dehumanizes them.”

While the BOP has a great deal of power to define conditions of incarceration and protocols of execution, this rationale takes a dangerous step to where they claim control of news and images because it might undermine *perceptions* of justice (or reinforce an accurate, but negative, understanding about the administration of ‘justice’). The BOP is concerned that if inmates see executions as sport, they will riot (see next item), but this problematic connection should not be used to expand ‘legitimate peonological interest’ to include whatever ‘solemnity’ the BOP feels their execution deserves.

Further, men living under sentence of death develop some intense feelings about the justice of executions, and it is difficult to see how a televised execution would make them more cynical. If the death penalty is seen as sport, it has less to do with a televised clip than: George Bush grinning through the execution of Carla Fay Tucker after the Pope asked for clemency; calls for executing juveniles and mentally ill

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people; and tailgate parties to celebrate others being ‘fried’; continued errors in imposing death sentences; an egregiously poor system for providing effective defense counsel that we refuse to remedy; and a long history of racial and class discrimination. How can televising an execution make inmates feel worse about the death penalty than hearing Supreme Court Justice Scalia say, “Mere factual innocence is no reason not to carry out a death sentence properly reached”? (And he’s the one who is being discussed as the next Chief Justice and a model for Bush administration judicial appointees.)

“Third, that when inmates feel that they are dehumanized or devalued as persons, agitation amongst the inmates is frequently fomented, which in turn can lead to prison disturbances.”

It is good the BOP sees the connection between dehumanization and riots, and they should send a memo to the Immigration and Naturalization Service about it. But let’s see them remedy dehumanizing practices at Super Max facilities and the other prisons condemned by Human Rights groups like Amnesty International.

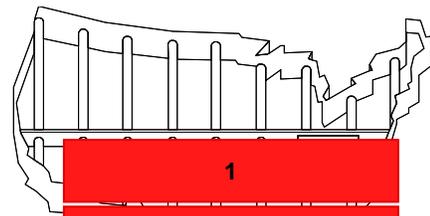
So the argument is that we can’t show an execution because the 20 inmates on the Federal death row with McVeigh will riot? Even if we appreciate that death row is a difficult and tense place to live and work, it is hard to see this reasoning as compelling. It is also hard to see how the concern about disturbances would lead to banning the photographer rather than pursuing reforms of death row that would have the same effect. This reasoning certainly fails the test of having a “rational connection between the prison regulation and the legitimate, neutral governmental interest” and an “absence of ready alternatives” (quoted in *Entertainment Network v. Lappin*).

Lastly, some condemned men support the death penalty (just for other people). Many would agree with widespread sentiment that McVeigh deserved to die and would not necessarily see the administration of justice as defiled because of McVeigh’s execution.

“Fourth, that a broadcast would violate the privacy of condemned persons, and would also ‘strip away’ the privacy and dignity of victims and their families.”

McVeigh has waived his privacy right and wants the execution televised, somewhat ironically, because he favors scrutiny of government actions. Before being sentenced to death, McVeigh uttered only four sentences, including a quote from former Supreme Court Justice Louis D. Brandeis: “Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example.”

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### The American Public's Attitudes About Crime Causes and Solutions for Criminal Justice

Barbara Sims, Ph.D.

Although the influence of public opinion surveys on policy is limited and selective” (Flanagan, 1996). Leaders tend to make the mistake of believing the public is monolithic in its thinking about crime. This ill-placed belief results in a policy that the public is unwilling to accept. The continuation of this policy, and thus the sentencing practice, has a negative impact on crime.”

The National Opinion Survey on Crime and Justice - 1996 (NOSCJ-96), a national assessment of public attitudes toward crime and criminal justice, included thirty-one questions dealing with explanations for crime causation, questions developed by this author with input from folks such as Hal Pepinsky, Richard Quinney, Ron Akers, Frank Cullen, Margaret Farnworth, Ruth Triplett, Dennis Longmire, Tim Flanagan, Jeff Walker, Freda Adler and others. The survey was designed and commissioned by the Criminal Justice Center’s Survey Research Program at Sam Houston State University in early 1996. NOSCJ-96 used a random sample of all U.S. households, stratified by proportion of households within counties with working numbers. The total number of completed interviews was 1085 with a cooperation rate of 54%.

