

THE POLICE POWER

PATRIARCHY AND
THE FOUNDATIONS OF
AMERICAN
GOVERNMENT



MARKUS DIRK DUBBER

Police Power Patriarchy And The Foundations Of American Government

**Michelle D. Bonner,Guillermina
Seri,Mary Rose Kubal,Michael Kempa**

Police Power Patriarchy And The Foundations Of American Government:

The Police Power Markus Dirk Dubber, 2005-01-12 Mention the phrase Homeland Security and heated debates emerge about state uses and abuses of legal authority This timely book is a comprehensive treatise on the constitutional and legal history behind the power of the modern state to police its citizens Dubber explores the roots of the power to police the most expansive and least limitable of governmental powers by focusing on its most obvious and problematic manifestation criminal law He argues that the defining characteristics of this power including the inability to accurately define it reflect its origins in the discretionary and virtually limitless patriarchal power of the householder over his household The paradox of patriarchal police power as the most troubling yet least scrutinized of governmental powers can begin to be resolved by subjecting this branch of government to the critical analysis it merits Dubber shows us that the question must become how can the police power and criminal law together serve the goals of social equity that define and give direction to contemporary democratic societies This book goes to the heart of this neglected but crucial topic

Philosophical Foundations of Criminal Law R. A. Duff, Stuart Green, 2013-01-24 Twenty five leading contemporary theorists of criminal law tackle a range of foundational issues about the proper aims and structure of the criminal law in a liberal democracy The challenges facing criminal law are many There are crises of over criminalization and over imprisonment penal policy has become so politicized that it is difficult to find any clear consensus on what aims the criminal law can properly serve governments seeking to protect their citizens in the face of a range of perceived threats have pushed the outer limits of criminal law and blurred its boundaries To think clearly about the future of criminal law and its role in a liberal society foundational questions about its proper scope structure and operations must be re examined What kinds of conduct should be criminalized What are the principles of criminal responsibility How should offences and defences be defined The criminal process and the criminal trial need to be studied closely and the purposes and modes of punishment should be scrutinized Such a re examination must draw on the resources of various disciplines notably law political and moral philosophy criminology and history it must examine both the inner logic of criminal law and its place in a larger legal and political structure it must attend to the growing field of international criminal law it must consider how the criminal law can respond to the challenges of a changing world Topics covered in this volume include the question of criminalization and the proper scope of the criminal law the grounds of criminal responsibility the ways in which offences and defences should be defined the criminal process and its values criminal punishment the relationship between international criminal law and domestic criminal law Together the essays provide a picture of the exciting state of criminal law theory today and the basis for further research and debate in the coming years

Constitution and Public Policy in U. S. History Julian E. Zelizer, Bruce J. Schulman, 2010-11-01 *The SAGE Handbook of Global Policing* Ben Bradford, Beatrice Jauregui, Ian Loader, Jonny Steinberg, 2016-07-14 The SAGE Handbook of Global Policing examines and critically retraces the field of policing studies by posing and exploring a series of

fundamental questions to do with the concept and institutions of policing and their relation to social and political life in today's globalized world The volume is structured in the following four parts Part One Lenses Part Two Social and Political Order Part Three Legacies Part Four Problems and Problematics By bringing new lines of vision and new voices to the social analysis of policing and by clearly demonstrating why policing matters the Handbook will be an essential tool for anyone in the field

Stop and Search and Police Legitimacy Ben Bradford, 2017-01-06 Stop and search is a form of police citizen interaction that is confrontational often stressful for those involved and potentially damaging to the relationship between police and public The extent to which police officers use their power to stop and perhaps search members of the public is intimately linked not only to the present day context of policing but also to longer term patterns in the aims of policing the ends used to achieve them and ultimately to the ideology of policing in England and Wales Stop and Search and Police Legitimacy draws upon both police administrative and survey based data to examine what has for many years been one of the most highly charged and contested aspects of police practice Taking a decidedly quantitative empirical approach this book examines the patterning of police stops over social and geographic space the problem of ethnic disproportionality and the evidence concerning how people experience and react to being stopped by police particularly in relation to issues of fairness legitimacy cooperation and compliance A further important concern is the extent to which this form of police practice shapes and re shapes the identities of those affected by it This ground breaking study is a comprehensive resource for students and scholars in the fields of criminology sociology social policy ethnic and racial studies and human rights It will also be of special interest to police leaders and policy makers

