

The Dialectics of Legal Repression

Black Rebels before the American Criminal Courts

Isaac D. Balbus

The Dialectics Of Legal Repression Black Rebels Before The American Criminal Courts

Casey Welch, John Randolph Fuller



The Dialectics Of Legal Repression Black Rebels Before The American Criminal Courts:

The Dialectics of Legal Repression Isaac D. Balbus, 1973-07-25 Less than 2 percent of some 4000 adults prosecuted for participating in the bloodiest ghetto revolt of this generation served any time in jail as a result of their conviction and sentencing Why Why in contrast did the majority of those arrested following a brief and minor confrontation with police in a different city receive far harsher treatment than ordinarily meted out for comparable offenses in normal times What do these incidents tell us about the nature of legal repression in the American state No coherent theory of political repression in the liberal state exists today Neither the liberal view of repression as anomaly nor the radical view of repression as fascist core appears to come to grips with the distinctive characteristics of legal repression in the liberal state This book attempts to arrive at a more adequate understanding of these distinctive characteristics by means of a detailed analysis of the legal response to the most serious violent challenge to the existing political order since the Great Depression the black ghetto revolts between 1964 and 1968 Using police and court records and extensive interviews with judges defense attorneys prosecutors and detention officials Professor Balbus provides a complete reconstruction of the response of the criminal courts of Los Angeles Detroit and Chicago to the civil disorders that occurred in these cities What emerges is a disturbing picture of the relationship between court systems and participants and the local political environments in which they operate

American Criminal Courts Casey Welch, John Randolph Fuller, 2013-02-19 American Criminal Courts Legal Process and Social Context is an introductory level text that offers a comprehensive study of the legal processes that guide criminal courts and the social contexts that introduce variations in the activities of actors inside and outside the court Specifically the text focuses upon Legal Processes U S criminal courts are constrained by several legal processes and organizational structures that determine how the courts operate and how laws are applied This book explores how democratic processes develop the criminal law in the United States the documents that define law federal and state constitutions legal codes administrative policies the organizational structure of courts at the federal and state levels the overlapping authority of the appeals process and the effect of legal processes such as precedent jurisdiction and the underlying legal philosophies of various types of courts Although most texts on criminal courts do a credible job of describing legal processes this text looks more deeply into the origins of criminal law historic turning points in the criminal law conditions that affect the decision making of criminal justice practitioners and the contentious political process that affects how criminal laws are considered Social Contexts The criminal courts are staffed by people who represent different perspectives occupational pressures and organizational goals The text includes chapters on actors in the traditional courtroom workgroup judges prosecutors and defense attorneys as well as those outside the court who seek to influence it including advocacy groups media and politicians It is the interplay between the court legal processes and the social actors in the courtroom that makes the application of the criminal laws so fascinating By focusing on the tension between the law legal processes and the actors inside and outside the

courts system social contexts this text demonstrates how the courts are a product of law in action and it presents the course content in a way that enables students to understand not only the how of the U S criminal court system but also the why

The Courts, Social Science, and School Desegregation Betsy Levin, Willis D. Hawley, 1977-01-01 **American Indians and the Law** Lawrence Rosen, The Routledge International Handbook of the Crimes of the Powerful Gregg Barak, 2015-06-05 Across the world most people are well aware of ordinary criminal harms to person and property Often committed by the powerless and poor these individualized crimes are catalogued in the statistics collected annually by the FBI and by similar agencies in other developed nations In contrast the more harmful and systemic forms of injury to person and property committed by powerful and wealthy individuals groups and national states are neither calculated by governmental agencies nor annually reported by the mass media As a result most citizens of the world are unaware of the routinized crimes of the powerful even though they are more likely to experience harms and injuries from these types of organized offenses than they are from the atomized offenses of the powerless Research on the crimes of the powerful brings together several areas of criminological focus involving organizational and institutional networks of powerful people that commit crimes against workers marketplaces taxpayers and political systems as well as acts of torture terrorism and genocide This international handbook offers a comprehensive authoritative and structural synthesis of these interrelated topics of criminological concern It also explains why the crimes of the powerful are so difficult to control Edited by internationally acclaimed criminologist Gregg Barak this book reflects the state of the art of scholarly research covering all the key areas including corporate global environmental and state crimes The handbook is a perfect resource for students and researchers engaged with explaining and controlling the crimes of the powerful domestically and internationally

