

Abolishing Consensus Criminology: Confronting the Human Nature Assumption and Ritual Criminologists



Jeffrey M. London,¹ Emily I. Troshynski² and Gregory Panos³

Justice Policy Journal, Volume 18, Number 2 (Fall 2021)

© Center on Juvenile and Criminal Justice 2022, www.cjcj.org/jpj

Abstract

Before penal abolitionists can confront consensus criminologists head-on, penal abolitionists must first take time to understand the shaky foundation on which their theoretical adversaries stand. The consensus perspective of criminology unwittingly rests upon the often-overlooked assumption that humans are essentially immoral and lawless beings. This article argues that advocates of United States' penal system utilize the underlying beliefs of original sin and total depravity to defend and perpetuate the existence of mass incarceration. The notion of original sin is the belief that Adam's transgression against God left a hereditary stain on human nature that disordered our nature and bent it towards lawlessness. A parallel notion derives from the Calvinist doctrine of total depravity. The notion of total depravity advances the argument of man's essential wickedness by stating that humanity is not only "fallen" because of Adam's original sin but is completely incapable of choosing good over evil and is catastrophically perverted. Given that the majority of America's population ties itself to a church tradition that requires belief in innate human wickedness, this paper articulates the cultural uphill climb facing penal abolitionists.

¹ Metropolitan State University of Denver

² University of Nevada-Las Vegas

³ Bay Harbor Islands Police Department, Florida

Introduction

Before penal abolitionists (Coyle & Schept 2017) can confront consensus criminologists head-on, they must first take time to understand the shaky foundation on which their theoretical adversaries stand. In a discussion that juxtaposes the consensus model of criminal law with the interest structure of modern society, Richard Quinney (1970, 32-41) smooths the path for penal abolitionists as he engages in the cartography of the criminal justice landscape:

Rather than representing the institutional concerns of all segments of society, law secures the interests of particular segments, supporting one point of view at the expense of others ... Interests not only are the principal forces behind the creation and interpretation of law, but they are changing the very nature of government ... Behind public politics a private government operates in a way that not only guarantees rewards to well organized groups but affects the lives of all.

By repeatedly calling out consensus criminologists for promulgating unrealistic dogma and calling it “theory”, penal abolitionists (Dobchuk-Land 2017) will gain insight into why so many criminologists fear penal abolition. Consensus criminology is the popular fiction that breeds the reproduction of the dystopian reality of mass incarceration. If the job of politics is to *describe how the world ought to be* and the job of theory is to *describe the actual cartography of the social landscape*, then consensus is less of a theoretical perspective and more of a political ideal.

Regrettably, consensus criminologists overly concern themselves with the fundamental question, “How is the social order possible?” The law, for the consensus criminologist, reflects broad agreement about which behaviors are not tolerable within the social order. According to these criminologists, the law treats all persons equally regardless of race, class, gender, or sexual preference. They believe that the law reflects an objective standard of morality rather than the values of lawmakers, past and present. They operate under the assumption that all members of the social order treat each other equally and that without the law, most individuals would be warlike and hostile. According to consensus criminologists, the state must intervene in the affairs of human beings and impose the law to control their naturally aggressive and destructive behaviors. Were it not for the law, society would self-destruct (Reasons, Conley, & Debro 2002, 116–7).

Plainly stated, consensus criminologists posit that legal norms reflect the values held by the majority of citizens in any given social order. The “will of the people” represents and reveals itself through the law, and the law’s authority is manifest through the values of the legal system. For consensus scholars, official codification of shared norms transforms acceptable practices into law. Criminal law, for

consensus criminologists, specifies how people *should not* behave rather than dictating how they *should* behave. For these criminologists, interpreting and clarifying the moral boundaries for everyone in society is the very purpose of criminal law (Shelden 2001, 8–9).