Overall, I wanted to ask Americans what they think causes crime, using questions grounded in criminological theory. I developed the questions and sent them out to the good folks named above, asking them to rate me on “how good a job I did” with operationalizing the major concepts of the nine theories I included in the study. After receiving some excellent input from this team of “experts,” I put the questions

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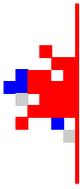


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CRITICAL CRIMINOLOGY: AN INTERNATIONAL JOURNAL

Volume 10, Number 1 (in press)

*Toward a Gendered Social Bond/Male Peer Support Theory of University Woman Abuse*  
Alberto Godenzi, Martin D. Schwartz, Walter S. DeKeseredy

Despite many calls for integrated woman abuse theories, few have made any gender blind and conservative theories may still have some value, Hirschi's social bond feminist male peer support theory and other critical perspectives. The goal is not a foil to show the value of adding feminist insight to gender blind theory. Hirschi is turned and involvement with conventional peers may in fact promulgate violence against women that conventional institutions are patriarchal and part of a rape culture. University groups enforce adherence through homophobia and group pressure, while promoting a hyper-coercion and force to increase their "count" of sexual encounters.

*The Use of Incarceration in the United States*  
James Austin, Marino A. Bruce, Leo Carroll, Patricia L. McCall, Stephen C. National Policy Committee)

The past two decades have produced a profound increase in imprisonment population of two million and expenditures of over \$35 billion annually on corrections are underfunded. Imprisonment is highest for minority males largely because of the increased the incarceration of women and created nearly 1.5 million children having Criminology (ASC) is greatly concerned about these trends. President Roland Chilton (NPC) to draft a policy paper on the incarceration issue, and the ASC Executive Board "Incarceration Trends" that would not speak for the Society but to its membership.

This article explains the main ideas, themes and recommendations of the full policy paper. It analyzes the sources and effects of the increased use of imprisonment, drawing attention to the negative effects of excessive incarceration -- a topic the NPC believes criminologists have paid insufficient attention. The paper and its recommendations reflect a concern that the ASC needs to set a research agenda that is independent of the federal government and conventional wisdom. The NPC hopes this paper will stimulate a healthy and much overdue debate on the role of the ASC in public policy in general, and the merits of widespread incarceration in particular.

*Peter Singer's 'Heavy Petting' and the Politics of Animal Sexual Assault*  
Piers Beirne

This paper confronts Peter Singer's (2001a) controversial suggestion that human-animal sexual relations should be tolerated if they do not involve cruelty, a pseudo-liberal position contradicted by the author's recent testimony to the Maine State Legislature in favor of a Bill to criminalise bestiality. Against Singer the paper argues that human-animal sex is a harm that is wrong for the same reasons as is inter-human assault - because it involves coercion, produces pain and suffering, and violates the rights of another being. Positively, however, Singer's text opens up for much overdue discussion some difficult questions about the politics of animal sexual assault.

*Crime and Crime Control in an Age of Globalization*  
Gregg Barak

This essay examines the impact of globalization on both crime and crime control at the national and global levels. In order to make conceptual sense out of the transforming nature of these activities at the turn of the 21<sup>st</sup> Century, a threefold analysis is presented: (1) an overview of the three traditional developmental models of crime and crime control—modernization, world system, and opportunity; (2) a characterization of crime and crime control in relationship to the more recently emerging models of globalization; and (3) a discussion of

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the implications of the dialectical relations between the models of development and the models of globalization. Assessments of the models and other provisional conclusions are drawn based on a recent 15 nation-state survey of both crime and crime control in developed, developing, and post-traditional nation-states.

*Guys, Gangs, and Girlfriend Abuse* by Mark D. Totten.

Reviewed by Emanuel Boussios



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**Announcements:**

Congratulations to CC Division member Jody Miller who was recently awarded ASC award is given to people less than five years out of their Ph.D. program, and all criminologists worldwide Jody! Her book, *One of the Guys: Girls, Gangs, and Gender* (Oxford University Press, 2001) is

New Webmaster of the Division on Critical Criminology Ken Mentor has set up a new website. Ken would appreciate any friendly and constructive criticism people have as well as offerings of articles. Ken would like to make. Ken can be reached at [kmentor@nmsu.edu](mailto:kmentor@nmsu.edu).