Courting Conflict Lisa Hajjar, 2005-01-01 Annotation This is a meticulously documented examination of Israeli military courts in the West Bank and Gaza strip **The Capacity to Punish** Henry N. Pontell, 1985-02-22 This book examines the relationship between crime demographic characteristics criminal justice resources court processing and final sanctioning outcomes at the court level in the U S in the context of deterrence theory It concludes that current criminal justice practices especially the extremely low probability of certain and severe punishment make the deterrent effect of punishment minimal under the current system of criminal justice Court caseloads influenced particularly by the degree of inequality in the population appear to be pushing down the formal penalty structures and hence the probability of sanction The inability of courts to produce severe and certain sanctions is also linked to the overfunding of police relative to other criminal justice agencies especially the office of the prosecutor Putting more cops on the beat might actually lead to further erosion of the deterrent effect of punishment as more violators are pushed through the revolving door of the courts **Misconceiving Mothers** Laura E. Gómez, 1997 A tiny African American baby lies in a hospital incubator tubes protruding from his nostrils head and limbs He couldn't take the hit the caption warns If you're pregnant don't take drugs Ten years earlier this billboard

would have been largely unintelligible to many of us But when it appeared in 1991 it immediately conjured up several powerful images the helpless infant himself his unseen environment a newborn intensive care unit filled with babies crying inconsolably and the mother who did this crack addicted and unrepentant Misconceiving Mothers is a case study of how public policy about reproduction and crime is made Laura E Goacutemez uses secondary research and first hand interviews with legislators and prosecutors to examine attitudes toward the criminalization and or medicalization of drug use during pregnancy by the legislature and criminal justice system in California She traces how an initial tendency toward criminalization gave way to a trend toward seeing the problem of crack babies as an issue of social welfare and public health It is no surprise that in an atmosphere of mother blaming particularly targeted at poor women and women of color crack babies so easily captured the American popular imagination in the late 1980s What is surprising is the way prenatal drug exposure came to be institutionalized in the state apparatus Goacutemez attributes this circumstance to four interrelated causes the gendered nature of the social problem the recasting of the problem as fundamentally medical rather than criminal the dynamic nature of the process of institutionalization and the specific features of the legal institutions that is the legislature and prosecutors offices that became prominent in the case At one level Misconceiving Mother tells the story of a particular problem at a particular time and place how the California legislature and district attorneys grappled with pregnant women s drug use in the late 1980s and early 1990s At another level the book tells a more general story about the political nature of contemporary social problems The story it tells is political not just because it deals with the character of political institutions but because the process itself and the nature of the claims making concern the power to control the allocation of state resources A number of studies have looked at how the initial criminalization of social problems takes place Misconceiving Mothers looks at the process by which a criminalized social problem is institutionalized through the attitudes and policies of elite decision makers Author note Laura E Gomez is Acting Professor of Law and Sociology University of California Los Angeles

Postmodern Criminology Dragan Milovanovic, 2019-03-11 Originally published in 1997 The use of postmodern criminology s conceptual tools offers the potential for the development of a better understanding of the various configurations of repressive forces and directions for social change This excellent text introduces the reader to the core ideas concerning subjectivity as it is related to discourses and how the discursive construction of social reality takes place It discusses some of the key themes dealing with both theoretical integrative work applications and recent developments in studying postmodern criminology It is intended for students as well as those who are more familiar with the subject This book is composed of twelve essays organized into three parts this important work contributes to the big discussion among criminologists about the postmodern aspects of crime

Race, Crime, and Justice Shaun Gabbidon, Helen Taylor Greene, 2013-10-18 A comprehensive collection of the essential writings on race and crime this important Reader spans more than a century and clearly demonstrates the long standing difficulties minorities have faced

with the justice system The editors skillfully draw on the classic work of such thinkers as W E B DuBois and Gunnar Myrdal as well as the contemporary work of scholars such as Angela Davis Joan Petersilia John Hagan and Robert Sampson This anthology also covers all of the major topics and issues from policing courts drugs and urban violence to inequality racial profiling and capital punishment This is required reading for courses in criminology and criminal justice legal studies sociology social work and race

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