

The Critical Criminologist

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In this issue:

Page 4

Transnational Asian Organized Crime:

A Critical Assessment

Kay Pih, University of California, Riverside

Page 7

Pornography, Patriarchy and Rape Supportive Attitudes

B. Keith Crew, Elizabeth Chivers and Jessica Winkleman, University of Northern Iowa

Page 11

Where yet the Sweet Birds Sing

Richard Quinney

Page 15

Response to Yacoubian

Dawn Rothe

Western Michigan University

CONFERENCE ANNOUNCEMENTS

The Division needs volunteers to sit at the table during the conference. Please contact Jennifer Dierickx at jdierick@aol.com, dierickx@oakland.edu, or 248/370-2961 if you're willing to serve.

Five papers inspired by Michael Moore's film *Bowling for Columbine* will be presented in a panel session from 9:40 – 11:10AM on Thursday, November 20. All of the papers are authored by critical criminologists. Topics discussed will include state crime and violence, capital punishment, welfare to work programs, and folk devils.

The Division is sponsoring two Convict Criminology Sessions. Session I is 9:40 to 11:10 on Wednesday, November 19. Session II is 2:40 to 4:10 on Friday, November 21. Time has also been reserved for open

discussion. The Convict Criminologists invite friends and colleagues to have lunch together after Session I and dinner together after Session II.

ELECTION UPDATE

The Elections Committee would like to remind Division members to return their ballots to Stephen Muzzatti by November 7th

The division has selected three new editors for *Critical Criminology*. On behalf of the division we would like to thank Jeff Walker, Paul Leighton, and Jock Young for their work on the journal over the past few years. We would also like to welcome the new editors, Jo Goodey (European Editor), Mark Israel (Pacific Rim Editor) and Barbara Sims (North American Editor)

Jo Goodey has a Ph.D. in criminology and human geography. She has held lectureships in criminology at the University of Sheffield and the University of Leeds, England. Since 2000 she worked as a European Commission-funded Research Fellow at the United Nations Office on Drugs and Crime in Vienna, researching criminal justice responses to victims of sex trafficking. She currently works as a UN consultant, and is an Associate Fellow at Leeds University having resigned from her permanent position there. She has published widely, including articles in *Theoretical Criminology* and the *British Journal of Criminology*, and a co-edited book with Adam Crawford on *Integrating a Victim Perspective within Criminal Justice*. Her research has included work on gender/masculinities and fear of crime, racism and the criminalisation of migrants, and the European sex trade. She divides her time between Vienna and Brussels.

Mark Israel, Ph.D. was born in the UK and has a degree in law and postgraduate qualifications in sociology, criminology and education from Cambridge, Oxford and Flinders universities. Mark has lived in Australia since 1993 and is currently Reader in Law and Criminology, School of Law at Flinders University in Adelaide, Australia. In 1999 and 2000, he received the Australian and New Zealand Society of Criminology's Young Scholar Award. Mark has published work in the areas of research ethics, research policy, crime and the media, state violence, community corrections, indigenous under-representation on juries, pedagogy, racism, migration and exile, and African Studies. His current work focuses on research ethics in criminology, as well as on race and jury selection. Mark will serve as the new Pacific Rim Editor for *Critical Criminology*, and looks forward to hearing from anyone claiming to live on the Pacific Rim! He can be contacted at mark.israel@flinders.edu.au, or through his webpage at http://ehlt.flinders.edu.au/law/staff/mark_israel.php

Barbara Sims, Ph.D., is an Associate Professor of Criminal Justice in the School of Public Affairs, Penn State Harrisburg, where she also serves as Faculty Director of the Center for Survey Research. She is responsible for teaching both undergraduate and graduate: theories of crime and delinquency, research methods, and juvenile law and justice. Her research interests are in the area of criminological theory, public opinion on crime and justice, the relationship between causal attribution and punitiveness, treating the alcohol/drug-addicted correctional client, and domestic violence. Presently, she has a book in press with Haworth Press that explores issues related to treating the substance-addicted offender, both institutional- and community-based treatments, and is working as Co-Principal Investigator on two

grants with the Pennsylvania Commission on Crime and Delinquency: (1) evaluating Operation Nightlight programming (police/probation partnerships) in three Pennsylvania counties; and, (2) serving as the Research Partner to the Project Safe Neighborhoods Task Force for the Middle District of Pennsylvania. Dr. Sims also is working with the Lebanon City Crime Commission to conduct a citizen survey of individuals' perceptions of neighborhood disorder, fear of crime, and attitudes toward their local police, simultaneously surveying the City's police department regarding officers' perceptions of the climate in which they work, both within the organization of the agency and across the communities they police. In Spring, 2002 Dr. Sims was awarded the Penn State Harrisburg James A. Jordan Teaching Award.

2003 DCC Meeting Information

The Critical Criminology Division's Business Meeting - Friday November 21

from 4 - 7pm in the Columbine Room.

The Critical Criminology Division's Social - Friday November 21 from 7 - 9pm

in the Columbine Room.