**American Society of Criminology**

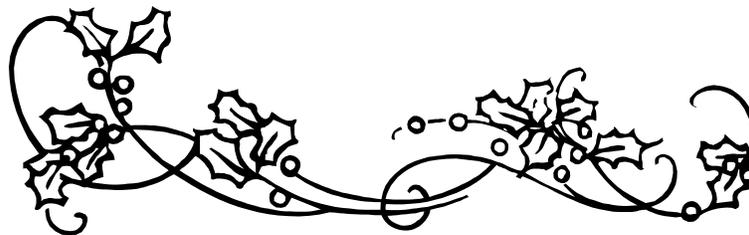
**2001 Annual Meeting**

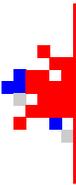
**Atlanta, Georgia**

**November 7-10 – Atlanta Marriott Marquis Hotel**

**Theme: Criminology, Justice, and Public Policy in the Twenty-First Century**

**Visit the ASC website for additional information at: <http://www.asc41.com/>**





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in the field. The following table (see page 7) lists the theory questions along with the percentages reported in each of the response categories. Looking at the “strongly agree,” and “agree” response categories, it appears there is some degree of support for each of the nine criminological theories. While 79% of the respondents, for example, believe that “crime is the product of a person’s free will (classical theory), an even greater number (87%) think that “people commit crime when family, friends, or others either approve of the crime or do not discourage criminal behavior” (social learning theory). Further, 83% of citizens think that “crime occurs in our society when there is a breakdown in families and schools which keeps people from feeling a sense of community” (social disorganization theory), and 82% believe that “kids are likely to break the law when they do not feel close to their parents or do not care what their parents think of them” (social control theory).

Slightly more than half of respondents (52%) support the position that “people are bound to turn to crime when they are taught to want success, money, and fancy cars, but then can’t get them” (strain theory), and about 42% agree that “the reason the United States has such a high crime rate is that too many of its people are exploited by a system that makes sure that the rich get richer and the poor get poorer” (critical theory). Thirty-nine percent of citizens think that “many people who commit crimes are acting out according to the label ‘criminal’ that has been imposed on them by their family or friends” (labeling theory), and 43% believe that “people commit crime just because it is part of a culture which has a value system that is different from the rest of society” (subcultural theory).

People are much less likely to derive their explanations for criminal behavior from biological/psychological perspectives. Only 9% of respondents think that “many people commit crimes because they were born that way” (biological theory), and only 17% agree that “people commit crime because they are not intelligent enough to do otherwise” (psychological theory).

So What?

What emerges from these data is a picture of a public that finds explanations for crime across several of the perspectives that have become the mainstay of criminology. Much like theorists themselves, the public does not think one way about

crime causation. John and Jane Q. Public are just as apt to view crime and delinquency from a critical perspective as they are from a classical perspective. They are also as likely to find explanations for criminal behavior in the social order as they are in the social process. The public is much more willing to support policies that are not at all grounded in theory, there should be a relationship between crime causation, and what should be done about it. For example, they see the need for increased legitimate opportunities to address the system that is rife with racism and in favor of correctional-based programs, more so than are those kind of people” problem.

The point is that policy makers are off the mark. The public is much too conservative to think of other ways than that currently operating. Findings such as these available to rip the

### The Meaning of a Reply to Butler

Michael J. Lynch, and  
Schwendinger

Writing in response to our article (“A Question of Method and Meaning,” 11,1), Frank Butler argued against the specific policy we proposed to “the publication debate” CC Division members had undertaken. Specifically, our policy suggested that Division members reorient their energies to elevating the status of critical journals, especially the Division’s own journal, *Critical Criminology*, rather than direct their energies toward efforts to force mainstream publications to set aside space for critical scholarship. To summarize, our suggestion was that Division members choose to make *Critical Criminology* the primary outlet for their publications and not allow the mere existence of an American Society of Criminology (ASC) sponsored journal, nor the values of scholarship expressed in that publication to dictate what we, as radical/critical criminologists do, and where we publish. In our view, this policy promotes a break from the predominant status values of traditional criminologists who comprise the bulk of ASC members. We view this alternative as a much more radical proposal than the effort to obtain space for critically oriented pieces within *Criminology*. We believe this for three reasons.

