

# **S**OCIOLOGICAL J**USTICE**

**DONALD  
BLACK**

# Sociological Justice

**A.V. Horwitz**



## **Sociological Justice:**

**Sociological Justice** Donald J. Black, 1989 In *Sociological Justice* eminent legal sociologist Donald Black challenges the conventional notion that law is primarily an affair of rules and that discrimination is an aberration. Law, he contends, is a social process in which bias is inherent. Black goes well beyond citing documented instances of racial discrimination to show how social status regardless of race, the relationship of the parties to the crime, their manner of speech and numerous other factors all greatly influence whether a complaint will be filed in court and what the ultimate outcome of the complaint will be. Moreover, he extends his analysis to include the social characteristics not only of the litigants but also of the lawyers, the jurors and the judge. *Sociological Justice* introduces a new field of legal scholarship: the sociology of the case. A major contribution to the field, it is essential reading for anyone interested in justice in modern society. **Sociological Justice**

Donald Black, 1993 That discrimination exists in courts of law is beyond dispute. In American murder cases, for instance, studies show that blacks who kill a white are much more likely to receive the death penalty than if they kill a black. Indeed, in Georgia they are 30 times more likely to be condemned and in Texas a staggering 90 times more likely. Conversely, in Texas of 143 whites convicted of killing a black, only one was sentenced to die. But how extensive is discrimination in the courtroom? Is it strictly a matter of racial prejudice or does it respond to a wide range of social factors? In *Sociological Justice*, eminent legal sociologist Donald Black challenges the conventional notion that law is primarily an affair of rules and that discrimination is an aberration. Law, he contends, is a social process in which bias is inherent. Indeed, Black goes well beyond the documented instances of racial discrimination to show how social status regardless of race, the degree of intimacy, are they family members, friends or complete strangers, speech organization and numerous other factors all greatly influence whether a complaint will be filed in court, who will win and what the punishment or other remedy will be. Moreover, he extends his analysis to include not only the litigants but also the lawyers, the jurors and the judge, describing how their social characteristics can also influence a case. *Sociological Justice* introduces a new field of legal scholarship that will have important consequences for the future of law: the sociology of the case. Black discusses how lawyers can use the sociology of the case to improve their practice and for those interested in reform, he suggests ways to minimize bias in the courtroom. Beyond this, Black demonstrates that modern jurisprudence, with its assumption that like cases will be treated in like fashion, is out of touch with reality. He urges the adoption of a new sociological jurisprudence with a new morality of law that explicitly addresses the social relativity of justice. A major contribution to legal scholarship, this thought-provoking volume is essential reading for anyone interested in law and justice in modern society. *Handbook of Social Justice Theory and Research* Clara Sabbagh, Manfred Schmitt, 2016-02-08 The International Society for Justice Research (ISJR) aims to provide a platform for interdisciplinary justice scholars who are encouraged to present and exchange their ideas. This exchange has yielded a fruitful advance of theoretical and empirically oriented justice research. This volume substantiates this academic

legacy and the research prospects of the ISJR in the field of justice theory and research Included are themes and topics such as the theory of the justice motive the mapping of the multifaceted forms of justice distributive procedural and justice in context bound spheres e g non humans It presents a comprehensive state of the art overview in the field of justice research theory and it puts forth an agenda for future interdisciplinary and international justice research It is worth noting that authors in this proposed volume represent ISJR s leading scholarship Thus the compilation of their research within a single framework exposes potential readers to high quality academic work that embodies the past current and future trends of justice research

**Qualitative Approaches to Criminal Justice** Mark Pogrebin, 2003 The growth in popularity of qualitative research in the social sciences over the last two decades has been nothing short of amazing Qualitative Approaches to Criminal Justice Perspectives from the Field reveals some of the reasons for the success and stature of this unique methodological approach Exploring the real life experiences of criminal justice professionals this anthology is the first book to focus solely on the use of qualitative research in various components of the criminal justice system The collection is organized from two criminal justice perspectives one qualitatively oriented and the other system oriented including overviews of each qualitative method and commentaries that analyze the research techniques Case studies illustrating actual fieldwork practices bring theory vividly to life Qualitative Approaches to Criminal Justice Perspectives from the Field is multifaceted in both its content and application Through its investigative techniques which rely mainly on observations participant observation and open ended interviews qualitative research reveals parts of the social world that remain hidden to more traditional methodological techniques Recommended as a companion to an administration of criminal justice course as well as courses in qualitative research in criminal justice Also recommended as a supplemental text for any research methods course in a criminal justice degree program including sociology political science and legal studies

