# Announcing

the first contemporary work to examine crime punishment and social harms from a libertarian perspective

-CRIMINOLOGY FROM AN ANARCHIST PERSPECTIVE-

## THE STRUGGLE TO BE HUMAN: CRIME, CRIMINOLOGY AND ANARCHISM

By

LARRY TIFFT

Central Michigan University

**DENNIS SULLIVAN** 

College of St. Rose

The Struggle To Be Human is a foundational work which attempts to restore to human consciousness a more fundamental understanding of the conditions of social life, maintaining as it does that human survival and continuity are not insured by violence or power or institutions derived from the state or its certifying professions, but through human competencies and usefullness derived from cooperation and mutual aid.

The Struggle To Be Human emerges amidst the recurring failure of both academic and marxist sociologies to provide insight into ways in which we can live together harmoniously. It links the issues of social harm and punishment to scarcity and the basic human struggle to be free, and provides an incisive critique of the institutions of law, the state and certifying administrative systems. Also, it provides some historical insights into how both academic and marxian analyses, by their insistence upon the centrality of the State, continue to trade away the possibility of present human fulfillment and community for a managed, power-based existence.

now available; 224 pp. \$14.00 hardbound (ISBN 0 904564 31 2)

order from
CIENFUEGOS PRESS
Box 105, Mt. Pleasant, Michigan 48858

# HICAG

Since 1891, Publishers of Scholarly Books and Journals

#### **Judicial Review and the** National Political Process

A Functional Reconsideration of the Doris Marie Provine Role of the Supreme Court Jesse H. Choper

"This is a work of great originality and staggering scholarship. No other —C. Herman Pritchett work has so intensively analyzed the problem or come up with such a startling set of 'proposals.' ''

-C. Herman Pritchett Cloth 528 pages \$28.50 May



Chicago 60637

#### Case Selection in the **United States Supreme Court**

"It is . . . a fine and ingenious piece of research and writing . . . A very enlightening and useful study."

Cloth 224 pages TBA June

#### The Supreme Court Review, 1979

Edited by Philip B. Kurland and Gerhard Casper

"An indispensable, universally quoted work of the highest scholarship regarding the world's most influential tribunal."—Robert F. Drinnan, S.J.

Cloth 458 pages \$30.00 April

## New from LexingtonBooks

#### The American Prosecutor: A Search for Identity

Joan E. Jacoby, Bureau of Social Science Research, Inc. 336 pp. ISBN 0-669-03291-3 \$28.95

#### **Printers Face Automation**

The Impact of Technology on Work and Retirement among Skilled Craftsmen Theresa F. Rogers and Nathalie S. Friedman, Columbia University and Barnard College

Foreword by A.H. Raskin 208 pp. ISBN 0-669-03310-3 \$21.95

#### Plea-Bargaining

edited by William F. McDonald and James A. Cramer, Georgetown University 224 pp. ISBN 0-669-02363-9 \$21.95

#### Women's Organizations' Use of the Courts

Karen O'Connor, Emory University Available Spring 1980 ISBN 0-669-03093-7

Please write for our 1980 catalog.



#### LexingtonBooks

D. C. Heath and Company 125 Spring Street **HEATH** Lexington, MA 02173

(617) 862-6650 (212) 924-6460

Call our toll-free number (800) 428-9292

# The psychological implications of the law . . . and proven ways to apply them

#### Social Psychology in Court

By Michael J. Saks and Reid Hastie. This important volume investigates current psychological and statistical research to analyze how interpersonal dynamics and social mores affect the court system. You gain fresh insights into the socio-psychological aspects of plea bargaining, bail setting, sentencing, and the judge's communications with the jury . . . tactics for assessing client and witness credibility . . . scientific methods of jury selection . . . and more. "The best single summary of psychological research relevant to the courts." — Judicature 245 pp., 6 x 9, \$14.95

#### New Directions in Psycholegal Research

Edited by Paul D. Lipsitt and Bruce D. Sales. Here are original research investigations into how the legal process is affected by the attitudes and values of judges, juries, and other participants in the legal system. The book includes the latest theories, methodologies, and findings in areas such as evidence in rape trials, rights of mental patients, jury deliberations, prediction of recidivism, juvenile comprehension of Miranda warnings, and corporate violence. Alternative ways to process disputes and pragmatic solutions to problems confronting the legal system are also provided.