Consensus criminologists revere the writings of Émile Durkheim. Born in France in 1858, Durkheim is the preeminent social order theorist of criminology. In his classic sociological treatise, *The Division of Labor* (1933), Durkheim envisages the enforcement of criminal law as a clear-cut embodiment of society's moral order. The day-to-day processes of law enforcement symbolize and reproduce society's schematic of morality. Durkheim details the motives, functions, and significance of criminal law in creating and maintaining a society's stable collective welfare according to its moral framework (Garland 1990, 24–5). According to Durkheim, punishing those who violate the criminal law is an intense, irrational, and emotive group phenomenon that restores the sacred moral order. Through punishment, law-abiding citizens seek to impose moral rectitude by instituting ceremonial rituals that have religious overtones (Garland 1990, 26).

Durkheim links the act of punishment with the irrational and emotive sentiments of the collective by illustrating the state's role as the custodian of the collective conscience. In *The Division of Labor* (Durkheim 1933, 84), Durkheim asserts that the state's "primary and principal function is to create respect for the beliefs, traditions and collective practices: that is, to defend the common conscience against all enemies within and without." Consensus criminologists share Durkheim's belief that the criminal law is an expressive institution enervated by passion, not rationality. While most view the act of punishment as one that involves two parties, the punished and the punisher, Durkheim identifies a third party: onlookers whose violated sentiments facilitate a draconian response by the state (Garland 1990, 32).

Consensus criminologists embrace a model of thought that emphasizes the role of the law in maintaining the social order and establishing social equilibrium. These criminologists contend that the law is a highly effective instrument in resolving the many conflicts of interest that arise in society. They contend that certain social control mechanisms are essential in maintaining a "civilized" society. Consensus criminologists argue that without the law, the members of a society inevitably and aggressively exert their own will at the expense of cooperative interpersonal relationships.

A more critical look into the ideology of consensus criminologists reveals an important (yet shaky) assumption. The assumption is that *consensus exists* among the citizens in society about what constitutes moral behavior. Consensus

criminologists often point to the familiar saying, “There ought to be a law,” as proof that consensus does, in fact, exist. They conjure up images of societal members demanding the prohibition of specific acts of immorality while asserting that the rule of law represents the preeminent method for preserving social cohesion (Shelden 2001, 8).

Consensus criminologists also cling to another shaky assumption: for the law to establish a level playing field for citizens, it must be unbiased and neutral. They argue that the police, courts, and other institutions charged with interpreting and upholding the law must be neutral and fair. Equal justice under the law is the only way to resolve conflicts among competing interest groups (Shelden 2001, 8–9). Without a strong, equitable and centralized police presence that works in conjunction with the rule of law, consensus criminologists assert that people will revert to their natural state of barbarism. The very idea that humans are “naturally” mean and nasty barbarians who act in self-centered ways is unfounded. In fact, the idea that a human is in possession of an inherent moral or immoral character upon birth is the product of fanciful thinking.

The very foundation of consensus criminology rests upon the unproven notion that “human nature” exists. In other words, consensus criminologists claim that without the rule of law to restrain people, uncontrollable civil disobedience, social disruption, and warfare are inevitable. They argue that only a paternalistic code of law limits the expression of societal members’ fallen nature and protects them from self-annihilation. Without such imposed restraint, peace and prosperity can never exist in modern capitalist societies (Shelden 2001, 9). This article contends that this construct known as “human nature” does not exist. At the same time, we assert that using the legal system to counteract a presumed fallen nature justifies those *with* privilege and power in dominating those *without* privilege and power.

The Human Nature Assumption: Original Sin and Total Depravity

The idea that humans are warlike and hostile in the absence of law is an assumption that often goes unchallenged. Penal abolitionists (Saleh-Hanna 2017) should take the offensive and argue that the law is not always moral, and that people are not “by nature” immoral. Nevertheless, the mere existence and popularity of the consensus model among criminologists raises some compelling questions, including, “Why do so many people believe that humans are born immoral? If it is true that all humans are born immoral, then how can immoral people create moral laws? Why do people believe that the law is inherently ‘good’ and humans are inherently ‘bad’? Lastly, why are so many criminologists afraid of penal abolition?” To address these questions, we must examine the assumptions that undergird consensus criminologists’ beliefs and attitudes.