**How to Think Better About Social Justice** Bradley Campbell, 2024-02-06 Those who are pursuing social justice too often fail to incorporate the insights of sociology and when they do make use of sociology they often draw heavily from claims that are highly contested unsupported by the evidence or outright false This book shows why learning to think sociologically can help us to think better about social justice pointing us toward possibilities for social change while also calling attention to our limits providing us with hope but also making us cautious Offering a series of tips for thinking better about social justice with each chapter giving examples of bad sociological thinking and making the case for drawing from a broader range of sociological theory and research to inform social justice efforts it advocates an approach rooted in intellectual and moral humility grounded in the normative principles of classical liberalism A fresh approach to social justice that argues for the importance of sociological understanding of the world in our efforts to change it How to Think Better About Social Justice will appeal to scholars and students of sociology with interests in social justice issues and the sociology of morality as well as those working to bring about social change

**The Law of the Other** Marianne Constable, 1994-02-14 The Law of the Other is an account

of the English doctrine of the mixed jury Constable's excavation of the historical rhetorical and theoretical foundations of modern law recasts our legal and sociological understandings of the American jury and our contemporary conceptions of law citizenship and truth The mixed jury doctrine allowed resident foreigners to have law suits against English natives tried before juries composed half of natives and half of aliens like themselves As she traces the transformations in this doctrine from the Middle Ages to its abolition in 1870 Constable also reveals the emergence of a world where law rooted in actual practices and customs of communities is replaced by law determined by officials where juries no longer strive to speak the truth but to ascertain the facts

**Theory, Justice, and Social Change** Christopher R. Williams, Bruce A.

Arrigo, 2012-09-22 Throughout history social and intellectual crises have given rise to compelling suggestions for reform steeped in various progressive sensibilities For example within the discipline of criminology particularly during the 1980's and 1990's a number of unconventional theoretical perspectives emerged that sought to challenge many of the assumptions embedded within its own mainstream discourse and to propose alternative solutions for meaningful sustainable change Conceived of as critical in overarching orientation these efforts to rethink the foundations of criminological *verstehen* can be traced to several specific theoretical and methodological strands of inquiry e.g. anarchism peacemaking chaos theory postmodernism Though distinct in some respects these emerging models are linked paradigmatically by their shared discontent with conventional criminological thought and by their radicalized posture toward existing and previously unexamined epistemic crises Collectively this is an agenda for reform that seeks to establish a more humane and just social order particularly as citizens and society confront the institutional and communal problems posed by crime delinquency and deviance

**Theory Justice and Social Change Theoretical Integrations and Critical Applications** represents a provocative series of essays that systematically reviews or extends the role of critical social theory in fostering justice and change in several relevant though problematic social contexts Mindful of the need to address both conceptual exegeses and pragmatic concerns the articles contained in this volume grapple with the ongoing double crisis that confronts theory and practice in the construction of knowledge By appropriating and integrating various insights from several heterodox and critically animated lines of inquiry each chapter deftly exposes where and how conventional sociological and criminological thought has failed to effectively address such human social issues as homelessness mental illness minority rights juvenile justice global violence and criminal punishment In doing so **Theory Justice and Social Change** provides new and much needed direction regarding theory development in the social sciences and indicates why charting such a course of theory action yields more enlightened prospects for justice and change in society and in our lives

**Geometrical Justice** Scott Phillips, Mark Cooney, 2022-06-16 Legal decisions continue to mystify why was this person sentenced to 20 years in prison but that person to just 10 years for the same crime Why did one person sue for civil damages but another let the matter drop Legal rules are supposed to answer these questions but their answers are radically incomplete Wouldn't it be wonderful to

have a theory that predicted and explained legal decisions Drawing on Donald Black s theoretical ideas Geometrical Justice The Death Penalty in America addresses these issues focusing specifically on who is sentenced to death and executed in the United States The book explains why some murders are more serious than others and how the social characteristics of defendants victims and jurors affect case outcomes Building on the most rigorous data in the field the authors reveal wide discrepancies in capital punishment why one person lives but another person dies Geometrical Justice will be of interest to those engaged in criminal justice criminology and socio legal studies as well as students taking courses on sentencing corrections and capital punishment