Reforming 21st Century Peacekeeping Operations Marc. G Doucet, 2017-07-06 This book considers contemporary international interventions with a specific focus on analyzing the frameworks that have guided recent peacekeeping operations led by the United Nations Drawing from the work of Michel Foucault and Foucauldian inspired approaches in the field of International Relations it highlights how interventions can be viewed through the lens of governmentality and its key attendant concepts The book draws from these approaches in order to explore how international interventions are increasingly informed by governmental rationalities of security and policing Two specific cases are examined the UN's Security Sector Reform SSR approach and the UN's Protection of Civilians agenda Focusing on the governmental rationalities that are at work in these two central frameworks that have come to guide contemporary UN led peacekeeping efforts in recent years the book considers The use in IR of governmentality and its attendant notions of biopower and sovereign power The recent discussion regarding the concept and practice of international policing and police reform The rise of security as a rationality of government and the manner in which security and police rationalities interconnect and have increasingly come to inform peacekeeping efforts The Security Sector Reform SSR framework for peacebuilding and the rise of the UN's Protection of Civilians agenda This book will be of interest to graduates and scholars of international relations security studies critical theory and conflict and intervention

Vagrant Figures Sal

Nicolazzo,2021-01-05 How vagrancy as legal and imaginative category shaped the role of policing in colonialism racial formation and resource distribution In this innovative book demonstrating the important role of eighteenth century literary treatments of policing and vagrancy Nicolazzo offers a prehistory of police legitimacy in a period that predates the establishment of the modern police force She argues that narrative textual and rhetorical practices shaped not only police and legal activity of the period but also public conceptions of police power Her extensive research delves into law and literature on both sides of the Atlantic tracking the centrality of vagrancy in establishing police power as a form of sovereignty crucial to settler colonialism slavery and racial capitalism The first book in several generations to address policing and vagrancy in the eighteenth century and the first in the field to center race and empire in its account of literary vagrancy Nicolazzo s work is a significant contribution to the field of eighteenth century literary and cultural studies

Seeing Justice Mary Angela Bock,2021 A behind the scenes look at the struggles between visual journalists and officials over what the public sees and therefore much of what the public knows of the criminal justice system In the contexts of crime social justice and the law nothing in visual media is as it seems In today s mediated social world visual communication has shifted to a democratic sphere that has significantly changed the way we understand and use images as evidence In Seeing Justice Mary Angela Bock examines the way criminal justice in the US is presented in visual media by focusing on the grounded practices of visual journalists in relationship with law enforcement Drawing upon extended interviews participant observation contemporary court cases and critical discourse analysis Bock provides a detailed examination of the way digitization is altering the relationships between media consumers and the criminal justice system From tabloid coverage of the last public hanging in the US to Karen shaming videos from mug shots to perp walks she focuses on the practical struggles between journalists police and court officials to control the way images influence their resulting narratives Revealing the way powerful interests shape what the public sees Seeing Justice offers a model for understanding how images are used in news narrative

Policing Methamphetamine William Campbell Garriott,2011 In its steady march across the United States methamphetamine has become to quote former Attorney General Alberto Gonzales OC the most dangerous drug in America OCO As a result there has been a concerted effort at the local level to root out the methamphetamine problem by identifying the people at its sourceOCOthose known or suspected to be involved with methamphetamine Government sponsored anti methamphetamine legislation has enhanced these local efforts formally and informally encouraging rural residents to identify meth offenders in their communities Policing Methamphetamine shows what happens in everyday lifeOCOand to everyday lifeOCowhen methamphetamine becomes an object of collective concern Drawing on interviews with users police officers judges and parents and friends of addicts in one West Virginia town William Garriott finds that this overriding effort to confront the problem changed the character of the community as well as the role of law in creating and maintaining social order Ultimately this work addresses the impact of methamphetamine and more generally