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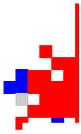
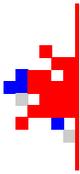


Table I: Attitudes Toward Crime Causation  
(Percentages reported)

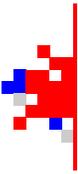
	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree
<b>Classical Theory</b>					
Crime is the product of a person's free will.	19	60	5		1
Crime in this country occurs because the cj system does not make the punishment fit the crime.	20	54	9		2
The main reason why people break the law is that they figure they can get away with it.	17	60	7		3
People break the law because our cj system does not punish criminals quickly enough.	20	52	8		4
					5
<b>Biological/Psychological Theory</b>					
Many people commit crimes because they were born that way.	1	8	4		6
Today's criminals were yesterday's abused children.	5	50	16		7
People commit crime because they are not intelligent enough to do otherwise.	2	15	5		8
Many people who commit crimes do so because they can't control their anger and other impulses.	7	57	8		9
People who commit crimes do so because they have emotional problems.	2	45	16		10
<b>Social Disorganization Theory</b>					
Crime occurs in our society when there is a breakdown in families and schools which keeps people from feeling a sense of community.	24	59	6		11
People commit crime because they live in bad neighborhoods that are run down and disorganized.	4	41	10	40	5
Young people commit crimes if all they do is hang around on the corner because there are no youth groups or summer jobs.	9	48	10	30	3
<b>Strain Theory</b>					
A reason we have so much crime these days is because some people turn to crime as a way of achieving the American Dream.	8	50	8	31	3
Crime occurs in our society because it provides the only opportunity for some people to succeed.	4	34	7	45	10
People are bound to turn to crime when they are taught to want success, money, and fancy cars, but then can't get them.	6	46	8	35	5
<b>Subcultural Theory</b>					
People commit crime just because it is part of a culture which has a value system that is different from the rest of society.	4	39	11	42	5



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	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree
Crime is caused by members of a criminal subculture that supports and encourages criminal activity.	4	49	14		1
Kids often become criminal because they live in neighborhoods where it's okay to break the law.	8	54	8		2
<b>Social Learning Theory</b>					
Some people learn criminal behavior from imitating family, friends, and others they see doing wrong.	17	70	4		3
Crime is like any other behavior: it's learned from the people around you.	8	62	9		4
People commit crime when family, friends, or others either approve of the crime or do not discourage their criminal behavior.	13	60	8		5
<b>Social Control Theory</b>					
Kids are likely to break the law when they do not feel close to their parents or do not care what their parents think of them.	19	63	7		6
People commit crime because their ties to family, school, or friends are weak or broken.	12	58	9		7
Crime is committed by young people who are not involved enough in wholesome activities such as spending time with parents or working on school projects.	20	60	5	14	1
<b>Labeling Theory</b>					
Many people who commit crimes are acting out according to the label "criminal" that has been imposed on them by their family or friends.	2	37	13	44	4
Putting offenders in prison may make them even more criminal because prisons are schools of crime.	9	47	13	28	2
What the criminal justice system does to young people who break the law makes them even more criminal.	6	40	13	38	3
One reason why so many offenders go back into crime is that when they are released from prison, they can't get a job because they have a criminal record.	11	52	10	24	3
<b>Critical Theory</b>					
Crime occurs in this country because the American economic system has produced a society where some people have a lot and others have nothing.	10	37	9	38	7

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	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree
A major reason why we have so much crime these days is because America still has too much poverty, racism, and social injustice.	16	46	9		1
The reason the United States has such a high crime rate is that too many of its people are exploited by a system that makes sure that the rich get richer and the poor get poorer.	12	33	9		3
References: Flanagan, Timothy J. (1996) "Public Opinion and Public Policy in Criminology" in Dennis R. Longmire (eds.) <i>Americans View Crime and Justice: A National Public Opinion Survey</i> . Thousand Oaks, CA: Sage Publications.					5
The author welcomes comments and questions and can be reached at bas4@psu.edu.					7

### Letter to the Editors

I am inspired by Dr. Mary Bosworth's call to prison activists in the March, 2001 issue of the *Critical Criminologist*. Her article encouraged academics to extend their interests beyond the classrooms and textbooks and into the cellblocks. As a long-term federal prisoner, I am looking for opportunities to work together with community leaders. I want to help others understand the prison system and the people that it holds. Since my incarceration began, I've earned an undergraduate and a graduate degree, and I've worked hard to develop my writing skills in order to contribute to the criminal justice literature. I would like to work with members of the ASC.