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Minorities and Crime

The Disabled Offender

The Elderly Offender

Gangs and Gang Behavior

Organized Crime

Gender and Crime

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Crime and the Media

Popular Culture/Youth Culture

White Collar Crime

Criminological Theory

Crime and Inequality

Victimology

Transnational Asian Organized Crime:

A Critical Assessment

Kay Pih, University of California, Riverside

Despite the best efforts of several criminologists in generating accurate assessments of “Asian Organized Crime”, there remain significant and disconcerting misinterpretations and distortions within the political arena, among law enforcement officials, the news media, and the entertainment industry. “Asian Organized Crime” is uncritically accepted and portrayed as a significant menace to not only the safety of the American public, but a serious national threat. Various politicians, law enforcement officials, and law enforcement agencies made noteworthy attempts in constructing the myth of a vast and monolithic criminal conspiracy that reaches the shores of Asia and the United States. “Asian Organized Crime” is unequivocally indicted as the main source of transnational drug trafficking and human smuggling. Subsequently such images are entrenched in the psyche of the American society. The entertainment industry often portrays these mythical Asian gangsters as mastermind and ruthless conspirators. The following piece juxtaposes the political construction of “Asian Organized Crime” and academic assessments of Asian criminality within the United States.

Defining Asian Organized Crime

The category, “Asian Organized Crime” (AOC), must be properly clarified. Law enforcement agencies and government branches, such as the Federal Bureau of Investigations (FBI), Bureau of Immigration and Customs Enforcement (BICE), the Department of Homeland Security, and the State Department employ the category indiscriminately in referring to all forms of criminal acts involving some level of coordination, and individuals who are either ethnic Asian in the United States or foreign Asian nationalities. Organized crimes are not necessarily criminal organizations. A criminal organization typically involves a well defined and stable hierarchical structure with officially defined positions and offices. Membership is normally permanent in nature. Organized crime, however, does not necessarily involve any permanent structure or membership. The involvement could be temporary in nature that dissolves after the transaction is completed. Therefore not all organized and coordinated criminal acts are governed and sanctioned by criminal organizations, and a transnational criminal conspiracy involving Asian individuals does not automatically involve criminal organizations that are Asian in origin. Furthermore, Asian criminal organizations are not necessarily transnational in nature. While members of criminal organizations in Asia might have migrated to Western nations, they might or might not maintain their connections and operate as an agent of the criminal organization when they are engaged in various criminal activities. In reality, there is dubious evidence major Asian criminal organization have any stake in transnational crime at all. Finally, local Asian youth gangs do not necessarily have connections with the larger and more organized Asian criminal organizations.

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Drug Trafficking

During the early Nineties, AOC was argued to be a significant national threat within the mainstream political discourse. The FBI and various members of the US Senate made various claims that AOC controls an international syndicate and a nationwide network for the distribution of heroin (Keene, 1989). The most evident of these accusations are repeatedly found in the U.S. Senate hearings (1984,1989, 1993). These hearings emphasized on the international nature of the Asian gang problem, with titles such as U.S. International Drug Policy -- Asian Gangs, Heroin and the Drug Trade (1993). In the report, an international network of heroin trafficking from Southeast Asia controlled by Asian criminal organizations was firmly established.

According to this framework, Asian gang members with Chinese Triad affiliations utilize a vast network of businesses, such as hotels, traveling agencies, shipping companies and so forth to smuggle large shipments of heroin into the United States (U.S. Senate, 1992, 1993, Keene, 1989, Dobinson, 1993). The following description is found in another U.S. Senate report, "The New International Criminal and Asian Organized Crime (1993),

"Ethnic Chinese Triad members are heavily involved in heroin trafficking. The French Connection, the old heroin smuggling route.... has been replaced by the Chinese connection.... Ethnic Chinese, many of whom are triad, tong or gang members, dominate the Southeast Asian heroin business (p.29)."

Chin Ko-lin's ground breaking study, *Chinese Subculture and Criminality: Non-Traditional Crime Groups in America* (1990), and the follow-up study, *Chinatown Gangs: Extortion, Enterprise and Ethnicity* (1996), are the most comprehensive and in-depth studies on Chinese organized crime and gangs to date. According to Chin, contrary to the claims of the FBI and the US Senate, heroin trafficking among the Chinese population in the United States mostly operates on a strictly individual basis. As the matter of fact, most of traffickers involved are not related to any Asian crime organizations.

"Although there is evidence that gang members provide services to the heroin traffickers and human smugglers, the extent of their involvement, especially as a group, seems to have been exaggerated (Chin, 1990, p.163)."

Individual members of criminal organizations might participate in distribution and retail; however, the entire process of investing, networking and trafficking is separated from the organizations (Chin, 1990). In fact, the established criminal organizations, such as the Triad and Tongs, actively express disapproval towards drug trafficking for bringing attention and unnecessary risk to the organization. Rather, traffickers normally hire individual travelers who are not part of the organization as carriers.