# The Criminal Justice System and Its Psychology

By Alfred Cohn and Roy Udolf. Drawing on backgrounds in both psychology and the law, the authors of this volume apply the principles of learning, perception, and group functioning to specific problems of crime, law enforcement, and penology—as well as to substantive and procedural aspects of criminal law in the United States. Coverage extends from persons (criminals, witnesses, victims, police, and other professional personnel) to procedures (jury selection, trials, and jury deliberation). 345 pp., 6 x 9, \$17.95.

# Social Psychology and Discretionary Law

Edited by Lawrence E. Abt and Irving Stuart. In this unique book, 31 experts in psychology, criminology, and law fully discuss the legal process from the viewpoint of involved human elements. All interactions and procedures affected by discretionary factors are considered—from the initial reporting of a crime to the actual confinement of a convicted criminal. You get in-depth coverage of anomalies in the juvenile justice system, as well as comprehensive evaluations of the various interpersonal relationships and group dynamics that influence legal decisions. "Highly recommended." — Choice. 370 pp., 6 x 9, \$18.50.

#### 15-day FREE Examination Offer



Van Nostrand Reinhold Mail Order Service 7625 Empire Drive Florence, Kentucky 41042

Please send me the book(s) circled at right for a 15-day free examination. At the end of 15 days, if satisfied, I will send you my remittance plus postage and handling. Otherwise, I will return the book(s) and owe nothing.

□ SAVE MONEY: Check here if you prefer to enclose payment now, and we pay postage and handling. Same return privilege, full money-back guarantee. Local sales tax must be included with payment.

#### Circle your choices below:

 23186-5	Social Psychology in Court	\$14 <b>9</b> 5
 28882-4	The Criminal Justice System and Its	Ψ11.00
	Psychology	\$17.95
 26267-1	New Directions in	
	Psycholegal	
	Research	\$18.95
 27907-8	Social Psychology ar	nd
	Discretionary	
	Law	\$18.50

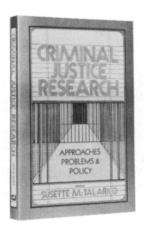
Offer good in U.S.A. only. Payment must accompany orders with PO Box addresses. Prices subject to change

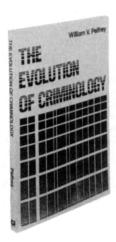
L 7745

#### New from Anderson

#### Criminal Justice Research: Approaches, Problems, and Policy Susette M. Talarico

The first anthology specifically directed toward research in criminal justice. Twenty-four articles designed to introduce the reader to basic methodologies involved in research; problems that impinge on research efforts; and implications and interpretations of research results. \$14.95.



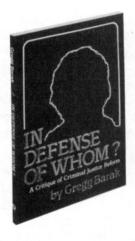


# The Evolution of Criminology William V. Pelfrey

A definitive analysis of the past, present and future of criminology. Includes an excellent overview of the complex concept of the "new criminology." \$8.95

#### In Defense of Whom? A Critique of Criminal Justice Reform Gregg Barak

A look at the major reforms the criminal justice field has undergone since the colonial period and the various ideologies that have emerged to justify these reforms. \$8.95



### **Anderson Publishing**

646 Main Street, Cincinnati, Ohio 45201 (513)421-4142



### **SEE NO EVIL**

# The Backstage Battle Over Sex and Violence in Television by GEOFFREY COWAN

"A detailed view of the sordid and secret world of censorship, special interest groups, sponsors, the FCC and other government agencies." — Law Books in Review

"The indexed work is well-written and provides (1) good background on the workings of broadcasting at national levels, and (2) an excellent case study of a far reaching and important case which impinges on many levels of industry policy. Recommended."

- Mass Media Booknotes

"A balanced discussion of the controversy regarding TV programming content... and other recent law suits with potential implications for television programming." — Annals of the American Academy of Political and Social Science

This inside story of the legal battle to abolish television's "family hour", by the lawyer who organized the landmark challenge, provides rare insights into the mechanisms of censorship, the way programming decisions are made, and the impact of television on American life.

324 pages 0-671-25411-1 \$4.95



Examination copies of paperbacks are available by writing to Educational & Library Services, below address. On university letterhead, describe the course for which you are considering using the title requested. A \$1.00 service charge for each book must accompany the request.

A division of

SIMON & SCHUSTER 1230 Avenue of the Americas, New York, NY 10020

#### Announcing a new series . . .

# Studies on Law and Social Control

Series Editor: Donald Black

Harvard University, Cambridge, Massachusetts

This series is designed to publish theoretical and empirical studies of law and other kinds of social control, such as dispute settlement in traditional societies, organizations, and families. All of the studies will contribute to the growing movement concerned with a specific understanding of social control as it appears across the world and throughout history.