As a prisoner, I lack direct access to the internet, to libraries, and even the telephone. On the other hand, I do have direct access to 2,000 other prisoners who are confined with me at the Fort Dix Federal Correctional Institution in New Jersey. Besides that, I am beginning my fifteenth year as a federal prisoner and, if nothing changes, I will remain in prison until 2013. I can draw upon my experience of being confined in high-, medium-, and low-security prisons to help others understand the subculture existing behind these fences.

This summer I expect to complete a manuscript for Wadsworth Publications that describes my own experiences as a federal prisoner. I am looking for other opportunities to help others understand the criminal justice system; I also want to open discussions about the possibility of earning freedom. Reaching outside these fences represents my efforts to atone,

and to complete my education. I committed during the recent recession, and it has meant a great deal to me. I committed during the recession, and it has meant a great deal to me.

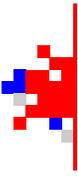
Despite my current situation, I'm serving a forty-five year sentence related to the distribution of controlled substances. The skills I've developed during my commitment to work with others who have an interest in America's prison system. If there is some way that I can contribute to your work, please contact me. Should you like to read more about me, or review my academic references, please visit my personal website that friends sponsor for me at PrisonerLife.com, send me an e-mail to Michael@PrisonerLife.com, or write me at the following address:

Michael G. Santos  
 #16377-004 /Bldg. 5703  
 Box 2000  
 Fort Dix, NJ 08640

Thank you for any opportunities you may provide for me to contribute to your work.

Sincerely,

Michael G. Santos



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First, focusing our energies on improving the respectability of our own journal will help strengthen the Division, and provide a point of unification and a vehicle for unified action for Division members. It is no secret that the Division has been fractured on numerous issues and occasions in recent years. Let us not make this one of those issues.

Second, demanding space will be of little consequence, and may, in fact, be detrimental to further improving the status of critical scholarship. With respect to the first part of this contention, Wright's recent analysis demonstrated that CC members' works were not statistically underrepresented relative to the size of the Division's membership in ASC. If the leadership of ASC is astute, they will already realize this fact and simply concede on the issue of equality in publication representation. In doing so, they will actually not have to do anything since critical scholarship is already fairly represented (no statistically significant difference between the membership and publication rates) in mainstream journals. This will not create a new space for critical scholarship, nor will it earn the Division any "good will" in ASC. Indeed, this approach is likely to generate more negative than positive consequences. Several points could be raised in consideration of the detrimental results of this request. We can already imagine, for example, that many criminologists are reacting to the claim of radical publication under-representation with a "there go those radicals again" attitude; "here they are, stirring up conflicts over representation when there are already critical authors represented in *Criminology*."

Third, establishing a valued space for critical scholarship in an independent journal is, we believe, the cornerstone to a broader movement to expand the acceptance of critical scholarship. Textbook writers will have to read *Critical Criminology* in order to adequately represent that view in their book IF this journal becomes the primary outlet for the best critical scholarship. Traditional theorists will also be forced to read the journal when they want to review or test critical propositions.

We need to take control of our own destinies. We need to take control of the criteria employed to judge radical/critical scholarship. We can no longer allow mainstream journal editors to decide the fate of critical scholarship by the choices they make as to whether or not to review our work, what reviewers should receive our work for review, and which reviewers' assessments of our work counts. We need to establish a legitimate alternative. That alternative has, in fact, been created by a handful of Division members who have worked diligently to establish an independent journal. It is now up to the rest of us to support their efforts by valuing

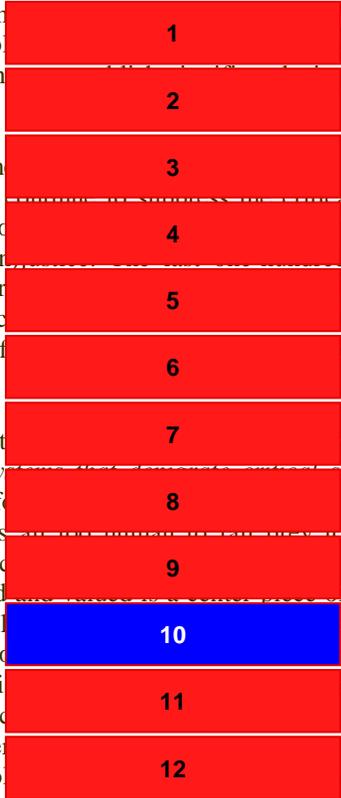
the outlet they have created, and working toward promoting that outlet as a major resource for understanding issues of crime and justice from a critical perspective – regardless of how this effort is framed (critical feminism, race, class, economic, poststructuralist, etc.). We respect Division members to publish in their own journal, but we should expect that they will publish the most important pieces there.