During separate interviews I conducted recently with high-ranking officials from the Hong Kong Customs and the Hong Kong Police, the same conclusion was reached. The officials suggested currently drug trafficking from Asia operates mostly as individual enterprises. The major established criminal organizations no longer have control over trafficking networks. These organizations are typically reluctant to engage in trafficking for the heightened risk and escalated surveillance from local and international law enforcement agencies. Furthermore, drug trafficking was scattered into small

operations during the Nineteen Sixties due to major efforts made by the Hong Kong Government to end organized corruption in the police department and other law enforcement agencies. The officials expressed the low level of organization involvements provides much secrecy and security for traffickers, rather than a vast network involving a hierarchical structure. They admit these operations are increasingly difficult to detect and intercept.

In another interview, a former Asian gang member in Southern California claimed that although there are indications that Asian gang members in Southern California do get involved in drug retail, the nature of the activity is again more similar to an individual enterprise model. There is no evidence to suggest a vast network of well organized and hierarchical Asian criminal network controls the trafficking and sales of drugs in Southern California. Also interestingly, the individual claimed recently much of the activity has switched from hard to soft drugs or Rave drugs, most notably Ecstasy. According to the source, the profit margins for Rave drugs is considerably higher than that of hard drugs.

Human Smuggling

Another major illegal activity linked to the AOC conspiracy is human smuggling. In recent years immigration has become a controversial and politically profitable subject under an ultra-conservative political climate. Immigrants once again are accused as the source for numerous social problems.

Under the Department of Homeland Security, The Bureau of Immigration and Customs Enforcement (BICE) has invested much effort in constructing the connection between terrorism and human smuggling. The BICE intelligence assessment again attributes human smuggling from China to nonspecific Chinese organized crime groups. The Chinese Triads, Japanese Yakuza, Russian, Albanian, Ukrainian and other nonspecific criminal organizations are regarded as the major operators of these smuggling rings from Asia. Thomas Homan, the Interim Associate Special Agent in Charge of San Antonio BICE office, testified before the House Committee on the Judiciary's Subcommittee on Immigration, Border Security, and Claims in the subject of terrorism and human smuggling. During the testimony, Homan claimed that international terrorists and human smugglers may collaborate in the near future to create a clear and realistic threat to national and international security. Homan further asserted several factors are present for the connection to occur: the growing volume and sophistication of criminal organizations, public corruption, and lax immigration control in source and transit countries (US Department of State, 2003). As a caution to the committee, Homan proposed that major effort and resource to be devoted to investigate and prosecute these nonspecific crime groups and human smuggling rings to prevent terrorism.

Sheldon Zhang and Mark Gaylord (1996) produced one of the first criminologically informed study on illegal human smuggling from China. Contrary to the claims of law enforcement agents, although human smuggling groups are highly differentiated in functions, roles and tasks, these groups are very limited in their hierarchical structure and share little affiliation with any criminal organizations. A core group might coordinate the major stages of the process, yet there is no indication the Triads, the Tongs, local Asian gangs or other established criminal organizations maintain any direct control over the networks.

In a later study, Zhang and Chin (2002) collaborated to investigate human smuggling rings in Los Angeles and New York. Again the AOC implication is not supported. The researchers found very few smugglers or former smugglers as having any background in criminal organizations. Only 3 out of 90 individuals have some sort of membership in criminal organizations, and none acted as an agent of their respective organizations. Again, the networks are not distinctly hierarchical but task oriented. Even when there are connections with criminal organizations, the relationship is extremely tenuous in nature. Overall, human smuggling rings are highly contingent and temporary in nature with no evidence of Triad or other criminal organization involvements.

Currently the penalty for human smuggling has been drastically increased and other legal instruments are developed to deter human smuggling (Chin, 1999). The Violent Crime Control and Law Enforcement Act of 1994 stipulates the maximum penalty for humans smuggling to increased from ten to twenty years imprisonment per illegal alien. The death penalty or life imprisonment is also sanctioned when death occurs during the smuggling. The Foreigners Alien Smuggling Act was passed in 1995 to further increase penalty (US Senate, 1995), and the RICO Statue was utilized to prosecute a smuggling network (Chin, 1999). However, these measures are yet to prove effective.

The political and legal implications of connecting terrorism to human smuggling in the post-September 11 United States are tremendous. BICE, Department of Homeland Security and the State Department have attempted to escalate human smuggling to become an entirely different category of offenses associated with terrorism. Politically human smuggling suddenly gained urgency, and operators of such rings are deemed as associates of terrorists. The gain in political capital by the BICE and Department of Homeland Security could be enormous. Ironically, all 19 suspects involved in the September 11 attacks gained entry into the United States legally through proper channels.

If the political arena is receptive to the human smuggling-terrorism linkage, various repressive and civil rights-violating terrorism measures potentially will be applicable to individuals charged with human smuggling. As demonstrated by the Patriot Act, civil rights and human rights are to be sacrificed for the false sense of national security. Even more alarming, most individuals involved in these smuggling rings are naturalized citizens, alien resident or illegal immigrants, they become easy targets for various civil and human rights violations.