#### MEDITATION AND SOCIETY

Conflict Management in Lebanon
By CATHIE J. WITTY

Mediation and Society is a theoretical and empirical inquiry into the nature of mediation and its relation to people, communities, and social systems. This comparative legal analysis is based on two comparative case studies—one Lebanese and the other American. It develops and illustrates a general theory of mediation and also addresses concrete issues of social and legal planning. The cross-cultural exploration specifically offers rich clues for planning and implementing more effective methods of dispute settlement appropriate to American culture. Mediation is viewed as an integral and necessary component of conflict management systems. The radically different political and personal implications of mediation and adjudication are illustrated, thus providing one step in the cumulative process neccessary in reassessing dispute resolution and conflict management on local and national levels.

1980, 176 pp., \$14.50 ISBN: 0-12-760850-8

Now available in paperback . . .

#### THE BEHAVIOR OF LAW

By DONALD BLACK 1980, 192 pp., \$6.50 ISBN: 0-12-102652-3

#### THE IMPOSITION OF LAW

Edited by SANDRA B. BURMAN and BARBARA E. HARRELL-BOND

CHAPTER HEADINGS: S. B. Burman and B. E. Harrell-Bond, Introduction. S. M. A. Lloyd-Bostock, Explaining Compliance with Imposed Law. V. Aubert, On Methods of Legal Influence. H. A. Bedau, The Death Penalty in the United States: Imposed Law and the Role of Moral Elites. F. Svensson, Imposed Law and the Manipulation of Identity: The American Indian Case. N. Forer, The Imposed Wardship of American Indian Tribes: A Case Study of the Prairie Band Potawatomi. P. Fitzpatrick and L. Blaxter, Imposed Law in the Containment of Papua New Guinea Economic Ventures. L. Pospisil, Legally Induced Culture Change in New Guinea. H. W. O. Okoth-Ogendo, The Imposition of Property Law in Kenya. R. L. Abel, Western Courts in Non-Western Settings: Patterns of Court Use in Colonial and Neo-Colonial Africa. J. T. Thomson, Capitation in Colonial and Post-Colonial Niger: Analysis of the Effects of an Imposed Head-Tax System on Rural Political Organization. A. Sajó, Compulsory Prosperity: Some Effects of the Regulation of Farmers' Cooperatives in Hungary. S. D. Anderman, Attempts to Impose Legal Restrictions on Trade Unions in Britain 1968-1974. G. R. Rubin, Wartime Industrial-Relations Legislation and Legal Institutions and Procedures: The British Munitions of War Acts, 1915-1917. A Howkins, Economic Crime and Class Law: Poaching and The Game Laws, 1840-1880. R. L. Kidder, Toward an Integrated Theory of Imposed Law. Index.

References appear at the end of each chapter.

1979, 336 pp., \$22.00 ISBN: 0-12-145450-9

#### **DISPUTES AND NEGOTIATIONS**

A Cross-Cultural Perspective By P. H. GULLIVER

CHAPTER HEADINGS: The Process of Negotiation. The Study of Joint Decision-Making. Some Basic Concepts for the Study of Negotiation. Processual Model of Negotiation, 1: The Cyclical Model—Information Exchange and Learning. Processual Model of Negotiation, 2: The Developmental Model. The Dynamics of Negotiation. Mediators: Triadic Interaction in the Negotiation Process. Two Case Studies. Conclusion. References. Subject Index.

1979, 320 pp., \$19.00 ISBN: 0-12-305550-4

Future volumes in STUDIES ON LAW AND SOCIAL CONTROL are now available on a Continuation Order basis. Your Continuation Order authorizes us to ship and bill each future volume in the series automatically, immediately upon publication. This order will remain in effect until cancelled. Specify the volume number or title with which your order is to begin.

Send payment with order and save postage and handling charge.

Prices are subject to change without notice.

#### **ACADEMIC PRESS, INC.**

A Subsidiary of Harcourt Brace Jovanovich, Publishers 111 FIFTH AVENUE, NEW YORK, N.Y. 10003 24-28 OVAL ROAD, LONDON NW1 7DX

# What legal rights should children be granted— or denied?

#### THE CHILD AND THE STATE

A Normative Theory of Juvenile Rights

Laurence D. Houlgate

Examining the arguments of both the child liberationists and child protectionists, *The Child and the State* provides an overview of the current legal status of the child under U.S. law, an analysis of relevant Supreme Court decisions, and an extended critique of the philosophical arguments for treating children differently from adults under the law. \$12.00

# Why can big business operate from behind closed doors?

#### CORPORATIONS AND INFORMATION

Secrecy, Access, and Disclosure

Russell B. Stevenson, Jr.