the war on drugs on everyday life in the United States Making the Modern Criminal Law Lindsay Farmer, 2016-01-21 The Criminalization series arose from an interdisciplinary investigation into criminalization focussing on the principles that might guide decisions about what kinds of conduct should be criminalized and the forms that criminalization should take Developing a normative theory of criminalization the series tackles the key questions at the heart of the issue what principles and goals should guide legislators in deciding what to criminalize How should criminal wrongs be classified and differentiated How should law enforcement officials apply the law s specifications of offences This the fifth book in the series offers a historical and conceptual account of the development of the modern criminal law in England and as it has spread to common law jurisdictions around the world The book offers a historical perspective on the development of theories of criminalization It shows how the emergence of theories of criminalization is inextricably linked to modern understandings of the criminal law as a conceptually distinct body of rules and how this in turn has been shaped by the changing functions of criminal law as an instrument of government in the modern state The book is structured in two main parts The first traces the development of the modern law as a distinct and conceptually distinct body of rules looking in particular at ideas of jurisdiction codification and responsibility The second part then engages in detailed analysis of specific areas of criminal law focusing on patterns of criminalization in relation to property the person and sexual conduct **Citizen-Protectors** Jennifer Carlson, 2015-04-01 From gang and drug related shootings to mass shootings in schools shopping centers and movie theatres reports of gun crimes fill the headlines of newspapers and nightly news programs At the same time a different kind of headline has captured public attention a steady surge in pro gun sentiment among Americans In Citizen Protectors Jennifer Carlson offers a compelling portrait of gun carriers shedding light on Americans complex relationship with guns Delving headlong into the world of guns Carlson participated in firearms training classes attending pro gun events and carried a firearm herself Through these experiences she explores the role guns play in the lives of Americans who carry them and shows how against a backdrop of economic insecurity and social instability gun carrying becomes a means of being a good citizen A much needed counterpoint to the rhetorical battles over gun control Citizen Protectors is a captivating and revealing look at gun culture in America and a must read for anyone with a stake in this heated debate Police Abuse in Contemporary Democracies Michelle D. Bonner, Guillermina Seri, Mary Rose Kubal, Michael Kempa, 2018-03-28 This volume offers a much needed analysis of police abuse and its implications for our understanding of democracy Sometimes referred to as police violence or police repression police abuse occurs in all democracies It is not an exception or a stage of democratization It is this volume argues a structural and conceptual dimension of extant democracies The book draws our attention to how including the study of policing into our analyses strengthens our understanding of democracy including the persistence of hybrid democracy and the decline of democracy To this end the book examines three key dimensions of democracy citizenship accountability and socioeconomic in equality Drawing from political theory comparative politics and

political economy the book explores cases from France the US India Argentina Chile South Africa Brazil and Canada and reveals how integrating police abuse can contribute to a more robust study of democracy and government in general

Violent Order David Correia, Tyler Wall, 2021-08-17 This book's radical theory of police argues that the police demand for order is a class order and a racialized and patriarchal order by arguing that the police project in order to fabricate and defend capitalist order must patrol an imaginary line between society and nature it must transform nature into inert matter made available for accumulation Police don't just patrol the ghetto or the Indian reservation the thin blue line doesn't just refer to a social order rather police announce a general claim to domination of labor and of nature Police and police violence are modes of environment making This edited volume argues that any effort to understand racialized police violence is incomplete without a focus on the role of police in constituting and reinforcing patterns of environmental racism In Search of Criminal Responsibility Nicola Lacey, 2016 What makes someone responsible for a crime and therefore liable to punishment under the criminal law Modern lawyers will quickly and easily point to the criminal law's requirement of concurrent actus reus and mens rea doctrines of the criminal law which ensure that someone will only be found criminally responsible if they have committed criminal conduct while possessing capacities of understanding awareness and self control at the time of offense Any notion of criminal responsibility based on the character of the offender meaning an implication of criminality based on reputation or the assumed disposition of the person would seem to today's criminal lawyer a relic of the 18th Century In this volume Nicola Lacey demonstrates that the practice of character based patterns of attribution was not laid to rest in 18th Century criminal law but is alive and well in contemporary English criminal responsibility attribution Building upon the analysis of criminal responsibility in her previous book Women Crime and Character Lacey investigates the changing nature of criminal responsibility in English law from the mid 18th Century to the early 21st Century Through a combined philosophical historical and socio legal approach this volume evidences how the theory behind criminal responsibility has shifted over time The character and outcome responsibility which dominated criminal law in the 18th Century diminished in ideological importance in the following two centuries when the idea of responsibility as founded in capacity was gradually established as the core of criminal law Lacey traces the historical trajectory of responsibility into the 21st Century arguing that ideas of character responsibility and the discourse of responsibility as founded in risk are enjoying a renaissance in the modern criminal law These ideas of criminal responsibility are explored through an examination of the institutions through which they are produced interpreted and executed the interests which have shaped both doctrines and institutions and the substantive social functions which criminal law and punishment have been expected to perform at different points in history **Civilizing Security** Ian Loader, Neil Walker, 2007-04-19 Security has become a defining feature of contemporary public discourse permeating the so called war on terror problems of everyday crime and disorder the reconstruction of weak or failed states and the dramatic renaissance of the private security industry But what does it mean

for individuals to be secure and what is the relationship between security and the practices of the modern state In this timely and important book Ian Loader and Neil Walker outline and defend the view that security remains a valuable public good They argue that the state is indispensable to the task of fostering and sustaining liveable political communities in the contemporary world and thus pivotal to the project of civilizing security This is a major contribution by two leading scholars in the field and will be of interest to anyone wishing to deepen their understanding of one the most significant and pressing issues of our times