Americans tend to believe that humans are essentially immoral and lawless beings, based largely on mainstream Catholic and Protestant Christianity's core belief in *original sin*. The notion of original sin is the belief that Adam's transgression against God left a hereditary stain that disordered our nature and bent it towards lawlessness. A parallel notion is the Calvinist doctrine of *total depravity*. Support for this concept is widespread in America, particularly among some charismatic and Calvinist groups. The doctrine of total depravity asserts that humankind is not only "fallen" because of Adam's original sin but is completely incapable of choosing good over evil and is ontologically perverted.

In the words of Richard Quinney (1980, 38-9), "Prophetic theology provides us with the hopeful expectancy of things to come, revealed in light of the eternal. History, we know, is the divine presence through the people of this world. The social and moral order we create is a revelation of the sacred." In 1980, it was impossible to foresee the emergence of mass incarceration in America; however, it is easy to look back and conceptualize the use of the Prison Industrial Complex as the main driver for the mass production of salvation, for individuals believed to be suffering from their own inherent depravity. In a revealing summary of the theology of Puritan Roger Williams (1603-1683), founder of the early colony of Rhode Island, Richard Quinney (1980, 37) states:

In other words, Williams gave no hint of the secular idealism of a later America. The aspect of William's theology is made clear in Garrett's observation: 'God had located the source of tolerably decent government of the people, as a defense against tyrants. By this divinely ordained means they would be protected from the consequences of their depravity and madness. Citizens should therefore respect and obey civil authorities, but not because of the belief in the natural excellence of man and his institutions. The reason of a citizen's loyalty was acceptance of God's mercy in providing government as an alternative to the horrors his neighbors might devise if left to themselves.' By disengaging the kingdom of Christ from the secular state, Williams was becoming a radical thinker about religion itself, but a conservative about the politics of this world. And, in the end, alas, 'he looked so eagerly for a pure visible Church that the kind of Church he looked for became invisible to him'.

In the above, Quinney offers us an opportunity to reconsider one of the contingencies associated with the origins of America's contemporary phenomena of mass incarceration, as well as how the mass production of salvation is believed to be manufactured.

Significantly, the belief system of consensus criminology rests upon the core belief that, without the law to constrain or compel behavior, humans are hopelessly

corrupt as moral agents. Consensus criminologists often unwittingly draw from the doctrines of original sin and total depravity to assert political superiority (and budgetary supremacy) as they defend the indefensible, such as mass incarceration. They, plus many modern Protestants and Catholics, endorse the notions that:

- America is a Christian nation.
- Bible believers are the rightful founders of America.
- American founding documents and laws are based specifically on biblical standards under providential guidance from God himself.

The above notions embody the tautological mindset that penal abolitionists (Calathes 2017) are pushing against, day after day. Should the penal abolitionist ask, “If humans are hopelessly immoral and corrupt, how can humans create ‘good’ civic laws?” the answer would typically be, “The law and founding principles of the law are based on the unchanging Word of God.” In other words, if you believe in God, you believe in God’s Word. If you believe in God’s Word, you believe that the law is from God. If the law is from God, you are against changing the law in any way. If you are against changing the law, then you are in favor of *precedence*. If you are in favor of precedence, then you are against breaking with precedence. If you are against breaking with precedence, then you are against implementing meaningful societal change. Lastly, if you are against meaningful societal change then you are against *penal abolition*. To break out of the consensus conundrum, we recommend confronting the underlying assumptions of consensus criminology (i.e., original sin and total depravity) with ideas pulled from the notion of *natural law*.

Penal abolitionists (Whalley & Colleen 2017) will do well to remember that expressions of what has come to be known as natural law, such as freedom of speech, freedom of religion and the right to democratic representation, are almost all rooted in eighteenth century Enlightenment ideas, most of which directly contradict the Bible. Penal abolitionists (Seigel 2017) must redefine themselves as advocates of *freedom* and *liberty*. Consequently, the abolitionist opposes the wasteful and destructive Prison Industrial Complex that keeps fellow Americans enslaved in chains and cages. Abolitionists advocate for *self-reliance* and *autonomy*. Abolitionists oppose fiscally irresponsible laws that result in warehousing millions of Americans. Abolitionists oppose depriving fellow Americans of their personal rights to participate in democracy. Abolitionists honor all different types of religions and beliefs. Abolitionists champion *free speech*, *religious freedom*, and *freedom from religion*. Abolitionists assert that our current system of mass incarceration is inherently un-American, systematically robbing people of their freedom, liberty, dignity, and humanity. Abolitionists seek to dismantle the machinery of

contemporary enslavement and reject the repeating cycle of victimization and violence that characterizes America's Prison Industrial Complex.