The Politics of Asian Organized Crime

While it is undeniable that Asian criminal organizations exist and conduct a variety of criminal acts, the extent and the transnational nature of these organizations is vastly exaggerated to a mythological proportion by various law enforcement agencies. Individual acts are then erroneously escalated to become serious and threatening international organized crime with potential links to terrorism

agencies. Individual acts are then erroneously escalated to become serious and threatening international organized crime with potential links to terrorism. Yet, beyond law enforcement and the political arena there is little evidence to suggest a substantial connection between transnational crimes and AOC. The "Yellow Peril" has changed its form over time. From the opium scare and the Harrison Narcotic Act of 1914, the "Yellow Peril" evolved into the heroin panic, human smuggling, and the

mythically omnipotent Chinese Triads and other forms of AOC. Last year, SARS was depicted as an “Asian epidemic”; the stereotyping of Asian individuals as suspects of SARS carriers demonstrates the popular perception still maintains the Asian population as a threat to the well being of this nation. The legend of the “Yellow Peril” is alive and well.

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Pornography, Patriarchy and Rape Supportive Attitudes

B. Keith Crew, Elizabeth Chivers and Jessica Winkleman, University of Northern Iowa

What is the relationship between pornography and violence against women? Some critical and feminist authors (e.g., Dines, Jensen and Russo 1998; Russell, 2000) assume that there is a causal connection, with exposure to pornography causing, inspiring, justifying, or privileging sexual violence against women. As Morgan (1980) puts it, "pornography is the theory and rape is the practice." One suggested causal link between pornography and sexual violence is attitudinal. That is, pornography reinforces and reproduces attitudes and beliefs that justify sexual assault. In the present study, we used a survey of college students to test whether viewing pornography is associated with attitudes supportive of rape. We stipulate that attitudes that approve of rape are socially harmful regardless of whether they directly lead to actual sexual violence. Our findings suggest that there is a relationship between pornography viewing and endorsement of violence against women. However, it is not a simple cause-and-effect relationship. Rather, we suggest that (some) pornography consumption and rape supportive attitudes are part of the cluster of social practices and identity work labeled hegemonic masculinity (Connell 1987).

Previous Research

The literature on the harmful effects of pornography is fairly extensive. Many studies conducted since the early 1970s employed experimental designs. Typically, subjects are exposed to pornographic pictures or movies, some other experimental stimulus, and then tested for short term attitudinal and behavioral variations. Several studies have shown that portrayals of women enjoying rape and other kinds of sexual violence can lead to increased acceptance of rape myths by men and women (e.g., Briere and Malamuth 1983). In a review of experimental studies Linz (1989) found one consistency in the reported findings: pornographic material that included violence resulted in subjects being less sensitive to rape victims.

Few studies have addressed the long term effects of exposure to pornography outside of the laboratory. In one study, Zillman and Bryant (1982) reported that long term exposure to pornography resulted in increased negative thoughts about women. Moreover, few studies have been conducted recently enough to take into account the increasing availability of pornography through newer media such as the World Wide Web

pornography resulted in increased negative thoughts about women. Moreover, few studies have been conducted recently enough to take into account the increasing availability of pornography through newer media such as the World Wide Web. Further, almost no studies of the effects of pornography have addressed the feminist assertion that pornography reproduces patriarchal ideology and practice. The present study is a modest attempt to address these concerns.

Data and Methods

Questionnaires were completed by N=451 students at the University of Northern Iowa (228 men and 223 women). Students are mostly from Iowa, and tend to be fairly conservative in their politics. The questionnaires contained a series of items measuring attitudes toward gender roles and expectations, partner violence, rape, homosexuals, and pornography. A nine item series asked about the

respondent's exposure to pornography in the preceding six months. In addition, a single item measure of feminist identity was used. The variables are described briefly below.

The dependent variable used in this study is Rape Supportive Attitudes (RSA). This scale is comprised of sixteen items, most of which are adapted from Burt's (1980) rape myth acceptance scale and Ward's (1995) Attitudes Toward Rape Victims scale. Participants indicated on a seven-point Likert response scale whether they agreed or disagreed with statements such as "It is okay for a guy to hold a woman down and force her to have sex if she has led him on by allowing sexual touching." Scale scores range from 16 to 91, with higher scores indicating more approval of rape, acceptance of rape myths, and victim-blaming.

PORNEXP measures voluntary exposure to pornography in the past six months. High scores indicate more frequent viewing of nine forms of pornography.

The variable PATRIARCHY is a scale comprised of fourteen items referring to attitudes toward women, adversarial beliefs about male-female relations, and endorsement of traditional gender roles. Higher scores represent more patriarchal attitudes and beliefs. Identifying as a feminist (FEMINIST) was measured with a single Likert-type item. Participants responded to the statement "You would describe yourself as a feminist" using a seven-point Likert response scale ranging from strongly disagree to strongly agree. Higher scores represent greater feminist identification.