**The New Criminal Justice Thinking** Sharon Dolovich, Alexandra Natapoff, 2018-11-06 A vital collection for reforming criminal justice After five decades of punitive expansion the entire U S criminal justice system mass incarceration the War on Drugs police practices the treatment of juveniles and the mentally ill glaring racial disparity the death penalty and more faces challenging questions What exactly is criminal justice How much of it is a system of law and how much is a collection of situational social practices What roles do the Constitution and the Supreme Court play How do race and gender shape outcomes How does change happen and what changes or adaptations should be pursued The New Criminal Justice Thinking addresses the challenges of this historic moment by asking essential theoretical and practical questions about how the criminal system operates In this thorough and thoughtful volume scholars from across the disciplines of legal theory sociology criminology Critical Race Theory and organizational theory offer crucial insights into how the criminal system works in both theory and practice By engaging both classic issues and new understandings this volume offers a comprehensive framework for thinking about the modern justice system For those interested in criminal law and justice The New Criminal Justice Thinking offers a profound discussion of the complexities of our deeply flawed criminal justice system complexities that neither legal theory nor social science can answer alone

New Directions in the Study of Justice, Law, and Social Control School of Justice Studies, 2013-11-11 The publication of this anthology culminates what began as a Visiting Distinguished Scholars Lecture Series sponsored by the School of Justice Studies When Dr John M Johnson was awarded the Arizona State University Graduate College s Distinguished Research Award for 1986-1987 the School faculty voted to use the accompanying stipend to bring several scholars to campus Each visiting scholar was commissioned to present an original paper on contemporary issues in justice and to meet with graduate students and faculty during a week long visit to campus This collection of essays promotes wide ranging conceptions of justice As first conceived we sought to bring an interdisciplinary perspective to the study of justice as a way of intellectually extending the current focus of research and teaching As it developed the collection permitted us to reflect on our own instructional program in law and the social sciences and to promote a conception of social conflict and control which includes social political economic and legal controls

**The Social Structure of Right and Wrong** Donald Black, 2014-05-10 The Social Structure of Right and Wrong focuses on formulations that predict and explain the nature of social control throughout

the world and across history The publication first offers information on social control as a dependent variable crime as a social control and compensation and the social structure of misfortune Discussions focus on the theory of compensation traditional self help concept of social control varieties of normative behavior models of social control and quantity of normative variation The text then elaborates on social control of the self and elementary forms of conflict management The manuscript takes a look at the theory of third party and on taking sides including legal latent and slow partisanship social gravitation models of partisanship settlement roles partisanship in tribal societies and typology of third parties The text then examines the factors involved in making enemies as well as social repulsion moral evolution and third party and unilateral moralism The publication is a dependable source of data for sociologists and researchers interested in the social structure of right and wrong

**From Social Justice to Criminal Justice** William C. Heffernan, John Kleinig, 2000-04-20 The economically deprived come into contact with the criminal court system in disproportionate number This collection of original interactive essays written from a variety of ideological perspectives explores some of the more troubling questions and ethical dilemmas inherent in this situation The contributors including well known legal and political philosophers Philip Pettit George Fletcher and Jeremy Waldron examine issues such as heightened vulnerability indigent representation and rotten social background defenses

**Educating for Justice** Jeremy Cooper, Louise C. Trubek, 2018-12-17 Published in 1997 an edited collection of essays by a group of international public interest scholars and activists that examines the role and function of the law school in developing transmitting and understanding the use of law to bring about social change to the advantage of subordinated people The book traces this influence from the early days of the law school and its induction of legal principles and client responsibilities through training for practices in a variety of settings including teaching social action research client empowerment programs to the outer limits of law school in community legal education and awareness An important and pioneering series of international case studies

**Diversion and Informal Social Control** Günter Albrecht, Wolfgang Ludwig-Mayerhofer, 2011-11-30 No detailed description available for Diversion and Informal Social Control