Unpacking and countering the belief in original sin and total depravity should become the focus of debate for abolitionist activists and scholars alike. Anyone who has ever tried to take down a brick wall with a sledgehammer knows that the only way to make the entire wall fall is to repeatedly strike at the wall's foundation. Penal abolitionists (Price 2017) must first dismantle the philosophical foundation of consensus criminology in order to build a coalition and bring about meaningful systemic change.

Confronting Ritual Criminologists (Impersonal Persons)

As penal abolitionists (Coyle 2018) confront consensus criminologists, they must also be on the lookout for an even more formidable opponent: ritual criminologists. Penal abolitionists (Ilea 2018) must recognize that ritual criminologists stand squarely in opposition to eliminating mass incarceration. Ritual criminologists understand the power of organizing people through bureaucratic rule, as well as the power of institutional rituals. To understand the way that ritualistic criminologists think, penal abolitionists (Ben-Moshe 2018) must first study the writings of Max Weber. Regrettably, Weber's (1905) most important abstraction, *the "iron cage"*, has become the grim reality of today's Prison Industrial Complex.

Turner, Beeghley, and Powers (1995, 191-2) exhume Weber's "iron cage" from the final pages of his classic 1905 text, *The Protestant Ethic and the Spirit of Capitalism*. They state:

(Weber) believed that the rise of modern capitalism reflected the process of rationalization ... the culture of capitalism, combined with capitalist social and economic institutions, places people in an "iron cage" from which there appears to be no escape ... This recognition leads to Weber's last, sad lament: 'specialists without spirit, sensualists without heart; this nullity imagines that it has attained a level of civilization never before achieved'.

For those Americans that feel alienated in the workplace while exchanging meaningless pleasantries and faking a smile throughout the workweek, the abstract concept of the "iron cage" takes on a depressing realization. While workers are in fact *persons*, workers must regularly behave in *impersonal* ways. Throughout a lifetime or a career, the consummate professional is required to regularly neglect the personal self and embrace impersonal rationality, decade after decade.

If it is true that within Weber's writings individuals find themselves in an "iron cage" constructed by omnipresent and powerful bureaucracies, then Weber's model of rational-legal authority should prove to be highly insightful when

constructing a conceptual/analytical framework to understand the mindset of ritualistic criminologists. In Weber's classic work *Economy and Society* (1922), he contends that procedure is the key to understanding the basis of legitimacy in any system with a rational legal framework of domination such as a system of mass incarceration.

Ritual criminologists ascribe to the view that "legal domination [exists] by virtue of statute ... the basic conception is that any legal norm can be created or changed by a procedurally correct enactment (Weber 1922, 237-41)." Put another way, actors within the social order accept the legitimacy of the law as long as the law is fashioned and implemented in a procedurally correct or proper manner. Weber defines the state as a legitimized monopoly of physical coercion. For ritualistic criminologists, it is the rule of law (not the rule of the people) that reveals the rational character of the social order. The modern bureaucracy provides the perfect vehicle for actualizing the rationality and domination of the state (Turner et al. 1995, 217).

Today's Prison Industrial Complex resembles the bureaucratic apparatus that Weber describes in *Economy and Society*, whereby criminal justice bureaucracies are ostensibly oriented towards generating and implementing policies on behalf of the public good. Weber posited that the bureaucracy is an exemplary illustration of instrumentally rational action. Penal abolitionists (McDowell & Fernandez 2018) should join other contemporary scholars, such as Blau and Meyer (1987), in making the opposing claim that inefficient and rigid bureaucracies perpetuate race, class and gender inequalities. This claim directly counters ritual criminologists' belief that bureaucratic rule is the only way to implement a governing structure of regulation that is competent, flexible and proficient (Turner et al. 1995, 218).