The data were analyzed separately for men and women. Our focus here is on the responses of the men, since it is primarily men who are hypothesized to commit sexual assault, or at least develop attitudinal predispositions to assault, as a result of exposure to pornography. Findings for women are presented as a point of comparison. Bivariate correlations and ordinary least squares regression models were calculated and are reported below.

Findings

The simple bivariate correlations between the variables are displayed in Table 1. For men, all of the associations are statistically significant in the expected direction. Rape supportive attitudes are positively associated with pornography exposure. In other words, men who view porn more frequently tend to have more pro-rape attitudes. Acceptance of patriarchal ideology is even more strongly correlated with rape attitudes, however. Men who have more patriarchal attitudes tend to have more rape supportive attitudes. Men who identify themselves as feminist, on the other hand, are less likely to endorse rape supportive attitudes.

Table 1. Correlation Matrix (Men above the diagonal, women below)

*sig. at $P=.05$

**sig. at $P=.01$

The pattern of findings is different for women. Porn exposure is not significantly correlated with rape supportive attitudes among women. It should be kept in mind that women in the sample scored much

lower on rape supportive attitudes than did men, and also viewed pornography much less frequently. Rape supportive attitudes were associated with patriarchal ideology, and negatively associated with feminist self labeling.

Returning to the men, the three independent variables are significantly correlated with one another. This means it is possible that one or more of the zero-order correlations displayed in Table 1 is spurious. We speculated that the association between rape supportive attitudes and pornography is spurious, an artifact of pornography exposure being jointly correlated with rape attitudes and patriarchal attitudes. To test this, we computed two regression equations, shown in Table 2. In the first equation (Model 1) we simply regressed rape supportive attitudes on pornography exposure. With only one independent variable in the regression, the standardized coefficient (Beta) is identical to the zero-order correlation reported previously. The value of .242 indicates a moderate relationship between the two variables, that accounts for about six percent of the variance in rape supportive attitudes.

Table 2. OLS Regression: Rape Supportive Attitudes Regressed on Porn Use, Patriarchal Ideology, and Feminist Identity (Men)

RSA

PORNEXP

PATRIARCHY

FEMINIST

RSA

—

.242**

.597**

-.163*

PORNEXP

.044

.273**

-.204**

PATRIARCHY

.485**

-.077

FEMINIST

-.194**

-.081

-.264**

INDEPENDENT VARIABLE

B

STD ERROR

BETA

SIG

MODEL 1 PORN EXPOSURE

.339

.090

.242

.000

R-squared = .059

MODEL 2 PORN EXPOSURE

.083

.078

.059

.291

FEMINIST IDENTIFICATION

-.868

.366

-.127

.019

PATRIARCHAL ATTITUDES

.566

.054

.576

.000

R-squared = .379

In Model 2, patriarchal attitudes and feminist identification are added to the equation. The coefficient for pornography exposure is reduced to a statistically non-significant value. In other words, when feminist identification and patriarchal attitudes are controlled, the association between pornography use and rape supportive attitudes disappears.

Applying the standard methods of variable analysis, there are several possible interpretations of these findings, depending on how one arranges the variables in temporal sequence. We briefly discuss three. First, patriarchal attitudes could be acting as an intervening variable. This requires the assumption that pornography exposure precedes the formation of patriarchal attitudes. A second and we believe more plausible, interpretation is that patriarchal attitudes are an antecedent variable. That is, patriarchal attitudes lead to both pornography use and rape supportive attitudes. A third possibility is that the two attitude variables are to some extent measuring the same underlying construct, misogyny. This also suggests that the assumed causal order between pornography and rape attitudes should be reversed: men with misogynistic attitudes, as measured by RSA and PATRIARCHY, tend to view more pornography.

Discussion

The findings, like those in any variable analysis, are open to multiple interpretations. However, they do not support the hypothesis that viewing pornography leads to attitudes supportive of rape. The relationship between pornography viewing and rape supportive attitudes appears to be spurious, since the correlation virtually disappears when patriarchal attitudes are controlled. Thus, one could theorize that commitment to patriarchal attitude causes both rape supportive attitudes and pornography viewing.

We favor an interpretation that suggests that rape supportive attitudes and patriarchal attitudes are, to some extent, measuring the same latent construct that we label misogyny. Misogynistic men are more likely to view pornography. This hypothesis is consistent with the observation that much, perhaps most, pornography contains depictions and themes consistent with misogynistic attitudes (Cowan and Dunn 1994).

A critical approach requires us to question this type of causal modeling, however, and critically examine the nature of these attitude variables and what they represent. Connell's (1987) concept of hegemonic masculinity provides a useful device for making theoretical sense of these data. We suggest that the

correlations between these attitudinal and behavioral variables reflect a cluster of social practices through which some men express and reproduce the roles and identities Connell terms hegemonic masculinity. Readiness to commit violence, for example, is one way to demonstrate one's masculinity (Kimmel 1999). Objectification and domination of women is another, hence the attraction of pornography, which in turn reproduces those views of women and sexuality.