A Field Guide to White Supremacy Kathleen Belew, Ramon A. Gutierrez, 2021-10-26 It is not a matter of argument among the vast majority of scholars but of demonstrable fact White supremacy includes both individual prejudice and for instance the long history of the disproportionate incarceration of people of color It describes a legal system still predisposed towards racial inequality even when judge counsel and jurors abjure racism at the individual level It is collective and individual It is old and immediate Some white supremacists turn to violence but there are also a lot of people who are individually white supremacist some openly so and reject violence This Field Guide proposes that a better understanding of hate groups white supremacy and the ways that racism and patriarchy have braided into our laws and systems can help people to tell and understand better stories

A History of Police and Masculinities, 1700-2010 David Barrie, Susan Broomhall, 2012-07-26 This unique collection brings together leading international scholars to explore how ideologies about masculinities have shaped police culture policy and institutional organization from the eighteenth century to the present day It addresses an under researched area of historical inquiry providing the first in depth study of how gender ideologies have shaped law enforcement and civic governance under old and new police models tracing links continuities and changes between them The book opens up scholarly understanding of the ways in which policing reflected sustained embodied and enforced ideas of masculinities in historic and modern contexts as well as how conceptions of masculinities were and continue to be interpreted through representations of the police in various forms of print and popular culture The research covers the UK Europe Australia and America and explores police typologies in different international and institutional contexts using varied approaches sources and interpretive frameworks drawn from historical and criminological traditions This book will be essential reading for academics students and those interested in gender culture police and criminal justice history as well as police practitioners

Obstacles to Fairness in Criminal Proceedings John D Jackson, Sarah J Summers, 2018-03-22 This volume considers the way in which the focus on individual rights may constitute an obstacle to ensuring fairness in criminal proceedings The increasingly cosmopolitan nature of criminal justice forcing legal systems with different institutional forms and practices to interact with each other as they attempt to combat crime beyond national borders has accentuated the need for systems to seek legitimacy beyond their domestic traditions Fairness expressed in terms of the right to a fair trial in provisions such as Article 6 of the European Convention on Human Rights has emerged across Europe as the principal means of guaranteeing the legitimacy of criminal proceedings The consequence of

this is that criminal procedure doctrines are framed overwhelmingly in constitutional terms the protection of defence rights is necessary to restrict and legitimate the state's mandate to prosecute crime Yet there are various problems with relying solely or predominantly on defence rights as a means of ensuring that proceedings are fair or legitimate and these issues are rarely discussed in the academic literature In this volume scholars from the disciplines of law philosophy and sociology challenge various normative assumptions underpinning our understanding of fairness in criminal proceedings

Policing Suspicion Eleanor Bland, 2021-11-04 *Policing Suspicion* is an innovative examination of policing practices and the impact of these on patterns of arrest and prosecution in London 1780-1850 The work establishes and defines the idea of proactive policing in historical context where police officers exercised discretion to arrest defendants on suspicion that they had recently committed or were about to commit an offence Through detailed examination of primary sources including the Old Bailey Proceedings newspaper reports instructions for police officers archival records of policing practices and Select Committee reports the book examines the reasons given for arrests and the characteristics of those arrested Suggesting that individual police officers made active choices using their discretion the book highlights how policing practices affected the received record of criminal activity It also explores continuities and changes in policing practices before and after the establishment of the Metropolitan Police force in 1829 examining the expectations placed on the various officials responsible for law enforcement The book contends that policing practices and proactive officers themselves contributed to the prevalence of criminal stereotypes Beyond the historical the book is situated within criminological frameworks around policing and preventive justice noting parallels between historical policing based on suspicion and contemporary police powers such as stop and search Speaking to issues of wider significance for criminologists by examining interactions between the police and suspects and reflecting on police decision making processes the book offers an original approach to those researching both the history of crime and policing and criminology and criminal justice more broadly

Preventive Justice Andrew Ashworth, Lucia Zedner, 2014 *Preventative Justice* looks at the use of coercive preventive measures by the state both within and beyond criminal law Examining preventive laws measures and institutions in and outside the criminal law it explores the justifications given for using coercion to protect the public from harm

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