Ritual criminologists endorse such tautological expressions as, "We have always done it this way," or "It is what it is," or even "The rules are the rules." They believe that if the correctional system follows proper protocol by locking a person in a cage for years or even decades, then the system is delivering justice appropriately. Criminal law, for ritual criminologists, is rational. They hold that those who administer justice have obtained their positions of authority because of their expertise and knowledge and that their power must be unambiguous. In line with Weber's bureaucratic ideal, they believe criminal justice employees should effectively eliminate "love, hatred, and all purely personal, irrational, and emotional elements" from official business (Weber 1922, 975). In addition, ritual criminologists believe that task specialization is of utmost importance among employees in the criminal justice bureaucracy (Turner et al. 1995, 218).

Howard Zinn (1970/1990, 5) inadvertently described ritual criminologists when he wrote, "We publish while others perish. The gap between the products of scholarly activity and the needs of the troubled world could be born with some equanimity so long as the nation seemed to be solving its problems." Ritual criminologists often work countless hours writing manuscripts for academic journals that no one will read. Sometimes referred to as shallow empiricists, they will travel across the country to attend academic conferences to present their research to empty rooms. As long as verification that the publication of their papers appears within the pages of their professional journals and resumes, it matters not that no one reads their manuscripts. As long as academic conferences provide official documentation of attendance, ritual criminologists will happily address empty rooms. Even if no one is reading or listening, the ritual is what matters.

Penal abolitionists (Bowman 2018) should regularly confront ritual criminologists with the reality that criminal justice bureaucracies rarely resemble Weber's ideal type. In actual practice, it is common for police officers or correctional officers to obtain their positions based on who they know. Penal abolitionists (Bradshaw 2018) should point out that police officers, district attorneys and/or presiding judges often arbitrarily apply the rule of law with inconsistency and personal bias. While bureaucracies should ideally be *impersonal*, the reality is that they are created, maintained, and reproduced generation after generation by *persons*. In other words, these systems of domination require the existence of "impersonal persons" akin to human robots. In truth, even Weber understood that no bureaucracy in the real world could conform perfectly to his ideal type. He was ultimately interested in assessing the degree to which different bureaucracies resembled his conceptual schematic.

Nevertheless, ritual criminologists often defend an indefensible system by claiming that justice occurs without bias, notwithstanding the evidence that the system incarcerates more than two million structurally disenfranchised Americans at a cost that is morally and fiscally catastrophic. Penal abolitionists (Pelot-Hobbs 2018) must become familiar with Weber's bureaucratic ideal, because ritual criminologists will regularly invoke Weberian thought to justify the practice of mass incarceration. In fact, penal abolitionists (Story & Schept, 2019) would do well to reference scholars such as Baum (1997) and Shelden (1999), who regularly note that America's criminal justice bureaucracies are preoccupied with securing budgetary priority for bureaucratic expansion and protecting their oligarchy from outside political threats.

Ritual criminologists will support consensus criminologists in their quest to incarcerate more and more of America's poor so long as the practitioners of the

Prison Industrial Complex adhere to proper bureaucratic protocol. Their complicity guarantees a steady and substantial flow of inmates into cages, fueling the incarceration binge. Ritual criminologists focus primarily on the procedural correctness of carrying out the law, and they understand the importance of the question, “Who is to control the direction of the criminal justice bureaucracies?” (Turner et al. 1995, 218).

In line with consensus criminologists, ritual criminologists acknowledge that political parties are the mechanisms by which different social classes compete for domination. They understand the importance of statutory regulation as disparate groups struggle to create laws that serve their own interests and values. Those who participate and win in the political process have their interests protected and advanced (Turner et al. 1995, 218–9). Conversely, members of a society who do not take part in a political party are likely to have their welfare, ideals, and needs disregarded.

Weber’s model of rational-legal authority (1922) is the alpha and omega of ritualistic criminology. The five characteristics of Weber’s idealized model of a rationally organized institution – impersonality, technical qualification of employment, rules and regulations, hierarchy of authority, and division of labor – are powerful conceptual tools that can assist penal abolitionists. In fact, penal abolitionists (Carrier & Piché 2019) should routinely make the case that the unintended consequences of America’s Prison Industrial Complex add up to a cost that Americans are no longer willing to pay (Kendall 1999, 147–52).