The data set analyzed here includes other variables that appear to be correlated with pornography and rape support, and also lend themselves to the hegemonic masculinity hypothesis. For example, homophobia and excessive alcohol consumption are associated with the variables reported here. We intend to explore these relationships more fully in subsequent analyses.

In summary, these preliminary analyses do not support the hypothesis that pornography causes attitudes supportive of and perhaps conducive to rape. However, it appears that at least some pornography viewing is part of a cluster of attitudes and social practices that reproduce hegemonic masculinity via misogyny and direct or media produced sexual exploitation. In other words, rather than pornography causing men to want to rape or to believe that rape is acceptable, it appears that men who are committed to patriarchal ideology tend to be more accepting of rape and also tend to watch more pornography. Our rejection of the "pornography causes sexual violence" hypothesis is thus not an endorsement of pornography, nor is it a setback to the feminist critique of pornography. For example, the present study does not address the assertion that pornography per se is exploitative and harmful, not just because it causes violence (see, e.g., Dines, Jensen and Russo 1998).

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WHERE YET THE SWEET BIRDS SING

Richard Quinney

That time of year thou mayst in me behold

When yellow leaves, or none, or few, do hang

Upon those boughs which shake against the cold,

Bare ruined choirs, where late the sweet birds sang.

William Shakespeare, Sonnet 73

I have been spending more of my time at the farm, the farm that has belonged to my family for generations since first being settled by my great-grandparents fleeing the potato famine in Ireland. My return to the farm was prompted by recent events in my life. The farm offered solace as I recovered from a life-threatening illness; my mother had died the year before, after living alone on the farm for thirty years after my father died; I was in the process of forming a new life after retiring from a lifetime career of university teaching and research; and my wife and I were exploring the possibility of a move to a new location.

This much loved place, the farm that has been a center of my life even while I have been away for long periods of time, was now the place for recovery and reconstitution. It would have been easy to think of the farm in the past tense. To think of it, as Shakespeare wrote, as a place "where late the sweet birds sang." As the summer progressed, and as I went to the farm weekly, I began to think of time more in the present tense than the past. Although there were the strong and constant reminders of the past—from the rot and rust of decaying buildings to aging artifacts found in drawers and trunks and in the attic and the basement—I was transported by the wonders of the present in this well-known place. Keeping a close watch, I photographed, and in my journal I noted life in the place where yet the sweet birds sing.

The camera would rest on the tripod, loaded and ready for the opportune moment. I watched the sky for light. On my walks and during my daily chores, I made note of what might be photographed. Walking along the road, I studied the fence line, and I watched the light and shadows play their hourly games. On lilac bush, oak tree, bird nest, elderberry bush, chicory plant, and thistle. On the barn, house, machine shed, marsh, woods, and fields of corn and soybeans. All of this and more.

And when autumn and winter came, another landscape appeared. I had become the self-appointed surveyor of seasons on the farm. My mission was to be a witness to a time and a place. It was that time of year in my life when being a witness was of the highest calling.



My brother and I survey the condition of the barn and surrounding buildings. The wooden chicken house—the long building where our mother tended flocks of chickens—is rotting rapidly and soon will be beyond repair. Earlier in the week I found the lines in a recent poem by Robert Bly:

The Harvesters will come in at the end of time

And tell us that the crop of ruin has been great.

A crew of archaeologists will arrive later this morning to make systematic probes into the oak knob that rises from the marsh. The hope is to document the occupation of the land by the Potawatomis before European settlement. My great-grandmother Bridget told my father of seeing the Potawatomis returning to the place where they had once lived. The archaeologists will also begin to document the settlement of the farm by generations of my family. Someday we will be among the old ones who once lived here.

-July journal entry

July Journal Entry



Yesterday the sun crossed the celestial equator, moving from north to south—in other words, fall has arrived. This morning I practiced my roping in the backyard, between the house and the barn. I imagined the days when I would ride to the end of the field on horseback to fetch the cows for milking. Tonight the furnace turns on and off, and a coyote howls from the woods. Autumn, and we of small harvest welcome a new season on the farm. The bridle hangs from the rafters, where I placed it over fifty years ago.

September Journal Entry

The year's odyssey had come to an end. Fortunately, the journey would continue into another year. But for the year just ended, I had been the storyteller. Much like the Knight in Chaucer's *Canterbury Tales*, whether by chance or fate or accident, the cut had fallen to me, and I told the tale that I had sworn to tell. What more is there to say? Until some other time.

Editors' note: Richard Quinney is Professor Emeritus at Northern Illinois University. Two years ago he and his wife Solveig moved to Madison, WI, home of his alma mater, and a short drive from the family farm in Walworth County where he was raised. His images and field notes serve as visual and literary mediations of his childhood memories of life on the farm and the time he spends there today. The photos and journal entries above are excerpts from a larger collection, entitled, "Where Yet the Sweet Birds Sing" that was recently on display at the Wisconsin Academy Gallery. Dr. Quinney has also published several books of photos and reflections, including *Journey to a Far Place: Autobiographical Reflections* (Temple University Press, 1991), *For the Time Being: Ethnography of Everyday Life* (SUNY Press, 1998), *Borderland: A Midwest Journal* (The University of Wisconsin Press, 2001) and the forthcoming *Where Yet the Sweet Birds Sing* (The University of Wisconsin Press, 2004).