In a fundamental reexamination of the rules of secrecy and disclosure in the business world, Russell Stevenson describes how laws relating to corporate privacy evolved out of efforts to protect the interests of corporations and their shareholders and speculates about what would happen to big business if those laws were changed to allow greater access to corporate information. \$17.95

# **Johns Hopkins**

The Johns Hopkins University Press Baltimore, Maryland 21218

# POLICY STUDIES ORGANIZATION

#### AN EXCELLENT BENEFIT/COST INVESTMENT

A relatively **NEW ORGANIZATION** has been formed to promote the application of political and social science to important policy problems. To implement that purpose the Policy Studies Organization has a journal, series of books, and other non-publication activities.

The **POLICY STUDIES JOURNAL** primarily consists of a symposium in each quarterly issue on an important policy studies topic. Each issue also contains non-symposium articles, literature reviews, and news concerning policy studies. Special issues of the *Journal* are often provided at no extra cost to subscribers, with as many as eight issues per year.

**PSO DIRECTORIES** are now available describing policy studies activities among academic-programs, government agencies, funding sources, research centers, individual researchers, and publishers/associations. Two of those six directories are available free to new members, and others can be obtained at \$3 apiece for individuals and \$5 for libraries, like back issues of the *Policy Studies Journal*. Future directories and editions are sent to all members without charge.

There are now five **PSO BOOK SERIES**, including the ones published by Lexington-Heath and Sage Publications, for which one-third discounts are available to PSO members. Other PSO publishers include Praeger, Transaction Books, and Southern Illinois Press.

**NON-PUBLICATION ACTIVITIES** of the Policy Studies Organization include sponsoring policy-relevant workshops at national and regional conventions, and maintaining an information clearinghouse. They also include promoting academic-practitioner interaction and cooperation across policy-relevant journals and associations.

Dues are **ONLY \$10 A YEAR** for regular members, \$6 for student members, and \$20 for library and institutional members. To become a member, send a check to the Policy Studies Organization, 361 Lincoln Hall, University of Illinois, Urbana, IL 61801. Also indicate what directories and back *PSJ* issues you would like to have. A list of the symposia included in the back issues can be obtained when subscribing, or from the end of the autumn, 1979 *PSJ*. We welcome your joining with us in promoting the application of political and social science to important policy problems.

# INTERNATIONAL REVIEW OF MODERN SOCIOLOGY &

# INTERNATIONAL JOURNAL OF SOCIOLOGY OF THE FAMILY

#### **SINCE 1971**

The two biannual journals are devoted to encourage crosscultural, cross-national, and inter-disciplinary research and exchange of information concerning significant developments in comparative sociology and sociology of marriage and the family. The journals publish articles of a theoretical, methodological, and empirical nature, book reviews, letters to the editor, comments and rejoinders, annotated bibliographies, news and announcements.

MANUSCRIPTS should be submitted in duplicate and in acceptable form. REFERENCES and FOOTNOTES should be according to the FORMAT used in AMERICAN SOCIOLOGICAL REVIEW. Style instructions for guidance in preparing manuscripts will be provided upon request to the EDITOR.

PROCESSING FEE of \$10.00 must accompany each paper submitted either to INTERNATIONAL REVIEW OF MODERN SOCIOLOGY or INTERNATIONAL JOURNAL OF SOCIOLOGY OF THE FAMILY. The manuscripts not accompanied by the fee will not be processed until the fee is received by the EDITOR.

EDITORIAL OFFICE: Correspondence concerning manuscripts, news, and announcements should be addressed to: Man Singh Das, Ph.D., Editor, c/o Department of Sociology, Northern Illinois University, DeKalb, Illinois 60115 U.S.A.

BUSINESS OFFICE: Correspondence concerning subscriptions, changes of address, renewals, advertising, request for reprints of individual articles, and permission to quote from these two journals must be directed to:

International Journals Vikas Publishing House Pvt. Ltd. 20/4 Industrial Area, Sahibabad Dist. Ghaziabad, U.P., India

#### SUBSCRIPTION RATES:

Annual: RS 60 \$16 Single Issue: RS 35 \$ 8

Subscription orders may be placed through your subscription agent, or mailed directly to Vikas Publishing House.