Penal abolitionists (Pepinsky 2019) would do well to focus on a candid analysis of modern bureaucracies within today’s social order. For example, according to Blau and Meyer (1987) there are three major problems associated with bureaucratic institutions: inefficiency and rigidity; resistance to change; and perpetuation of race, class, and gender inequalities. Blau and Meyer put forth the idea that the rules and regulations of a bureaucracy often result in the perpetuation of significant social inequalities. According to Feagin (1991), a conflict exists between the bureaucratic ideals of equal opportunity and fairness and the prevailing norms of discrimination and hostility that exist in many organizations. Penal abolitionists (Woodall 2019) can advance their cause by pointing out the archaic division of labor and hierarchical structure within bureaucracies that make them inflexible and resistant to change (Kendall 1999, 147–52).

Penal abolitionists (Coyle 2019) should not ignore Merton’s concept of *goal displacement* through which organizational survival (and prosperity) becomes more important than achieving the original goals (Merton 1968). Over time, workers in the lower levels of the bureaucracy focus on maintaining organizational rituals

rather than reaching positive, meaningful benchmarks. In other words, for all those who work in positions below the oligarchy, the rules become an end in themselves rather than the means to an end (Kendall 1999, 147–52). Penal abolitionists (Whynacht, Arsenault, & Cooney 2019) can effectively point out how the goal of the correctional industry has migrated from seeking to correct the behavior of our caged citizens to garnering as large a budget as possible. The result of this goal displacement is that we have a correctional system that is no longer correcting – if it ever did.

Penal abolitionists (Coyle & Schept 2019) should point to the fact that even Weber (1967/1909) believed that bureaucracies such as the criminal justice system stifle human initiative and creativity, ultimately producing an “iron cage” for those who work under the oligarchy as well as the citizens that are “served” by the bureaucracy (i.e., victims and offenders). Contemporary scholars (Kendall 1999), suggest that an oligarchy exists within the criminal justice system that possesses an incredible amount of regulated and unregulated (and even unperceived) social power. Likewise, Robert Michels (1949) put forth the idea that those members of the oligarchy not only control the bureaucracy by wielding power but also regularly display interest in retaining their power.

It may be important for penal abolitionists (Coyle & Schept 2017) to think of Weber’s abstract concept of the “iron cage” within the context of trying to understand the actions of the state in its efforts to administer the criminal law to its citizens. In truth, it may be even more important for penal abolitionists (Coyle 2018) to view Weber’s concept of the “iron cage” in a more literal sense than he intended (Kendall 1999, 147–52). The “iron cage” reflects the unintended consequence of America’s reliance on rational legal bureaucratic rule. For example, some Americans that work in a small office or in a cubicle might humorously lament that when they go to work, they feel like they are taking themselves to jail. They might complain they are not saying what they really think while they are at work, and they are only saying what the boss wants them to say. In these situations, workers feel as though they must behave in impersonal (i.e., professional) ways toward all individuals in the workplace, even those that are unpleasant. Nevertheless, these employees willingly submit to unpleasant working conditions year after year.

Workers that refuse to submit or are unable to submit to the abstract “iron cage” (America’s workforce) and terminate from gainful employment for extended periods are vulnerable to incarceration. Individuals that struggle financially and grapple with interpersonal relationships amongst family and friends are particularly vulnerable for repeated incarceration. It is here that young, minority, unemployed, and undereducated individuals that lack social capital move from America’s

abstract “iron cage” (the workforce) into America’s Prison Industrial Complex or America’s physical system of “iron cages”. Regrettably, Weber’s most notable abstraction has moved into the real to create the dystopian phenomena of mass incarceration in contemporary America. As a result, the land of the free is now the planet’s most prolific jailer (Shelden 1999).