In addition to his artistic pursuits, Dr. Quinney continues to be professionally involved. He is currently co-editing a book (*Storytelling Sociology: Narrative as Social Inquiry*, with Ronald J. Berger). He delivered a keynote address at the fifth annual Justice Studies Association conference this past June in Albany, NY.

OBITUARIES

Edward Said

Edward Said, Professor of English and Comparative Literature at Columbia University died of leukemia in New York on the evening of September 24th. He was 67. Said, a Palestinian was born in Jerusalem on November 1, 1935 and was educated in English language schools in Cairo after his family moved to Egypt. He completed his education in the US, earning his undergraduate degree at Princeton, and his doctorate at Harvard. Perhaps best known to critical criminologists as a postcolonial theorist and author of *Orientalism and Culture and Imperialism*, Said was heavily influenced by the work of Antonio Gramsci, and in many respects, was Gramsci's "organic intellectual". He was a strong advocate for the Palestinian cause and an outspoken critic of Israel and US policy in the Middle East. From 1977-1991 Said was a member of the Palestinian National Council, a parliament in exile, and in 1988 he translated the Palestinian Declaration of Independence into English. Said wrote and edited over a dozen books, and regularly contributed columns to *The Nation*. His work crossed numerous disciplinary boundaries including sociology, criminology, cultural studies, political science and literary criticism. Dr. Said is survived by his wife Mariam, his children Najla and Wadie, his daughter-in-law Jennifer, and his sisters Rosemary Zahlan, Jean Makdisi, Joyce Said, and Grace Said.

Neil Postman

Neil Postman, Professor of Culture and Communication at New York University died of lung cancer in New York on October 5th. He was 72. Postman, a native New Yorker, earned his undergraduate degree from SUNY – Fredonia, and his master's and doctorate in education from the Teachers College, Columbia. He taught at NYU for forty years. In 1971, he founded the programme in media ecology at NYU's Steinhardt School of Education. Postman was a prolific scholar and vociferous social critic who authored twenty books and edited *Et Cetera*, the journal of the International Society for General Semantics, for a decade. His influence on critical criminology is most evident in the areas of media studies, newsmaking criminology and critical constructionism. Postman will likely best be remembered for *Amusing Ourselves to Death*, a scathing indictment of the way television news transforms serious social problems into info-tainment for mass consumption. Less well known, though no less insightful was *The End of Education*, in which he stressed the importance of alternative curricula in fostering healthy intellectual skepticism and a sense of global citizenship. In 1993 he was appointed a University Professor and served as the chair of his department until last year. Dr. Postman is survived by his wife Shelley, his children, Madeline, Marc and Andrew, four grandchildren, his brother Jack, and sister Ruth.

Response to Yacoubian

Dawn Rothe

Western Michigan University

This commentary is intended to address several points made in George Yacoubian's recent article, "Toward the Prosecution of Terrorists Before the International Criminal Court: Resisting the Slippery Slope of Jurisdictional Cacophony" (*The Critical Criminologist*, Vol. 12, Issue 4). When criminologists attend to topics such as international social controls, international law, international politics, and the ICC, it is essential that we do not fall prey to producing/reproducing privileged frameworks of understanding. The notion of an international community does just that.

The term "international community" is a conceptual quagmire that promotes a problematic ideology and distorted image of international relations. This is perhaps most egregious when the term is used as a broad umbrella without specificities or fluidity of its membership within specific historical contingencies. The inclusion of such a general "community" fails to articulate specific actors, creates a generic unity and/or body, and implies mutual values and goals. This misrepresents political relationships (international law, international politics, or international institutions) and can thus fall prey to being analysed via a dominant "US" political ideology. This can lead to over generalizations and act as a guise for underlying assumptions.

Generalized statements such as "international community", "leading states", and "Third World nations" fail to illuminate the contradictions that exist within international relations, fail to provide factual accounts of said actors, and misrepresent global power relations. We are left to question who the leading states were that had the like mindedness of the US position on international law codification, what "Third World" countries were only concerned with intranational atrocities versus a mutual concern over international political relationships, and what leading states were primarily concerned with international law as a protection for democratic states? Perhaps more significant than these questions

that have been left in a void of generalizations remains what “international community” sought to establish a permanent ICC since the end of WWI? The significance to defining “international community” is imperative for these types of statements as the US was clearly not a member of that supporting “international community”, thus leading to divergent conclusions. An example of how these inconclusive terms can misrepresent facts and portray a false image is distinguished in the conclusion drawn that as the US values democracy and human rights it thus ignores or attacks the ICC to protect its sovereignty. Indeed, sovereignty is an issue for the US but it serves as a guise to ensure its political and economic interests can be attained without being constrained or penalized by other states at the international level.