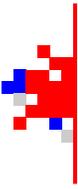
The time has come when we must re-examine our traditional values on scholarship that have been based on traditional imagination and the search for consensus. We must embrace diversity and reactions to crime and (in)justice. In the past few decades and seventy years of mainstream scholarship, we have failed to promote justice and reduce suffering. We must create new outlets to offer a significant voice for critical ideas.

For us, the struggle is not just about *fighting and fighting against value systems that marginalize critical scholarship*, or bending to conform to the dominant paradigm in an effort to gain recognition. It is about the need for recognition. As a result of this dilemma: being recognized on our own terms, or the humanist perspective that we must conform to the dominant paradigm. In our effort to gain recognition, we must not allow ourselves to be made by existing conditions, but we must create our own team scholarly values. Or, we must create our own conditions by creating an alternative journal. We must not only restructures scholarship, but we must also fight against injustice and inequality seriously.

We are at a critical point in the history of the Division, and in the pathway it takes. The choice of which path to follow is ours to make. Let us hope we choose well.

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(Continued from page 3)

If the camera is just kept on McVeigh and the victims are not shown, their privacy right is not violated. Their dignity isn't affected by me having access to the same snuff film they're watching.

*"Fifth, that a public broadcast of the execution would violate the privacy and seriously put at risk the safety of those charged with implementing the sentence of death."*

The BOP can have control of the camera, so they can make sure it does not disclose identities by choosing angles or focus; we have the technology to digitally mask a face, which is a "ready alternative" to the greater restriction of denying the U.S. public information about current public policy.

I was not in favor of televising McVeigh's execution; I just didn't like the sloppy reasoning that restricted access to information about government activities. Further, while people worried that televising McVeigh's execution would 'give him a forum,' the sad fact is that the restricted audience played into his beliefs that government is corrupt and his execution was not legitimate. The quote he took from Brandeis about government being the teacher involved government wiretaps, which prompted the Justice to write about the importance of the "right of personal security, personal liberty, and private property;" in this opinion he penned his classic phrase about how the Bill of Rights conferred "the right to be let alone." To McVeigh, the government's laying siege to the compound and burning it to the ground violated cherished personal rights and also served as the example for him to level the Murrah federal building.

McVeigh's lawyer said that the convicted bomber was "in favor of public scrutiny of government action, including his execution." McVeigh thought his execution would be an example of government overstepping its bounds, which Brandeis said "breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy-[and] would bring terrible retribution" (See *Olmstead v U.S.* 277 US 438, 1928).

If executing this terrorist is so just – the very reason the US supposedly needs a death penalty – then why the secrecy? Why the fear that it will be seen as dehumanizing 'sport'? Show it to The People, who – according to many speeches—collectively were victimized because McVeigh's act was a 'terrorist' bombing. Further, European countries have abolished the death penalty, even for genocide, and see Bush as the 'executioner extraordinaire.' Why not use McVeigh's execution to show the world that US executions do not violate human rights?

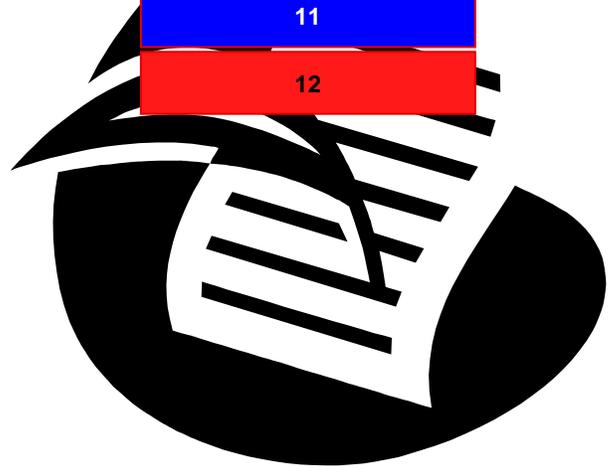
French philosopher Camus wrote that "one must kill publicly or confess that one does not feel authorized to kill." If we

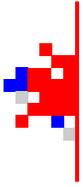
cannot televise McVeigh's execution to the world and deal with all the implications (nationally and globally), then McVeigh should be the last execution in this country.

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