Conclusion (Imago Dei)

The above makes the case that penal abolitionists (Coyle and Schept 2018) should confront consensus criminologists and ritual criminologists by explicating the abstract and religious underpinnings of their belief systems. We argue that most individuals who unwittingly hold onto a vague belief that “human nature” is corrupt have little understanding that their belief system is rooted in religious notions of original sin and total depravity. By unpacking the religious notions of original sin and total depravity, we hope that individuals may rethink the efficacy of caging and warehousing more than two million of their fellow Americans. If there is no evidence that humans are born evil, why then do humans embrace constructions of original sin and total depravity? If we are to embrace unverifiable and unreliable religious fictions about human nature, let us embrace fictions that restore our faith in humanity, such as *Imago Dei*. The doctrine of *Imago Dei* carries with it the idea that we are all born in the image of God. If we are to attach ourselves to unverifiable concepts, let us not justify the degradation of our fellow peoples as we detain, chain, and cage them on a massive scale. Instead, let us uplift our unverifiable belief in one another by declaring that all humans born on this planet bear the image of God and do not deserve to live in “iron cages”.

References

- Baum, D. L. (1997). *Smoke and mirrors: The war on drugs and the politics of failure*. Boston: Back Bay Books.
- Blau, P. M. and M. W. Meyer (1987). *Bureaucracy in modern society*. New York: Random House.
- Ben-Moshe, L. (2018). Dis-epistemologies of Abolition. *Critical Criminology* 26(3), pp. 341-455.
- Bowman, S. W. (2018). The kids are alright: Making a case for abolition of the juvenile justice system. *Critical Criminology* 26(3), pp. 393-405.
- Bradshaw, E. A. (2018). Tombstone towns and toxic prisons: Prison ecology and the necessity of an anti-prison environmental movement. *Critical Criminology* 26(3), pp. 407-422.
- Calathes, W. (2017). Racial capitalism and punishment philosophy and practices: What really stands in the way of prison abolition. *Contemporary Justice Review* 20(4), pp. 442-455.
- Carrier, N. and J. Piché (2019). On (in)justice: Undisciplined abolitionism in Canada. *Social Justice* 45(4), pp. 35-55.
- Coyle, M. J. (2018). Transgression and standard theories: Contributions toward penal abolition. *Critical Criminology* 26(3), pp. 325-339.
- Coyle, M. J. (2019). Who is mired in utopia? The logics of criminal justice and penal abolition. *Social Justice* 45(4), pp. 79-115.
- Coyle, M. J. and Judah Schept (2017). Penal abolition and the state: Colonial, racial and gender violence. *Contemporary Justice Review* 20(4), pp. 399-403.
- Coyle, M. J. and Judah Schept (2018). Penal abolition praxis. *Critical Criminology*, 26(3), pp. 319-323.
- Coyle, M. J. and Judah Schept (2019). Editor's introduction. *Social Justice*, 45(4), pp. 1-6.
- Dobchuk-Land, B. (2017). Resisting progressive carceral expansion: Lessons for abolitionists from anti-colonial resistance. *Contemporary Justice Review*, 20(4), pp. 404-418.
- Durkheim, E. (1933/1984). *The division of labor in society*, New York: Free Press.
- Feagin, J. R. (1991). The continuing significance of race: Antiblack discrimination in public places. *American Sociological Review*, 56(1), pp. 101-116.