**Restorative Justice: Theoretical Foundations** Elmar G. M. Weitekamp, Hans-Jürgen Kerner, 2012-12-06 This title explores the theoretical foundations of restorative justice It looks at restorative justice philosophy and the ways in which models have been applied to adults corporate crime family violence and to cases of extreme violence

**Law, Courts, and Justice in America** Howard Abadinsky, 2020-08-17 The eighth edition offers an updated and streamlined examination of the American system of law courts and justice Part I Law reviews the history of courts and justice common law and civil law systems as well as law schools and legal education Part II Courts discusses lawyers and the practice of law unravels the structure and administration of federal and state court systems delineates the appellate process the Supreme Court and judicial review and describes the roles of judges prosecutors and criminal defense attorneys Part III Justice demystifies the criminal justice process negotiated justice civil justice juvenile justice and alternative forms of justice Throughout the book

landmark cases important historical events illustrative examples and boxed items highlight or expand chapter content Each of the twelve chapters concludes with an extensive summary a list of key terms and review questions There is also a glossary that provides a summary of important terms

Justice Prevails Pasquale De Marco,2025-08-12 In a world yearning for justice *Justice Prevails* emerges as a beacon of hope illuminating the intricate relationship between law and society This groundbreaking book unveils the profound influence that social factors exert on legal outcomes challenging conventional notions of fairness and impartiality Through a comprehensive exploration of real world cases and empirical research the book delves into the sociological dimensions of law revealing how social status race gender orientation and a multitude of other factors shape the trajectory of legal proceedings and influence their outcomes It examines the interplay between litigants lawyers jurors and judges laying bare how their social characteristics and backgrounds can subtly or overtly impact the course of justice Moving beyond individual cases the book explores the broader societal implications of legal decisions shedding light on how they reverberate through communities and shape the lives of those affected It delves into the concept of sociological justice arguing that true justice cannot be achieved solely through the application of legal rules and principles but must also encompass a deep understanding of the social context in which legal disputes arise The book challenges the traditional view of jurisprudence which often assumes that similar cases will be treated in a similar manner Drawing upon a wealth of case studies it demonstrates that the reality is far more nuanced with outcomes often influenced by a multitude of social variables This variability highlights the need for a more nuanced and contextual approach to justice one that recognizes the unique circumstances of each case and the social forces that shape it *Justice Prevails* is not merely an academic treatise it is a call to action It proposes concrete strategies for minimizing bias in the courtroom promoting diversity in the legal profession and implementing procedural safeguards to ensure fairer outcomes It also emphasizes the importance of public engagement and education advocating for a citizenry that is both informed about the legal system and empowered to demand justice In an era marked by growing inequality and social unrest this book serves as a clarion call for a more just and equitable legal system It is an indispensable resource for legal scholars practitioners policymakers and anyone seeking a deeper understanding of the interplay between law and society Together we embark on a journey towards a future where justice truly prevails for all If you like this book write a review

**The Logic of Social Control** A.V.

Horwitz,2013-06-29

The Mythology of Crime and Criminal Justice Victor E. Kappeler,Gary W. Potter,2017-07-18 The social construction of crime is often out of proportion to the threat posed The media and advocacy groups shine a spotlight on some crimes and ignore others Street crime is highlighted as putting everyone at risk of victimization while the greater social harms from corporate malfeasance receive far less attention Social arrangements dictate what is defined as crime and the punishments for those who engage in the proscribed behavior Interest groups promote their agendas by appealing to public fears Justifications often have no basis in fact but the public accepts the exaggerations and blames the targeted



offenders The net widening effect of more laws and more punishment catches those least able to defend themselves This innovative alternative to traditional textbooks provides insightful observations of myths and trends in criminal justice Fourteen chapters challenge misconceptions about specific crimes or aspects of the criminal justice system Kappeler and Potter dissect popular images of crimes and criminals in a cogent compelling and engaging manner They trace the social construction of each issue and identify the misleading statistics and fears that form the basis of myths and the collateral damage of basing policies on mythical beliefs The authors encourage skepticism about commonly accepted beliefs offer readers a fresh perspective and urge them to analyze important issues from novel vantage points *Crime, Truth and Justice* George Gilligan, John Pratt, 2013-01-11 This book analyses the production of criminological knowledge with particular reference the official inquiry It investigates the structures and processes of official discourse and the ways in which this produces knowledge on crime and justice

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