It is essential that criminologists examine potential venues for social control such as the ICC. Just as importantly, alternative means for handling international atrocities need be investigated (e.g. the recent US “war on terrorism” versus utilizing the ICC to prosecute the alleged terrorists). However, when these issues are examined and offered for debate, criminologists must be cautious to avoid generalizations that unwittingly privilege the ideological imperatives and/or support the hegemony of the favorite state.

NEW BOOKS

Teaching the Sociology of Deviance (5th ed.) 2003

Martin Schwartz and Michael Maume (eds) ASA Publications: Washington DC

The American Sociological Association's new edition of Teaching the Sociology of Deviance, co-edited by Marty Schwartz was recently published. Several of our division members contributed pieces. Included among them are Keith Crew and Stephen Muzzatti (both of the University of Northern Iowa) who respectively argue for teaching deviance courses using a topical or theoretical model; David Friedrichs (University of Scranton) who details ways to include white collar and corporate crime into the deviance curriculum; David Kauzlarich (Southern Illinois University-Edwardsville) who makes the case for including crimes of nuclear states in deviance classes; Rick Matthews (Carthage College) who highlights the the political connections that facilitate forms of injury/harm, such as the Enron-Arthur Anderson case; Walter DeKeseredy (Ohio University) who addresses the challenges of including women abuse in the deviance curriculum; Shahid Alvi (University of St. Thomas) who stresses the importance of addressing race in the deviance classroom, and; Mark Israel (Flinders University) who elaborates on the usefulness and potential pitfalls of interview-based assignments. Also included in the collection are sample assignments, syllabi sets and other teaching resources, such as Rick Matthew's Corporate and Governmental Crime syllabus; Paul Leighton (Eastern Michigan University) and Mark Hamm's (Indiana State University) teaching about September 11th, terrorism and political violence resources, and; a collection of internet sites compiled by Jennifer Blank (Middlesex University) and Emily Troshyanski (London School of Economics and Political Science).

Trusted Criminals: White Collar Crime in Contemporary Society

David O. Friedrichs

Thomson/Wadsworth, 2004

The second edition of David O. Friedrichs' *Trusted Criminals: White Collar Crime in Contemporary Society*, has now been published, and is available from Thomson/Wadsworth, with a copyright date of 2004. It includes extensive coverage of recent cases and legal developments through Spring, 2003, some new sections (e.g., on demographic correlates of white collar crime offending, and on Crimes of Globalization), various pedagogical aids - e.g., boxes, key terms, and discussion questions - and appendices on white collar crime films and websites.

Hate and Bias Crime: A Reader

Barbara Perry editor

(Routledge , 2003)

In Wyoming, the young Matthew Shepard was gaybashed and left to die on a deserted roadside. Children at a Jewish daycare center in California were attacked by anti-Semitic gunmen. In Texas, a black man was dragged to death from the back of a pick-up truck. And soon after September 11th, a number of Sikh men were targeted and killed, mistaken as Muslims. These are the hate crimes that fill the headlines of daily newspapers and are graphically detailed on evening newscasts.

Whether motivated by race, gender, religion, ethnicity, or sexuality, hate crimes are perpetrated every day and in every state across the country. *Hate and Bias Crime: A Reader* is the first collection to bring together the essential literature on bias-motivated crimes by the most respected scholars in the field.

The essays draw upon an array of academic disciplines, including sociology, criminology, psychology, political science, history, and law, establishing a comprehensive understanding of these crimes. By providing a coherent view of an otherwise diverse field, the anthology moves beyond black and white issues in its focus on minority violence, analyzes the rise in terrorism since the September 11th attacks, and discusses strategies for preventing and combating these crimes. Completely current and up-to-date, this volume also includes useful information on recent hate crime legislation, hate crime statistics, and anti-hate resources. *Hate and Bias Crime: A Reader* is an indispensable resource for those interested in this growing problem.

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SERIES EDITOR

BRUCE ARRIGO, PhD

University of North Carolina, Charlotte

Mainstream criminology continues to take for granted many of its core assumptions, undermining its capacity to promote meaningful change in society and in people's lives. Contrastingly, critical

criminology increasingly finds support within various academic circles, making it a viable outlet for teachers, students, researchers, policy analysts, and lay professionals who seek innovative, provocative, and useful approaches by which to reinterpret and re-examine enduring issues in crime, law, and justice. Given these realities, *Critical Perspectives in Criminology* will publish scholarly books and edited volumes that are critically conceived, theoretically animated, integratively focused, and policy oriented. Thus, published works in the Series will rely on the interpretive tools of various domains of critical criminological thought, such as feminist discourse, critical race theory, post-structuralism, restorative justice, critical hermeneutics, Marxism, postmodernism, etc. In this way, Series titles will effectively: (a) investigate concrete and pressing problems in crime, law, and justice; (b) assess the philosophical or theoretical foundations of the phenomenon under consideration and; (c) discover the evolving meaning(s) of criminology as an intellectual approach to the knowledge process and as a practical domain by which to improve the human social condition.

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