- Garland, D. (1990). *Punishment in modern society: A study in social theory*. Chicago: University of Chicago Press.
- Ilea, A. (2018). What about the sex offenders? Addressing sexual harm from an abolitionist perspective. *Critical Criminology*, 26(3), pp. 357–372.
- Kendall, D. (1999). *Sociology in our times*. Belmont: Wadsworth.
- McDowell, M. G. and L. A. Fernandez (2018). Disband, disempower, and disarm: Amplifying the theory and practice of police abolition. *Critical Criminology*, 26(3), pp. 373–791.
- Merton, R. K. (1968). *Social theory and social structure*. New York: Free Press.
- Michels, R. (1949). *Political parties: A sociological study of the oligarchical tendencies of modern democracy*. Glencoe: Free Press.
- Pelot-Hobbs, L. (2018). Scaling up or scaling back? The pitfalls and possibilities of leveraging federal interventions for abolition. *Critical Criminology*, 26(3), pp. 423–441.
- Pepinsky, H. (2019). The role of peacemaking in penal abolition. *Social Justice*, 45(4), pp. 57-78.
- Price, J. M. (2017). Psychic investment in cruelty: Three parables on race and imprisoning the mentally ill. *Contemporary Justice Review*, 20(4), pp. 491-504.
- Quinney, R. (1970). *The social reality of crime*. Boston: Little, Brown and Company.
- Quinney, R. (1980). *Providence: The reconstruction of social and moral order*. New York: Longman.
- Reasons, C. E., D. J. Conley, and J. Debro (Eds.) (2002). *Race, class, gender, and justice in the United States: A text reader*. Boston: Allyn and Bacon.
- Saleh-Hanna, V. (2017). An abolitionist theory on crime: Ending the abusive relationship with racist-imperialist-patriarchy [R.I.P.], *Contemporary Justice Review*, 20(4), pp. 419-441.
- Seigel, M. (2017). The dilemma of racial profiling: An abolitionist police history. *Contemporary Justice Review*, 20(4), pp. 474-490.
- Shelden, R. G. (1999). The prison industrial complex and the new American apartheid. *The Critical Criminologist*, 10(1), pp. 7-9.
- Shelden, R. G. (2001). *Controlling the dangerous classes: A critical introduction to the history of criminal justice*. Boston: Allyn & Bacon.

- Story, B. and J. Schept (2019). Against punishment: Centering work, wages, and uneven development in mapping the carceral state. *Social Justice*, 45(4), pp. 7-33.
- Turner, J. H., L. Beeghly, and C. H. Powers (1995). *The emergence of sociological theory*. Belmont: Wadsworth.
- Weber, Max (1905/1989). *The Protestant Ethic and the Spirit of Capitalism*. Translated by T. Parsons. London: Unwin Hyman.
- Weber, M. (1922). *Economy and society: An outline of interpretive sociology*. Guenther Roth and Claus Wittich (Eds.). New York: Bedminster Press.
- Whalley, E. and C. Hackett (2017). Carceral feminisms: The abolitionist project and undoing dominant feminisms. *Contemporary Justice Review*, 20(4), pp. 456-473.
- Whynacht, A., E. Arsenault, and R. Cooney (2019). Abolitionist pedagogy in the neoliberal university: Notes on trauma-informed practice, collaboration, and confronting the impossible. *Social Justice*, 45(4), 141-161.
- Woodall, D. (2019). We are all criminals: The abolitionist potential of remembering. *Social Justice*, 45(4), pp. 117-140.
- Zinn, H. (1970/1990). *The politics of history: With a new introduction*. Urbana and Chicago: University of Illinois Press.

About the Authors

Jeffrey M. London received a Ph.D. in sociology from the University of Colorado. He is currently a Professor of Criminal Justice and Criminology at Metropolitan State University of Denver (MSU Denver). He teaches upper-division courses on drugs and the criminal justice system, and criminological theories. He is also the Principal Investigator for the Department of Defense funded MSU Denver Cybersecurity Education Diversity Initiative (CEDI) Subaward. E-mail: jlondon5@msudenver.edu.

Emily I. Troshynski holds a M.Sc. in Sociology from The London School of Economics and Political Science (LSE) and a Ph.D. in Criminology, Law and Society from The University of California, Irvine (UCI). She is currently an Associate Professor of Criminal Justice at The University of Nevada, Las Vegas (UNLV). Emily Troshynski studies gender violence, justice responses to gender violence, access to justice, consequences of incarceration, and prisoner reentry. She teaches introductory courses on criminal justice, upper-division courses on women and crime, gender and crime, theories of crime and deviance, and a special topics course on surveillance and social control. She also teaches graduate courses on

gender and feminist theory as well a qualitative research methods and analysis. E-mail: emily.troshynski@unlv.edu.

Gregory Panos has worked in the field of Information Technology since 1995 and is currently the LASO (Local Agency Security Officer) for the Bay Harbor Islands Police Department in Florida. He is a former Evangelical minister, with two decades of experience volunteering and working full time among the homeless population in Miami-Dade. E-mail: gregcpanos@gmail.com.