# The Canadian Journal of Sociology Cahiers canadiens de sociologie

#### **Editors**

Richard Ericson Andrew Harrell Lyle Larson Nico Stehr

#### Editorial Board Gerald Fortin

Edward Gross Stanley Lieberson Mildred Schwartz Dennis Wrong

#### Associate Editors

T.R. Balakrishnan-University of Western Ontario Wallace Clement-McMaster University James Curtis-University of Waterloo Leo Driedger-University of Manitoba Larry Felt-Memorial University Dennis Forcese-Carleton University Martha Foschi-University of British Columbia Herbert Gamberg-Dalhousie University Timothy Hartnagel—University of Alberta R. Alan Hedley--University of Victoria Harry H. Hiller-University of Calgary John D. Jackson-Concordia University J. Paul Johnston-University of Alberta Ronald D. Lambert-University of Waterloo Eugen Lupri-University of Calgary William Michelson-University of Toronto James C. Moore-York University James Richardson-University of New Brunswick Brigitte Schroeder-Gudehus-Université de Montréal Dorothy Smith-Ontario Institute for Studies in Education Malcolm Spector-McGill University Lorne Tepperman—University of Toronto

> Roy Turner—University of British Columbia Kenneth Westhues—University of Waterloo

The Canadian Journal of Sociology is published at
The University of Alberta. Individual subscriptions are
\$18 per year. Subscriptions from institutions and libraries are
\$36 per year. Requests concerning manuscripts,
advertising and subscriptions should be sent to
The Canadian Journal of Sociology, Department of Sociology,
The University of Alberta, Edmonton, Alberta, Canada T6G 2H4.

Some recent and forthcoming articles from the quarterly CJS:
Harold Fallding—Mainline
Protestantism in Canada and the United States; James
Richardson—Education and social mobility;
R. James Sacouman—The differing origins, organization and impact of Maritime and Pracooperative movements to 1940; S.D. Berkow

organization and impact of Maritime and Prairie cooperative movements to 1940; S.D. Berkowitz-Forms of state economy and the development of western Canada; Graham Knight - Work orientation and mobility ideology in the working

class; S.D. Clark — The changing image of sociology in Canada; Gwynn Nettler — Sociologist as advocate; Richard L. Ogmundson—

Toward study of the endangered species known as the

Anglophone Canadian; Hermann Strasser—Stratum and class formation: principles of a theory of social inequality; Francois Beland—Une loi

de distribution des frequences des visites aux omnipracticiens: la binomiale negative.

Special Issues: Volume I and II----nationalism; Volume III, Issue 2-- Sociology of Religion;

Volume IV, Issue 3—Anglo-Canadian Historical Sociology; Volume V, Issue 3—Criminology; Volume VI, Issue 3—Family Theory and Research; Volume VII, Issue 3—Sociology of Science.





Attempting to reach a better understanding of the nature of law and its proper place in the social order, Prof. Jenkins develops a systematic theory of the origins, the ends, and the functions of law. He then applies this theory to the problems that law encounters and the conditions that it must satisfy if it is to be an effective force in society.

"Jenkins is very much his own thinker, and he makes his arguments with a rare mixture of lucidity and elegance. I think that this is the book that Alexander Bickel would have liked to have written."

Sanford Levinson, University of Texas Law School Cloth, \$25,00, Paper, \$6.95

# PRINCETON UNIVERSITY PRESS PRINCETON, NEW JERSEY 08540

#### LAW AND SOCIETY ASSOCIATION MEMBERSHIP FORM

Membership in the Law and Society Association may be obtained by mailing this form with a check\* for the appropriate amount to Prof. James E. Wallace, Law and Society Association, Executive Office, University of Denver, College of Law, 200 West 14th Ave., Denver, Colo. 80204.

Members of the Law and Society Association receive the *Review* as a perquisite of membership. Dues in the Association are:

Type of membership	Dues
Student (nonvoting)	\$ 10.00
Regular	20.00
Joint	25.00
Contributing	\$ 50.00
Sustaining	\$100.00

Contributions to the Law and Society Association are tax exempt.

Name			
Mailing address			
Type of membership			
Amount enclosed			

<sup>\*</sup>Payable to the Law and Society Association

# Police Interrogation and Confessions

Essays in Law and Policy

## by Yale Kamisar

"[A] brilliant contemporaneous commentary to the Supreme Court's reformulation of the law in this area over the past two decades."

—Samuel Dash

"There really is no competing work...No one explores fundamental issues of constitutional law and policy more intensively and incisively."

-Welsh S. White

"...unrivaled in the literature...the most illuminating historical perspective of the Supreme Court's efforts to deal with the confessions problem and the most penetrating analysis of the constitutional and policy issues that have confronted the Court along the way...Required reading for anyone contemplating the directions the Court should take in the future."

-Joseph D. Grano

# The University of Michigan Press

Dept. AP P.O. Box 1104 Ann Arbor, Michigan 48106